SENATE.

WEDNESDAY, *June 18, 1919.*

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

Almighty God, we seek Thy gracious favor in the performance of the duties of this day. Thou hast led our fathers onward. Thou hast taken note of every issue that has been raised. Thou hast prevented us with Thy grace. Thou hast led us with Thy Spirit. To-day we come, we trust, with openmindedness toward Thee, praying that Thou wilt endue us with that wisdom which will equip us for the tasks of the day and for the rebuilding of the world that has been stricken, that has been ruined, by war. Grant us to-day Thy gracious favor. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented petitions of sundry citizens of the third congressional district of the State of Kansas, praying for Government ownership and control of railroads, which were referred to the Committee on Interstate Commerce.

Mr. NELSON presented telegrams in the nature of memorials from sundry citizens of Los Angeles, Santa Ana, and Long Beach, all in the State of California, remonstrating against the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. CAPPER presented memorials of sundry citizens of Holton, Cawker City, Oskaloosa, Atchison, Hutchinson, Belleville, Brantford, Topeka, Gypsum City, Waverly, Agricola, Elmer, Dodge City, Atwood, Valley Falls, Rock, Milton, Hope, Summerfield, Glasco, Greenleaf, Mankato, Chetopa, Boyle, Canton, Belpre, Nortonville, Newton, Herington, Abilene, and Beloit, all in the State of Kansas, remonstrating against the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of sundry citizens of Sublet, Wyo., praying that the Italo-Jugo-Slav controversy be solved through a plebescite, which was referred to the Committee on Foreign Relations.

Mr. PHIPPS presented a memorial of sundry citizens of Wiggins, Colo., and a memorial of sundry citizens of Merino, Colo., remonstrating against the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. HALE presented a petition of the Maine State Federation of Labor, in convention at Calais, Me., praying for the continuance of the United States Employment Service, which was ordered to lie on the table.

Mr. SMITH of Maryland presented a memorial of the Woman's Christian Temperance Union, of Washington County, Md., remonstrating against the repeal of war-time prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Garrett County, Md., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. FALL. I ask to have printed in the RECORD telegrams from the mayor of El Paso, Tex., and the chamber of commerce and from Senator R. M. Dudley and Col. W. J. Fewel indorsing the action of the military in going across the border into Mexico.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

EL PASO, TEX., *June 17, 1919.*

Hon. ALBERT B. FALL,
United States Senate, Washington, D. C.:

No intention to criticize local military commanders for their entry into Juarez, as we believe firing into our city has been effectively stopped. We commend Gen. Erwin, as he acted on information sufficient to himself, although we believe Carranzistas equally guilty as Villastas for casualties in our city. Can not something be done to protect lives and property of citizens in interior of Mexico? Can not all factions in Mexico be put on notice that no one will be allowed to fight within 5 miles of our border anywhere or our troops will stop same?

CHARLES DAVIS, *Mayor.*

—

EL PASO, TEX., *June 17, 1919.*

Senator ALBERT B. FALL,
Washington, D. C.:

We, the military affairs committee of the El Paso Chamber of Commerce, unqualifiedly commend Maj. Gen. Cabell, commander of the Southern Department, and Brig. Gen. Erwin, commanding the El Paso district, for their prompt action in taking the necessary measures to stop the fight across the American border, and thereby preventing further loss of life in El Paso during the fighting in Juarez on June 14 and 15, 1919.

MILITARY AFFAIRS COMMITTEE,
EL PASO CHAMBER OF COMMERCE.

EL PASO, TEX., *June 17, 1919.*

Hon. ALBERT B. FALL,
Senate Chamber, Washington, D. C.:

Adding to telegram of yesterday, I want to say too much praise can not be given Gen. Erwin, commanding El Paso troops, for his prompt action in trying to protect life and property in El Paso. I do protest, though, against our Government allowing protection to our citizens only to extend to the border. Gen. Erwin's act permanently protects this city.

R. M. DUDLEY.

—

EL PASO, TEX., *June 18, 1919.*

Senator ALBERT B. FALL,
Senate Chamber, Washington, D. C.:

Our forces have come out of Mexico for the third time, and it is the opinion of all thinking men I have talked to that this means the death of every American in the State of Chihuahua unless we go in to protect the country and to stay there until it is pacified, which, you know, can never be done by the Carranza government. Show this to HUDSPETH.

W. J. FEWEL.

Mr. SHEPPARD. I ask that a similar telegram be printed in the RECORD.

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

EL PASO, TEX. *June 17, 1919.*

Senator MORRIS SHEPPARD,
Washington, D. C.:

We, the military affairs committee of the El Paso Chamber of Commerce unqualifiedly commend Maj. Gen. Cabell commander of the Southern Department and Brig. Gen. Erwin commander of the El Paso district for their prompt action in taking the necessary measures to stop the firing across the American border and preventing further loss of life in El Paso during the fighting in Juarez on June 14 and 15, 1919.

MILITARY AFFAIRS COMMITTEE,
EL PASO CHAMBER OF COMMERCE.

SENATOR FROM MICHIGAN.

Mr. DILLINGHAM. From the Committee on Privileges and Elections, I report back favorably with amendments Senate resolution No. 11, submitted by the Senator from Ohio [Mr. POMERENE] on May 20, 1919, authorizing an investigation of alleged unlawful practices in the election of a Senator from the State of Michigan. I ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Without objection, that action will be taken.

RECLAMATION PROJECTS.

Mr. JONES of Washington. Mr. Psesident, on May 20 I submitted an amendment intended to be proposed to the sundry civil bill appropriating $50,000,000 for work on reclamation projects. The amendment was referred to the Committee on Irrigation and Reclamation of Arid Lands. By direction of that committee I report back the amendment favorably and I submit a report (No. 19) thereon. I ask that the report be printed and that the amendment be referred to the Committee on Appropriations.

The VICE PRESIDENT. Without objection, it is so ordered.

JOINT COMMITTEE ON PRINTING.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 84, submitted yesterday by Mr. SMOOT, reported it favorably, without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Joint Committee on Printing, or any subcommittee thereof, be authorized, during the Sixty-sixth Congress, to send for persons and papers and to administer oaths and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions of the Senate.

BILLS INTRODUCED.

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

By Mr. CALDER:

A bill (S. 2094) to encourage the building of homes by providing for exemption from taxation of the income on mortgages on real estate; to the Committee on Finance.

A bill (S. 2095) to authorize the President of the United States to appoint William Shelby Barriger captain of Cavalry; to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 2096) to regulate immigration to the United States and to prohibit immigration to the United States from Germany, Austria, Hungary, Bulgaria, Turkey, and their possessions for 50 years and from all other foreign countries for 20 years; to the Committee on Immigration.

A bill (S. 2097) to prohibit admission to the mails of the United States of any printed matter or literature which is printed in the German language.

A bill (S. 2098) relating to the naturalization of aliens and providing for notice by publication of hearings of applications for issuance of final naturalization certificates; and

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

A bill (S. 2099) to prohibit admission to the mails of the United States of newspapers, periodicals, magazines, or publications printed in a foreign language; to the Committee on the Judiciary.

By Mr. NORRIS:

A bill (S. 2100) authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way; to the Committee on Public Lands.

By Mr. UNDERWOOD (for Mr. BANKHEAD):

A bill (S. 2101) to correct the military record of George Openshaw; to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 2102) granting an increase of pension to Jerry S. Fish; to the Committee on Pensions.

By Mr. WOLCOTT:

A bill (S. 2103) granting an increase of pension to Jacob C. Wilson; to the Committee on Pensions.

By Mr. STANLEY:

A bill (S. 2104) providing additional aid for the American Printing House for the Blind; to the Committee on Education and Labor.

A bill (S. 2105) granting an increase of pension to Daniel Smiley; and

A bill (S. 2106) granting a pension to Leona J. Johnson; to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 2107) extending the time of notice required in ejectment or dispossession proceedings in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McLEAN:

A bill (S. 2108) granting a pension to Clementine A. Walker (with accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON of South Dakota:

A bill (S. 2109) to repeal an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate Commerce.

By Mr. HARDING:

A bill (S. 2110) granting an increase of pension to Mary E. Adams;

A bill (S. 2111) granting an increase of pension to William Redman; and

A bill (S. 2112) granting an increase of pension to Joshua H. Reynolds; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 2113) granting an increase of pension to Amanda Birch; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 2114) to provide for the acquisition of a site and the erection thereon of a public building at Silver City, N. Mex.; to the Committee on Public Buildings and Grounds.

A bill (S. 2115) for the relief of entrymen and their assigns where final entry has been canceled in violation of law; to the Committee on Public Lands.

A bill (S. 2116) for the relief of Martina Sena and Luis E. Armijo; to the Committee on Agriculture and Forestry.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. UNDERWOOD (for Mr. BANKHEAD) submitted an amendment providing that any retired commissioned officer of the Navy or Marine Corps who has performed active duty during the period of the war with Germany, and who while on active duty was promoted, and whose record is creditable, shall retain permanently the rank and pay of the grade or rank to which such officers were temporarily promoted, etc., intended to be proposed to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

OFFICE SPACE FOR SENATORS.

Mr. McKELLAR. I offer the following resolution and ask that the Secretary may read it.

The resolution (S. Res. 85) was read, as follows:

Resolved, That the Committee on Rules be, and it is hereby, directed to make an examination and report to the Senate—

First. The number of rooms in the Senate Office Building, designating which are office rooms and which are committee rooms and which have heretofore been designated and used as committee rooms, and by what committees used.

Second. The number of rooms in the Senate wing of the Capitol used either as private offices or as committee rooms.

Third. The said committee is directed to report the rooms, by numbers, occupied by each Senator as of date March 3, 1919. If any rooms were occupied by Senators that were not numbered, such fact will be reported, and if any rooms were used as "borrowed" rooms, such fact will be reported and the name of the Senator thus occupying the room.

Fourth. The number of rooms now occupied by each Senator, both in the Capitol and in the Senate Office Building.

Fifth. The said committee will further report as to the office space occupied by each Senator in square feet.

Sixth. The offices occupied by persons who are not Senators in either building and the names of such persons, and the number of rooms and the amount of space occupied by them.

Seventh. If any rooms are occupied by Senators as storage rooms or otherwise, such fact will be reported, and the names of the Senators and the location of the rooms given.

Eighth. By what authority does the Committee on Rules undertake to dispossess Senators of offices which have heretofore been assigned to them and which are now occupied by them. The committee will set out and quote the statutes vesting such authority.

Resolved further, That the Committee on Rules be directed to take no action to oust or dispossess any Senator from the rooms occupied by him until the coming in of said report and the action of the Senate thereon.

The VICE PRESIDENT. Does the Senator from Tennessee ask for the present consideration of the resolution?

Mr. CURTIS. Let it go to the Committee on Rules.

Mr. MOSES. I ask that it be referred to the Committee on Rules.

Mr. McKELLAR. I do not see the chairman of the committee present, and I do not ask for a reference of the resolution. I take it as a matter of course that the investigation will be made and a report made to the Senate. I do not see how anyone could object to it.

The VICE PRESIDENT. Is there objection to the resolution going to the Committee on Rules?

Mr. McKELLAR. Very well; let it go to the committee.

The VICE PRESIDENT. It will be so referred.

LEAGUE OF NATIONS.

Mr. SHEPPARD. Mr. President, I desire to give notice that, if I can do so without inconvenience to the business of the Senate, I shall address the Senate on Friday next on the subject of the league of nations.

TERRITORY OF TURKEY.

Mr. KING. The resolution which I offered a day or two ago is lying on the table. I ask that it may go over without prejudice, to be called up at a later date.

The VICE PRESIDENT. Is there objection? The Chair hears none.

LOSSES TO CONTRACTORS.

Mr. McKELLAR. I ask unanimous consent for the immediate consideration of Senate resolution 83. I wish to call the attention of the Senator from Washington [Mr. JONES], the chairman of the Committee on Commerce, to the resolution. The resolution simply asks for certain information and data to be furnished by the War Department. I think there will be no objection to it, and I hope the Senator from Washington will agree to its adoption.

Mr. JONES of Washington. The Senator called my attention to the resolution yesterday, and I can see no objection to it. It calls for a report from the Secretary of War of facts. I suggest that it be read.

Mr. McCUMBER. I ask the Senator if there is likely to be any discussion on it.

Mr. McKELLAR. Not at all. I ask that the resolution be read as requested by the Senator from Washington.

Mr. SMOOT. The resolution is not on the calendar.

The VICE PRESIDENT. It is in the hands of the Committee on Commerce.

Mr. McKELLAR. It was submitted yesterday. I understand it is not on the calendar. I simply ask unanimous consent for its immediate consideration.

Mr. JONES of Washington. I did not know the resolution had been referred to the Committee on Commerce. I know the Senator submitted it yesterday and I thought it was lying on the table.

Mr. McKELLAR. I did not know to what committee it had been referred, but naturally supposed it would go to the committee of which the Senator from Washington is the chairman. I spoke to him about it, and I hope it will be taken up.

Mr. NELSON. Will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. NELSON. The Committee on Commerce has a right without a resolution of the Senate to call for the information. The Committee on Commerce can secure the information without passing a resolution of the Senate.

Mr. CURTIS. I ask for the regular order.

Mr. JONES of Washington. I will say to the Senator from Tennessee that the Committee on Commerce will have a meeting to-morrow morning and we will take up the matter. I did not know the resolution had gone to the committee. I thought it was on the table.

Mr. McKELLAR. It is not on the calendar, and I would be glad to have the committee consider it to-morrow morning.

The VICE PRESIDENT. The morning business is closed.

CALLING OF THE ROLL.

Mr. McCUMBER obtained the floor.

Mr. POMERENE. Will the Senator yield?

Mr. McCUMBER. I yield.

Mr. POMERENE. I wish to suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Harrison	McNary	Simmons
Ball	Henderson	Moses	Smith, Ariz.
Beckham	Hitchcock	Myers	Smith, Md.
Calder	Johnson, Calif.	Nelson	Smoot
Capper	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Newberry	Stanley
Colt	Jones, Wash.	Norris	Sterling
Culberson	Kellogg	Nugent	Sutherland
Curtis	Kendrick	Overman	Swanson
Dial	Kenyon	Page	Thomas
Dillingham	Keyes	Phelan	Trammell
Edge	King	Phipps	Underwood
Elkins	Kirby	Pittman	Walsh, Mont.
Fernald	Knox	Poindexter	Warren
Frelinghuysen	La Follette	Pomerene	Watson
Gronna	McCormick	Robinson	Williams
Hale	McCumber	Sheppard	Wolcott
Harding	McKellar	Sherman	
Harris	McLean	Shields	

Mr. DIAL. My colleague [Mr. SMITH of South Carolina] is absent on public business.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. There is a quorum present. The Senator from North Dakota [Mr. McCUMBER] is entitled to the floor.

LEAGUE OF NATIONS.

Mr. McCUMBER. Mr. President, pursuant to the notice which I gave yesterday I desire this morning to consider at some length the general league of nations proposition and also the resolution of the Senator from Pennsylvania [Mr. KNOX].

Mr. President, the only thing in the peace treaty so far presented to us which has reached such a stage of completion as to justify the assumption of finality is the league of nations provision. Therefore it seems to me we may defer such violent condemnation of the peace terms proper as has been made in respect to some of the tentative propositions of that treaty until the completed peace terms have been signed and presented.

In view of the fact that a resolution is now on the calendar calling for the elimination of the league of nations provision as a part of the treaty, we may well ask ourselves at this time whether there is anything in that provision which surrenders our sovereignty, threatens our independence, or is in any way inimical to our interest—whether there is anything in it which we as a peace-loving and peace-proclaiming nation can not or ought not subscribe to.

This resolution as it comes from the Committee on Foreign Relations is not in effect and in purpose a resolution merely to postpone the present consideration of a compact between the nations to prevent war, but rather the pronouncement of a death sentence upon the whole proposition for such a compact. It does not even embody the real heartfelt conviction of the Senator who drew it, but is an abject surrender not only of his personal conviction, as expressed in section 5 of his original resolution, but also of the personal conviction of most Republicans, as well as Democrats, that we ought to have some agreement between the great nations to maintain the peace of the world and prevent unjust wars.

The Senator from Pennsylvania has too often, in words of power, wisdom, and eloquence, supported this thought to doubt his sentiment. So strong was this conviction that he was unable to refrain from inserting it in the resolution as he presented it to the Senate.

This is what the Senator said in section 5 of his resolution as introduced by him:

> 5. That finally it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

That is the conviction and the sentiment of the Senator from Pennsylvania solemnly introduced into the Senate of the United States.

Mr. President, I would be satisfied if that section 5, without elimination or addition, should be the only compact between the great nations of the world. All I would ask would be that it be signed by the other members of the league of nations as their concurrent policy. That would, in my opinion, prevent unjust wars as effectively as the 26 articles of the proposed national league.

Why was that provision withdrawn in the Committee on Foreign Relations? Mr. President, that great principle was surrendered to the exigency of vote getting.

There are those in the Senate, as there are of course many in the country, who are desperately opposed to any kind of an agreement which would tend to secure the settlement of international disputes in a peaceful manner. Knowing our great power and that our vast population of mediate or immediate foreign extraction from every country of Europe still maintain Old World prejudices and sympathies, loves and hates, they hope to be able to play upon those prejudices and sympathies in such manner as to involve us in war.

Mr. President, those holding to such hopes and views never would vote for any resolution that would even look toward any kind of international good will. Those holding such views are a very small minority on either side of the Chamber. And yet with a nearly tie vote between the two sides of the Chamber, and especially on this general treaty, the great majority surrendered to the small minority. It is because I know that this resolution, whether so intended to operate by its author or not, will be the death knell of any scheme for the maintenance of world peace that I refuse to surrender my convictions to this minority.

If a league to prevent unjust wars is wrong, then, of course, not only should this resolution be adopted but the league provision should be thrown bodily out of the peace treaty. The first question must necessarily be the question of the merits of the proposed league, which I shall therefore first discuss.

ARE EUROPEAN QUARRELS OF NO CONCERN TO THE UNITED STATES?

Mr. President, the very first question that challenges our attention in the matter of a league of nations is the question of whether a war in Europe is a matter of concern to the United States. The ultraopponents of any league of nations assert that European quarrels and European battles are no concern of ours. If that be true, we may well pause before obligating ourselves to make them our concern. Is it true?

Mr. President, on the 28th day of June, 1914, in one of the most insignificant countries of Europe, a country so small that its exact location at that time was scarcely known by the American people, a man and his wife were murdered by a little band of political assassins. Had this murder been committed upon an ordinary family it would not have been considered of sufficient importance to have justified the expense of a cablegram to this country. But as the victims of these misled malefactors were of the Hapsburg family, the world was notified of the occurrence. Had anyone then suggested that this act might bring on a great world war, his mental balance would have been questioned. The world was to civilized in the year 1914 to permit the destruction of millions of innocent men because one man stabbed or shot another to death. Austria would demand that the criminals be brought to justice and that demand would be acceded to by Serbia. If it were not agreed to, Austria would send an armed force into Serbia and compel not only the execution of the criminals but an apology to the Austrian Nation. And even if it did bring on a war between Austria and Serbia, we need not concern ourselves about it. Let those discordant Balkan States settle their own scores with each other; America had nothing to do with their quarrels.

Well, Mr. President, that murder has already cost the lives of more than 50,000 young American boys, and so it did become our concern. We can not look upon their fresh-made graves, scarce yet softened by nature's verdant shroud, without yielding our belief that it was no concern of ours.

That murder has cost us about $40,000,000,000 up to the present time, and before we are through $100,000,000,000 will have been paid out by the American people. Is a conflict in Europe which compels us to load that enormous debt upon the American people for a century a conflict which does not concern us? Our Civil War cost us only about five or six billions of dollars, or only about one-eighth of the cost of one year of this war. Is it no concern of ours that there shall be left at the close of this conflict the possibility, yes, the probability, that another worse war shall blacken the earth?

About 8,000,000 boys, the best boys of the great white race, were killed in battle or died of wounds. Close to 20,000,000 boys of the same blood have died because of this war. Of course only a very small proportion of them were our boys; but they were boys with the same ambitions, the same lofty hopes and aspirations, and in whom the love of life was equally strong—boys with mothers like the mothers of our boys—their hopes, their ambitions, their lofty aspirations all buried with their mangled bodies. And yet I hear Senators still say this is no

concern of ours. Twenty million young girls of this generation, the best young girls in the world, deprived of their God-given right to reign queen of heart and home, must now go down to their graves husbandless, homeless, childless.

But, say the advocates of American isolation, this is no concern of ours. We are big enough to take care of ourselves. Let other nations do the same. We do not want to be brought into European squabbles.

Says the Senator from California [Mr. JOHNSON], speaking of these European countries:

> We do not need them as partners. They require us. They yield to us nothing. They can yield to us nothing. We give to them everything. We can protect our borders for centuries to come just as we have in the centuries past. The Lord has given us geographical isolation and the Lord has denied just that thing to the different races of Europe.

And he might have added, "And so the Lord be praised"—

> And while our internationalists in behalf of the league of nations prate of the fact that we can not remain longer isolated, they forget that the geography of the situation remains immutable.

What do we get out of it? asks the Senator from California. Do we ask ourselves that question in the thousands of acts of generosity by which we gladden the lives of others? If the Senator does not ask himself that question, and I know he does not, then why does he insist that his Nation, which he loves better than himself, should ask it? If the question means, What are we to get out of it from a financial or a territorial standpoint, I freely admit that we do not need the assistance of any power on earth to protect our rights. I admit that we are so much more powerful than any other single nation to-day, so secure in our vast territorial expanse, in our geographical position, and in our material resources that we are practically immune from assault. But are we thereby relieved from any duty toward the rest of the world, or does that immunity impose upon us a greater duty toward those who are not so protected as we are? What is the true American answer? There can be but one answer: The God of international justice, by His special favors, has given to us in territorial extent, in that splendid isolation, in our vast resources, in our mighty population, has by His very law of compensation imposed upon us a greater duty than upon the less fortunate people of the world to shield the weak and to compel international right.

Mr. President, there is no moral duty incumbent upon any man in his relation to his fellow man that is not equally incumbent upon a nation in its relation to every other nation. Does any man deny that proposition? What would you say of the strong, vigorous man who would stand by while another strong man was beating a weak child to death, and idly remark, "It is no concern of mine; it is not my child." What would you say of a strong, vigorous swimmer who would stand on the shore and see a woman struggling in the waves that would soon be her death, reaching her white arms and crying for help, while he folding his muscular arms announces: "Oh, that is no concern of mine, she is not my wife or daughter." Mr. President, this doctrine of "no concern of ours" is a shameful and monstrous doctrine from every standpoint of national morality.

"Oh," but say the opponents of the league of nations, "we can make up our minds what to do when the occasion arises." Well, Mr. President, what I want us to do is to be right there on the spot, with the contractual right in our hand when the occasion arises. Had the United States been right on the spot with an agreement signed by us and signed by Germany, that Germany would not make war on France or any other country without submitting to a league of nations the question of the righteousness of her cause, the world would have been spared this awful conflagration with its consequent miseries which can never be forgotten or forgiven. You know and I know that so long as the present conception of international right continues, the conception that sovereignty has no bounds or limitations, we will not interfere unless some right of ours is attacked. What we want to-day is an international law on this subject, a law that will declare that war by one nation is a matter of concern to every other nation, and that no unjust war shall be waged by any nation. Now, that is just exactly what this league of nations does.

So, Mr. President, all this prating about what we will do in the future is worse than idle talk. We will do in the future just what we have done in the past under a like conception of sovereign rights. If there is no league of nations, the present world understanding that a war waged by one great power to annihilate another is not an assault upon other nations of the world, and that no other nation is bound to take up the cause of the weaker, will continue to prevail. You talk about our entering this war for the cause of a great world principle. The man who makes that assertion knows that he falsifies the record.

Mr. WILLIAMS. Mr. President, right there in connection with what the Senator is saying—every word of which I approve, especially what went before—shortly before his last statement he said that he admitted that we were practically immune from attack. As a matter of fact, we have never been practically immune from attack even in our selfish interests.

Mr. McCUMBER. I did not mean that no country would ever be bold enough to attack us; I meant that we are strong enough to make such action very improbable.

Mr. WILLIAMS. If the Senator will pardon me, I am not talking about that. I would admit that we were practically immune from a public confessed attack; but we were drawn into this war by the attacks of Germany not only upon our morale and our industries through the ambassador from Austria and the ambassador from Prussia, but we were drawn into it by actual attacks upon our men, our women, and our children upon the high seas.

Mr. McCUMBER. I admit that.

Mr. WILLIAMS. I merely wanted to reenforce the idea that the United States could not remain isolated from the world now, however she might have done so in George Washington's day, and she did not succeed even then——

Mr. McCUMBER. I hope to cover a little later the point suggested by the Senator more in detail, if he will allow me.

Mr. WILLIAMS. Yes—and that we are subject every day to attack in our body politic at home by foreign influence of every description.

Mr. McCUMBER. Mr. President, proceeding, I desire to say that the man who makes that assertion knows that this country never officially uttered one word of condemnation of Germany's entering upon this conquest. He knows that we never once said to Germany: "You have no right to make war on France."

Mr. WILLIAMS. Belgium.

Mr. McCUMBER. Or Belgium, either. He knows that we never uttered one word about our entrance into the war being for the cause of humanity. We based our right of action solely upon the ground that by the acts of Germany she had made war upon us. Of course, when we got into the war we were naturally fighting the cause of humanity. But it was not the cause of humanity which brought us into it. Now, I want to put ourselves in such a position that we shall never feel it necessary to reiterate that falsehood in order to place ourselves right before our own people or the world. I want this country to be in a position where she can assert without any equivocation, "This is our mutual agreement, signed by all of us, that no one of us will wage a war of conquest, and that we will act together to prevent the murder of millions of innocent human beings for the selfish ends of any one nation." I want this country to be in a position that it can say "Under the letter of this bond and for the defense of this principle we command you to halt your armies, and to maintain that principle we will consecrate the blood of our men, the tears of our women, and every resource of our Nation."

We knew all along just what Germany had in mind; we knew the course of instruction which had been given to her people from every possible source, that her destiny lay in the conquest and destruction of her neighbors. We knew her scheme of Mitteleuropa. We knew her purpose of world domination. We knew that she intended to destroy Belgium and annex the most valuable portions of France as the first step toward the accomplishment of her world-domination idea, and that was the time that we should have called the halt. But we did not have the right under international law or under any agreement to demand that she refrain from that hellish purpose. Had we had the agreement proposed in this league of nations, then, standing upon our contractual rights, we would have called her to account, and Germany would have desisted and the world would have been saved from these awful wrongs and sufferings. We do not want this country or any other country or the world to again be placed in such a position of shameful impotency.

And why, I ask you, do you boast of our fighting this war for the sake of humanity and for the higher principles of international justice, while in the same breath you declare against any obligation that shall bind us, in connection with other great nations of the world, to prevent such war of injustice and wrong? Is a war to prevent the accomplishment of an international felony right, but an agreement to prevent the initiation of the felonious purpose wrong? Let us at least attempt consistency.

Mr. President, the one regrettable thing to-day is that this war was carried on so far from us that we saw but little of its horrors, that we got into it so late that we suffered but little, comparatively, of its sacrifices, and that our people knew so little of the destitution in its wake. The closest estimate

places the number of soldiers who were killed or died of wounds from the beginning of the war to November 11, 1918, at nearly 8,000,000, and there have been more people killed in Russia since Russia's surrender to Bolshevism and German machinations than there were of Russian troops killed in the war. I think it safe to say as a fair estimate, if we include with the soldiers the civilian populations that were killed or starved to death or whose death was directly attributable to this war, that up to the present time the war has caused the death of more than 20,000,000 persons.

I wish it were possible for each of us to realize the sufferings of one dying soldier, to see the stroke and hear the thud as a rifle butt beats to a mass the head of a poor wounded boy, to view the agonizing gasps of a drowning man, to watch as the last breath passes the tender lips of a famished child. Then I wish it were possible to comprehend the multiplication of those things twenty million times over. We would then realize this war. It is well that there is a limit to our power to realize horrors, else the whole world would die of anguish. I wish we could look upon the army of millions upon millions of armless, legless, eyeless men who will suffer the agony of wounds all the balance of their lives. I wish we could fully realize for one moment the awful grief of a mother whose brave boy went down to a watery grave in defense of his country. He suffered but once, but his death agony is repeated again and again every day of the life of this devoted mother. Multiply that by the number of all the mothers whose sons died in this conflict and we get even then only a slight conception of all the suffering this war has caused.

Mr. President, if we could do this, nothing on earth would prevent us from demanding immediately a combination of all the peoples of the world to prevent a repetition of this war.

I can not understand how any man whose heart throbs for the woes and cares of humanity, whose mind is capable of grasping the awful misery inflicted by this most ungodly conflict, can fail to labor with all his power, with all his heart and influence, to shield poor humanity from another such awful crime.

And again when I come to the present cost of this war to the principal nations engaged in it, I find that it aggregates little less than $200,000,000,000. It is an awful debt to load upon these impoverished countries. And yet with interest and pensions and other obligations, that two hundred billions will probably be increased to two thousand billions before the debt is wiped out and the last pension paid.

Senators, is such an impoverishment of the world as that no concern of ours?

In making this estimate of the cost of the war, we might yet add at least twenty-five billions for property destroyed. The British Empire lost in value of ships and shipping alone more than $4,500,000,000. The Allies alone lost 404 warships with a displacement of 1,364,000 tons. The enemy lost 216 warships with a displacement of 518,000 tons.

The Allies and neutrals lost in merchant tonnage 15,027,718 gross tons, of which Great Britain alone lost 8,889,659 tons. The tonnage lost to the world was 15,336,922 gross tons. Norway, a neutral country, a seafaring nation, the livelihood of whose people is gained in great part by braving the waves of the ocean, lost of her merchant marine 1,177,000 gross tons. She lost more tonnage than any country engaged in the war except Great Britain. Norway had committed no offense against Germany, and yet she was made to suffer in this war a greater loss in merchant marine than any belligerent except Great Britain. Is a war which results in such loss to a neutral friendly nation of no concern to us?

But you say we can continue a peaceful policy with the world, without binding ourselves to act in any particular way. Yes; that is exactly what we were saying for years prior to 1914, and especially prior to 1917. But we found that the world was not so large that we could escape being drawn into the vortex of a European conflagration. And while we scarcely got into the real conflict before its close, while not more than a quarter of a million American soldiers were on the actual battle line at any one time, it is safe to say that this war has cost the United States not less than $40,000,000,000. And before the principal and interest and pensions have been fully met, it is a conservative estimate that we shall have expended not less than $100,000,000,000. Have you contemplated what that means to us?

Mr. President, one of the most beautiful structures in the United States is our Public Library Building, facing Capitol Square. That building cost about $6,000,000, less than one-third the cost of a modern battleship. That beautiful structure, gladdening the hearts of millions of people, may last as long as the earth lasts. The battleship will become obsolete in 10 years. With just what money this single year of war will have cost us we could build in the United States 17,000 of these buildings, 350 of them in each State in the Union, one in each city, town, and village. With this sum we could purchase all the flour at prewar prices and population, the American people, would consume in 154 years. The cost of one year of this war would pay all the expenses necessary to relieve all the distress, hunger, or sickness of all the people for a hundred years. It would save the lives annually of more than 100,000 invalids afflicted with the great white plague who are too poor to change their location or secure the rest necessary for their convalescence. The expenses of the four years of this great war could change this old world from a dingy workshop into a paradise for a whole century. Are European wars of no concern to us?

No, Mr. President, these premises are wrong. They are our concern; and if there is any one great duty resting upon this country at the close of this sanguinary struggle, if that struggle has made one thing in the world clear and definite, it is the commanding duty of this country, the country most able to prevent war and without whose assistance such prevention is impossible, to take the lead in this great world movement for the settlement of international disputes by peaceful means.

Mr. President, there was speaking in this country some little time ago a gentleman by the name of Philip Gibbs, who had spent four years at the front. On the 7th of March, 1919, he published in the New York Times an article which ought to be read by every American statesman. He admits in that article that the United States could get along without calling upon Europe for assistance. But Europe—the innocent people of Europe, the peaceful people of Europe, the people who do not wish to injure their fellow men, and whose aims are noble and ideal—need the United States to protect them against a repetition of this awful tragedy. I want to read a few excerpts from that article. He says:

> But what the American people I have met do not understand, what it is difficult for them to understand, is the patient yearning of great masses of people for American aid in liberating them from the repetition of horrors through which they have passed in agony.

That, Mr. President, is Europe's call to America. Shall the call go unanswered? Are we to reply that this is no concern of ours? Are we to ask, as have some Senators asked, what are we to get out of this?

Again, he says:

> Among the soldiers of the French Army, as well as among those of the British Army, there was from the beginning a sense of despair that civilization itself should have been dragged down to such depths of degradation in the filth of the battle fields, with their wholesale slaughter of youth and of life's beauty and decency. Their hatred of the Germans, who were the direct cause of this, did not blind them to the large truth that the whole structure and philosophy of Europe had been damnably guilty, and that if it had been different, not even the Germans would or could have let those devils loose upon the boyhood of the nations and upon women and children.

Mr. President, do we join them in this indictment? No man dare question the truth of the statement. Are we willing, then, to remedy the wrong by shouldering the responsibility, not necessarily for our preservation, but in the name of God and humanity; shoulder it for the preservation of the innocent, suffering peoples of Europe? I say the true American heart, uninfluenced by false or misleading criticisms, will ever answer, "Yes."

Again, he says:

> Over and over again in the early days, French officers and men said to me with a thrill of passion in their voices, "If I thought this thing would ever happen again I would strangle my child in its cradle to save it from such tortures." This was said to me not once nor dozens of times nor scores of times, by bloody and bandaged men, but hundreds of times. It was the common, general, passionate thought. And hundreds of times on the British front, in trenches and in dugouts, and in officers' messes our own men spoke to me in a similar line of thought. Deeper than their hatred of the enemy who had brought this thing upon them was their hatred of statesmen and politicians and men of wealth and learning who had failed to foresee the horrors ahead and who had gone on in the foolish old way supporting balances of power, framing secret alliances, influencing national hatreds and rivalries, and maintaining the old philosophy of material force to hold and to grab. Young English officers of good family argued passionately in the face of death that all our social structure was wrong, and that there was no hope for humanity for which they were going to die—they knew that—unless some new relationship between nations could be established giving at least some postponement and respite to the spasms of slaughter between periods of so-called peace, which were but a preparation for a new massacre of youth.

Mr. WILLIAMS. In that connection, merely to reinforce what the Senator says, does the Senator not recall the time when a British battalion went into the Battle of Ypres with the cry, "Never again!" taken up by the entire battalion, all of them crying, "Never again! never again!"?

Mr. McCUMBER. Yes; and all going down to death.

And I say candidly, Senators, that you may defeat this treaty, this league of nations; you may scatter abroad criticisms that are unjust or baseless; you may appeal to a national pride and

to the selfish side of our natures and thereby destroy at this time the hope that has been in the heart of every thinking, feeling, loving human being for centuries that the time would come when the same law which governs the rights of individuals would be applied to shield the lives of nations. But as surely as this is defeated and the world suffers another such calamity, deeper than the hatred of the enemy will be the hatred toward the statesmen of the world who have failed in this great opportunity to league together to shield poor, innocent human beings from such sufferings and calamities as have been visited upon them because there was no law to check a great, powerful nation from criminal aggression.

Again, Mr. Gibbs says:

That conviction has not been killed by victory. It is in the hearts of the living as it was in the souls of the dead, and I write of what I know. It is in the hearts of the multitudes of women who gave their first born—sometimes their second and third and fourth—to the devouring monster of war. It is hot in the brains of millions of workers who watch the politicians of the world with increasing hatred and distrust because of their failure to avert the frightful catastrophe, and they are tinkering now with problems which must be handled largely with an unshrinking courage in order to make the world clean of the foul outrage against civilized ideals on these corpse-strewn fields in France.

You may eliminate it from the hearts of these people by unjust and false interpretation, but if you do so, in my candid judgment, you are committing a grievous wrong against the best impulses of the best people in the world, including our own:

Again, he speaks in prophetic words when he says:

America has the supreme chance of any power in the world to-day, because she is looked upon by the peoples of Europe as a fair, unselfish, and democratic arbitrator, aloof from their rivalries and untainted by the disease which infected their civilization.

Quoting again:

It was the thoughts of men who fought and suffered that which will form the motive power behind the league of nations. There were certain elementary thoughts in the minds of those men. They saw before them the long stretches of chalked German trenches and behind those trenches was the enemy. They knew it was that enemy that had brought this thing to pass and that unless they killed the Germans the Germans would kill them. These men knew that unless they smashed the German front Germany would smash England and France. These men asked why had this thing come to pass. They wanted to know the meaning of it all. Why, they asked, are men with centuries of civilization behind them thrown into these filthy, vermin-infested holes? Why is everything that life holds most sacred destroyed? Why did this thing happen in the twentieth century, so long after Christ?

It happened, Mr. President, because the great nations of the world had never adopted as a code of international law that no nation had a right to destroy another nation, to seize its domains or murder its people. Infinitely worse than that, the right to commit such crimes has been recognized from time immemorial as a right incident to sovereignty which no other country could dispute, so long as its interest was not directly jeopardized. That is why every nation for a hundred years has stood idly by while Turkish soldiers have massacred hundreds of thousands of defenseless Armenians. The nations have simply followed the policy so ardently proclaimed by Senators, that while they regret such atrocities, really it is not their national concern. That is why, Mr. President, with full cognizance of Germany's purpose, with full knowledge of the atrocities committed by command of her officers, we never raised a hand to stay her until she had murdered our own people. Nay, further, not until she had shaken the mailed fist in our face and sworn that she would continue to kill our people wherever found upon the high seas.

And it may be further answered that this thing will continue to happen until this principle is written into international law by all the nations and the honor of each and all pledged to uphold it with whatever force may be necessary.

Again says this writer:

Now, these men, those who survive, are going back to England and to Canada. And they are thinking more positively and more silently than they did on the battle field. I know that in England and in France these thoughts are setting among the people of these nations and these thoughts are being talked from man to man, and what I say applies not only to our side but it is also what is happening on the German side.

I admit that the sentiment for a world league is not as strong in this country, because few, comparatively, of our vast population ever saw even one battle field. Slight, in comparison with our population, were our losses. Other countries bathed in blood, starved and emaciated, their cities full of cripples—armless, legless, sightless men—are calling to us whose wounds were slight to help them to rescue themselves from national hatreds and jealousies which too many regard as elements of patriotism. Shall we in the arrogance of our power and self-sufficiency turn a deaf ear to their entreaties?

HOW PURPOSES OF LEAGUE EFFECTUATED.

Mr. President, after contemplating these horrors of war, after placing in the balance on the one side whatever of cupidity and purely selfish considerations we may be possessed of, and on the other side our humanitarian impulses; after eliminating the hatreds we may have against one foreign nation and partiality for some other foreign nation; after eliminating all political advantages to be gained by playing upon race or hyphenated American prejudices; after concluding to forego tail twisting either for our own edification or the edification of others, after concluding that this country has a higher and nobler destiny than mere material gains, higher and nobler aspirations than mere national prowess, and having finally concluded that this, the greatest Nation of the earth in population, wealth, and resources, has by virtue of her transcendent position incurred a moral responsibility toward the weaker and less favorably situated countries of the world and ought, therefore, to exercise her mighty influence and power for the preservation of peace, the settlement of international disputes by peaceful means, guided by right and justice—ought to help save the people of the world from another such awful calamity as they have just passed through—we are brought face to face with this question: By what character of agreement between nations can we best secure this result? Of course, not one of us would have written this covenant just as it has come to us, either in its original or revised form. Some of us would have inserted additional and explanatory clauses and definitions and some of us would have opposed any kind of agreement whatsoever for the preservation of peace. And, I might add, another class would not have accepted any agreement unless it gave to this country special advantages over every other nation of the world.

But, Mr. President, this covenant represents the deliberations of nations, some very important, some very small and weak. It deals with complex situations in Europe, both as to races and boundaries. It comes to us as a compromise compact, which all of these great nations believe will accomplish the purpose of preventing any stupendous world war in the future. To secure the support of this country special concessions have been given to us. Our Monroe doctrine, which has never been acquiesced in by any European power except Great Britain, is by this instrument given a world sanction.

It seems to me that we are now put to the test as to whether our boast of special humanitarian impulses is but the braggadocio mouthings of an insincere people or the deep heart conviction of a Christian nation.

I think none of us will claim that the instrument clearly and definitely conveys its purposes. But that it is susceptible of the construction many opponents have given it, and to the criticism based upon such construction, I most emphatically deny. During my 20 years as a Member of this body I recall but one or two instances in which an instrument has been so viciously and unjustifiably assailed.

Allegations have been made and published to the people of this country concerning the powers granted to the council or assembly provided for in this instrument and the dangers to this country that are as false to the context and the true meaning of the instrument as could possibly be imagined. It is my purpose to analyze several sections of this compact, so far as it relates to the league for permanent peace, and to present its meaning in a spirit of absolute fairness, and with the hope that I may be able to both simplify and clarify its meaning.

In the condemnatory discussions certain terms in the instrument have been so employed by speakers as to confuse and mislead. The term "league of nations" is frequently used synonymously with "council" or with "assembly," or with both. The words "league of nations" are but descriptive of the organization. It is the mere name. The powers and duties of the organization are exercised by and through two separate bodies, composed in the council of the representatives of nine leading nations and in the assembly of representatives of all nations entering into the compact.

The members of the league are the several nations of the world who join in its organization and such others as may thereafter be admitted to it. The following nations are included in the present league: United States of America, British Empire, France, Italy, Japan, Belgium, Greece, Canada, Australia, South Africa, New Zealand, India, Roumania, Serbia—all of said nations being directly involved in the war on the part of the Allies; also Czechoslovakia and Poland, newly created countries, and Siam, China, Cuba, Guatemala, Haiti, Hedjaz, Honduras, Uruguay, Bolivia, and Brazil, all of which, as I remember, declared war against the Central Powers, but took no further action. This inclusion seemed necessary, because, foregoing special advantages they might have reaped as neutrals, these countries chose to declare themselves in a state of war against our enemies as evidence of their belief in the justice of our cause; and all would, therefore, necessarily join in the treaty of peace.

In addition to these several States, the following neutrals have by the instrument itself been invited to become members of the league, namely: Argentina, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland, and Venezuela. These constitute all the important States of the world, except the enemy States and Russia. As soon as stable governments are established in Germany, Austria, and other enemy countries, as well as in Russia, and whenever any of these countries shall give effective guaranties of their intention to observe their international obligations, they will be admitted to full fellowship under the provisions of article 1.

I am free to say that I would hesitate a long time before voting for any league of nations which should leave Germany outside its domains. If Germany shall sincerely relinquish her doctrine of world conquest and her pretended right to rob or destroy her neighbor, she should be made a party to this world compact. This covenant should not be so drawn or arranged as to compel other nations to unite and thus divide the world into hostile camps. So if Russia shall have the ability to emerge from her present chaos and take on the responsibilities of government, she, too, should be invited into this bond of national fellowship.

Proceeding on the assumption that we really and sincerely wish to avoid any great war in the future, and that we really believe what we say, assuming that we are willing to do our part to accomplish such an understanding—and in my opinion the mere pledge of this Government in conjunction with the other European States would produce this result, and we should never be required to enlist a single soldier or fire a single gun to assure such peaceful settlement—let us proceed to analyze the instrument for the purpose of determining, first, whether the adoption of its provisions would accomplish the purposes sought; second, whether any of its provisions would operate to the injury of the United States.

CONSTRUCTION OF PROVISIONS.

Mr. President, the spirit of sympathy or hostility, which more or less influences every mind, very often leads us into strained constructions to meet such sentiments. If we set out to search for faults, we are apt to look only for words or sentences or assumptions to support our purposes.

Admitting, as I do, that I sincerely wish for the adoption of such a covenant, I shall nevertheless try to give to the proposed instrument its true and natural construction.

The first and most important rule in the construction of any law, contract, or document is that it shall be so construed as to effectuate its purposes; and when those purposes are declared in the instrument itself, we must accept the declaration made in the instrument and not substitute our own views as to what might have been the purpose of the makers of the instruments.

While to my mind the preamble is somewhat vague and clumsy, I do not think anyone will question that the following are the purposes which it intends to convey:

1. International cooperation to achieve international peace and security.

2. The acceptance of obligations not to resort to war to settle international disputes.

3. To prescribe what are just and honorable relations between nations. We have not done so heretofore.

4. To establish the understanding of international law as a rule of conduct among governments. We have never had such an understanding heretofore.

5. To maintain a just and scrupulous respect for all treaty obligations.

The second, third, fourth, and fifth declared purposes are all to subserve the first great purpose—the achievement and maintenance of international peace and security.

Is not every one of these purposes most laudable, most honorable, most devoutly to be prayed for?

One of the necessary things to be agreed upon is to establish the understanding of international laws as a rule of conduct among governments. About the only international law we now have is a set of rules generally acquiesced in by warring nations, governing the action of belligerents and neutrals when war is on. What the world has been needing for thousands of years has been not a code governing war but an international code which should define the duties and relations of nations in their intercourse with and relations to each other in times of peace, and thereby make war practically impossible. There is an international understanding or law which recognizes and limits the right of blockade, the seizure of ships and cargoes of neutral vessels when war is on, a rule that no belligerent shall sink the merchant ship of a neutral without warning, and that the question of whether the ship or cargo is subject to confiscation shall be determined by a prize court. But there is not now, and there never has been, a rule of international law that prohibits any nation from making a war of conquest against a weaker nation or committing any character of atrocity or brutality against such weaker nation. When Germany declared war against France and Belgium, when she initiated this war for the purpose of robbing her weaker neighbors she was guilty of no breach of international law. To-day, so far as international law is concerned, any nation can commit any act of atrocity or brutality against any other nation without laying itself open to the charge of general international misconduct. There is nothing to-day in any international law which makes it the duty of the honorable nations of the world to prevent the most heinous offenses committed by any dishonorable nation. The time has now arrived for the world to declare that a war by one or more nations for conquest and plunder and wrong of any kind is a breach of international law against every other nation of the world and a cause for war against the offending nation, and the only way to make that an international law is for the nations to agree that it is a world concern, and the only way to make it a living precept is for the nations of the world to agree that they will enforce it. That is just what this league agreement does. It is a simple proposition. Those who wish war, those who are less concerned about international right and justice than they are about personal interest or political advantage would naturally be against a proposition of this kind. Those who have the capacity to realize the horrors of this war and the conscience to wish to defend the world from another ought to be earnest advocates of some constructive plan to bring about the result. If this is not the best plan, formulate and present a better one, which will stand a chance of adoption by all the leading nations of the world.

Had the world powers had such an agreement in July, 1914, with this Nation as a signatory power, does anyone for an instant believe that Germany would have made this war? Mr. President, the haughty sword of Wilhelm would never have been drawn, not a soldier would have had to be raised for world defense, not a life would have been sacrificed, and not a dollar of debt piled up for future generations to pay. The fact that we had no such world agreement made this damnable war possible. If we now refuse to join other nations in such a compact, the responsibility for another such damnable war will rest upon us.

UNFAIR CRITICISM (ART. 10).

Mr. President, in connection with the processes by which these purposes are to be accomplished, let us examine into the code of international ethics on which these nations agree in their relations with each other. Considering them in relative importance rather than in the order in which they may appear in the text, they are:

1. The members of the league agree to respect * * * the territorial integrity of every other member of the league. (Art. 10.)

We hear talk of eliminating this provision. Mr. President, the right to live as a nation is inseparable from the right to occupy exclusively a definite area of God's green earth. Agreement to respect this right is the very foundation of any agreement to maintain international peace. The structure of international peace must necessarily be bottomed on the maintenance of this inviolable right of territory.

2. The members of the league undertake to preserve the territorial integrity only against external aggression.

This, again, is as it should be. A community of landowners, where there is no other law to appeal to for the protection of individual right, may most properly unite to protect the land of each and every one against the avariciously inclined of any one or more of them. As to what the owner of any tract of land may do concerning his own, how he may divide his acreage among his children, the community has nothing to do. But it has the right to say that no one shall take the land of his neighbor by force. So, if the people of Russia wish to divide their territory into three or more separate countries, that is their concern. The league has nothing to do with her internal broils or divisions. All the league can do and all it ought to do is to say to every other country, "Hands off."

I can understand, and do understand, how the Pan-Germanists, having sought to despoil France of her territory and having failed, are now looking forward to the conquest of Poland and Russia, and how such Pan-Germanists view with earnest disapproval this world doctrine of "hands off"; but I can not see how any intelligent man, capable of realizing what Pan-Germanism has inflicted upon the innocent people of the world, can oppose this doctrine of territorial sanctity.

It has been asserted and reasserted in all the false attacks on this instrument that the United States would be compelled to help Great Britain preserve her domains against her own internal revolutions or rebellions. Oh, Mr. President, nothing could

be more false. India, Canada, Australia, Ireland, and Scotland, or any other British possession or integral part of the Empire, may assert and maintain its independence, and we are in no way, under this instrument, compelled to come to the assistance of the mother country. It is only against "external aggression" that the league assures its protection. If the league were once to admit that an outside country might interfere to assist any integral part of the Government to secure its independence, the league would be absolutely helpless, because, admitting such a right, any propaganda could stir up an insurrection, and, on the theory of assistance, inaugurate a war of aggression. German propaganda would find ample opportunity to stir up insurrection on her own eastern border, or even in Alsace and Lorraine, and begin again the struggle for world dominion.

The claim reiterated again and again by those who oppose a league of nations that this country could be called upon to bolster up distintegrating countries is so clearly false that I can scarcely understand how anyone having any regard for fairness could possibly make it. That there might be no possible misunderstanding as to the scope of the obligation imposed; that there might be no possible claim that the league must guarantee the boundaries of a nation changed by revolution or secession or internal dissension, the conferees carefully limited the protection which should be accorded each State to a defense against external aggression, thereby clearly negativing any claim that any country could be called upon to defend another if it failed to so conduct itself toward every other section of its domain as to retain the loyalty of the people of such section. Such a claim is an appeal to national animosities and not an appeal to either reason or right.

"But," say our antagonists, "you purpose to maintain the life of decaying nations, and thereby stay all progress in the world." I deny it. We recognize that the immutable law of disintegration, which brings the feebleness of age and final dissolution of the body, must operate upon nations as upon individuals. We permit men to die of old age in this country, but we make a law against murdering them. Section 10 permits any country to disintegrate from any internal cause; it simply makes international murder an international crime. There is, and can be, no argument either against the righteousness of this principle or the duty of right-minded nations to maintain it.

Mr. WALSH of Montana. Mr. President, before the Senator passes from article 10, I wish to inquire of him what obstacle it would have interposed to the separation of all South and Central America from Spain if it had been in existence 100 years ago?

Mr. McCUMBER. They could have separated from one another, just as they have done. Each one of those nations maintained its independence without our assistance.

Mr. WILLIAMS. If the Senator will allow me, under the proposed league a nation's political independence is to be maintained only against external aggression.

Mr. WALSH of Montana. Would the great domain of Spain have remained as it was in the beginning of the last century?

Mr. McCUMBER. The Senator must remember, as suggested by the Senator from Mississippi, that a nation's political independence is to be maintained only against external aggression.

Mr. WALSH of Montana. So that these new countries would have been able to establish themselves and their independence just the same if the league had been in existence?

Mr. McCUMBER. Yes; and that will be possible in the future just as it has been in the past.

Mr. WALSH of Montana. Let me ask the Senator also if article 10 would have presented any obstacle to the acquisition by this country of Louisiana from France?

Mr. McCUMBER. No obstacle in the world, that I can see.

Mr. WALSH of Montana. Or of Alaska from Russia?

Mr. McCUMBER. That would not afford an example of external aggression.

Mr. WALSH of Montana. So that the world would not be in a strait-jacket, by any means?

Mr. McCUMBER. There would be no external aggression if some sections should unite with other sections any more than there would be if two or three of the little countries created by the compact should unite together by agreement. They would have a right to do that.

Mr. WALSH of Montana. Let me ask the Senator if it is conceivable that all the Balkan States might confederate into a larger republic?

Mr. McCUMBER. As I have said, any State now in existence or created by the peace treaty may divide itself into as many independent States as it sees fit, provided that it is not done by a war of aggression by another great power, and there is nothing in the league provision which prohibits small States from uniting into a large State. The peace treaty proper, I think, does contain provisions which would make certain for some definite period the boundaries of the newly created countries on the German border, but the league of nations provision goes no further than I have suggested.

3. The members of the league undertake to preserve the political independence of all members of the league.

Of course, Mr. President, the protection of the territorial integrity would be of no avail to a nation if its political independence were destroyed. Its people could be exploited and enslaved and the incitement to so exploit and enslave would be all the greater if the State should be vassal while the territory remained foreign to the superior power.

4. The members of the league agree to the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

Mr. President, one of the greatest burdens imposed upon the peoples of the world has been that of maintaining means of defense against each other. Prior to this war three-fourths of all the revenues of the great nations were raised for the purpose of war or defense against war. After the close of this war nine-tenths of all the taxes and immensely increased taxes will be required for the payment of interest on war debts, a sinking fund to take care of the principal, and to maintain armies and navies to watch each other.

If we would only stop to contemplate how everlastingly ridiculous would be the position of each citizen if to-day one-half of all his work and energy were required in the manufacture of implements and weapons, in building barriers to defend himself against his neighbor—how ridiculous would be our condition if every man were filled with apprehension and with certain knowledge that every other person was more or less jealous of him and was at perfect liberty to take his life and property, we should then better realize the like ridiculous position of continuing these same relations among nations.

Mr. President, thousands of years ago, in the gradual, progressive enlightenment of humanity, there came a day when the right, theretofore conceded to the strong, to murder his fellow being, to seize his property, to enslave his children, began to be questioned by the little communities, began to be considered a matter of concern to all of them, and so the people got together and said to the stronger man, the man who could swing the bigger club: "While you may be more powerful than any one of us, you are not more powerful than all of us, and we have concluded to inaugurate a new community code which shall protect the weak from the strong. We therefore command you to lay down that club and submit your difference with your neighbors to the judgment of good men who shall be selected by the community, and if you refuse to do so we will compel you to do so." Naturally this stronger man said: "That is an interference with my sovereign rights. If I agree to do that, I shall be surrendering my sovereignty and shall lose my independence. While I may desist from doing those things which you consider unjust, I could not bind myself by an agreement not to do them, because I would thereby allow my neighbors to pass judgment on what I ought to do, and that would be a clear violation of my constitutional prerogatives." But he did consent and agree, just as you and I have consented and agreed to substitute a government of law for a government of brute force.

And, Mr. President, from that final decision forced upon communities by the atrocities committed by the stronger man, from that period began a system which developed into the courts of to-day, with their well-defined powers and jurisdiction, governing every individual right. All that the world has since accomplished in progress, in enlightenment, and human happiness has followed in consequence of that decision arrived at in that far-off age, that the community would henceforth protect the life and property of the weak against the strong. All that we now know of the beauty and grandeur of life on this earth has resulted from that decision which freed each individual from the necessity of expending the greater part of his life's energy in devising means to protect himself from his neighbor, when the community, acting together, responded to the slogan, "Down with the club, and long live law." Except for the establishment of that doctrine men would still be living in caves, gnawing bones, and expending the greater part of their time in making flint spears.

And by the same rule, Mr. President, and for the same reason, this old world of ours will progress in grandeur and in enlightenment and consequent happiness when the nations of the world shall adopt the slogan, "Down with might and long live right."

And yet to-day, Mr. President, the human family has been only partially emancipated from this thralldom of personal violence and crime. While the individual, with a sense of absolute immunity from personal danger, may walk among his fellowmen with all his undivided and unimpeded thought directed toward

the betterment of his condition and the happiness of those dependent upon him, this is not true in any sense of people in their collective capacity. Individual murder, theft, and robbery have been abolished, but collective murder, theft, and robbery are still sanctioned by international law. You can and do punish with death the man who willfully causes the death of another, but you not only condone the crime but you even refuse to enjoin the nation which would be guilty of the willful murder of twenty millions of people and which would render defenseless and helpless another twenty-five or thirty million men, women, and children.

What a travesty on human intelligence! What a condemnation of international impotency!

And why has such a strange inconsistency between the ideals of individual justice and right and international justice and right so long existed? It is because our national selfishness so greatly exceeds our individual selfishness; because in every country there is such a fervent ambition that that country shall be able to overawe all others. We curse that propensity which in late years has been driven by systematic national education into the German mind, while we regard it as an element of patriotism in our own national character.

And so we wave aloft the banners of sovereignty and independence as a scarecrow to frighten those who do not stop to consider that every compact or treaty between nations that has ever been adopted or ever will be adopted is just as much a surrender of our sovereignty or national independence as though the same treaty was made en bloc with all the nations in a single instrument. Whenever one nation agrees with another to do or not to do a thing which it has the right to decline to do or not to do, it does not thereby surrender its sovereignty or its independence, but it agrees in honor that it will not exercise its sovereign authority on the subject covered by the agreement during the life of the compact without the consent of the other party to that compact; and, Mr. President, the other party to the contract withholds the exercise of its sovereign power exactly in the same manner.

If a nation stood upon its dignity and its right to exercise its judgment whenever it saw fit, it not only would never enter into any treaty agreement but at all times would, if a powerful country, be a menace to the peace of the world. In all the arguments against a league of nations we hear of the powers which we surrender but not a word of the powers surrendered by every other nation of the world—and all surrendered or held in abeyance for the grandest purpose that ever challenged the attention of nations.

Mr. President, why do we spend many hundreds of millions yearly for our Army and Navy? We do so because other nations do the same thing. And they do so because of their fear of us and of each other. And so, prior to this war, nations were following a policy of outdoing each other in armaments that meant ultimate bankruptcy for the weaker; and the statesmen of each nation were proclaiming the doctrine that being prepared for war was an assurance of peace. And so we were all preparing for war, and we have had this awful illustration of the fallacy of such a doctrine. There were many of us who were not statesmen, of course, who insisted that a general preparation for war by all the great nations was an assurance that war would result sooner or later. Naturally, we all know that if one nation is prepared and the other great nation is not prepared, the weaker is always in danger of a threatened attack by the stronger. But it is far more certain that if no nation were prepared for an extensive aggressive war there would be universal peace. Long before the time any nation could prepare for hostility against another the world would learn which was right and which was wrong, the sense of justice would prevail, and war would be avoided.

So, Mr. President, the conference was unquestionably right when it declared in article 8:

> The members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

Mr. President, when this matter was before us at the last session this provision was viciously attacked by those who oppose a league of nations on the ground that it allows Europe, whose interests might be antagonistic to our own, to determine the size of our Army and Navy, and weaken us in our ability to maintain our national policies, and especially our Monroe doctrine. As a matter of fact, in that instrument each nation must agree to the limitation, and therefore we could not be bound unless we should agree that the comparative reduction was just, and every other nation would have to agree to the same thing.

And, again, instead of this danger of a combination against us, he would be a very poor reader of European rivalries who would not understand that these nations of Europe are far more fearful and far more jealous of each other than any one of them is or ever will be of the United States. It is the near danger and not the remote danger that always awakens rivalry and enmity. Therefore, if there were any danger of national jealousies or antipathies playing any part in the scheme of disarmament, the United States would in all probability have the best of it. And in any event the United States is not deprived of the power to say that in the proposed reduction of arms the relative diminution is not just to us and refuse to accept it until it is made to conform to our idea of reductions.

It is most vital to the cause of peace that the loaded guns pointing across national boundary lines, speaking only the language of destruction and hate, should be lowered. Along the more than 3,000 miles of boundary between the United States and Canada not a fort is erected, a cannon mounted, or a warship afloat. Does anyone of sane mind contend that the same sentiment of trust and friendliness between these two nations would exist if bristling bayonets, glistening like the white teeth of a snarling dog, fenced that entire way? Grim cannon are not the vehicles of international fraternity.

In view of the almost hysterical attitude of the opponents of disarmament, is it not strange that no one in all our history has ever complained that when we entered into the agreement with Canada, through Great Britain, exactly the kind of agreement we now purpose to enter into with other nations, that we were giving Canada a voice in determining the size and character of our Navy or Army, that we were surrendering our sovereignty? Who to-day would reverse that policy? Who would erect along that boundary line the engines of national hate? No one but him who hates international amity and glories in international enmity.

But stress is laid upon the proposition that the constitutional right of Congress to raise and support armies and navies is limited and controlled by this partially foreign body. I have shown that Congress must adopt this plan before we become even morally bound. Every other country must do the same. It is no more binding upon us than upon every other party to this compact. But, Mr. President, it is exactly the same from every standpoint of constitutional legality and authority as any other treaty. When we entered into an agreement with Great Britain and Canada that neither would maintain war vessels on the Great Lakes or forts along the boundary we, of course, agreed to hold in abeyance during the life of that agreement a limited portion of our constitutional right to maintain armies and navies. We did not surrender the constitutional right to do so. And that is exactly true of every other treaty made. Whenever we have submitted any matter to arbitration we have authorized some foreign citizen or ruler to say what we should do or refrain from doing; and not only that, we have agreed in advance, so far as we could bind a future Congress, which, of course, is morally only, that we would abide by his decision. We have done this from the very beginning of our national life, and it has never occurred to anyone to declare that we were thereby surrendering our independence or our sovereignty or delegating our constitutional authority. But a few years ago we submitted a controversy to a sole arbitrator, the King of Sweden and Norway. In that instance the decision of a foreign autocrat was to bind our national honor. Did that mean that our Constitution was shattered? That we had delegated the authority of Congress to the King of Sweden? No, Mr. President, it meant simply that as Congress had the sole right to say whether we would pay a claim urged against us, or would not pay it, so it had the equal right to say that we would pay the claim if, after an investigation, a chosen arbitrator should say that we should pay it, or any part of it.

The Senator from Pennsylvania, in his resolution for the separation of the league of nations provision from the peace provisions of the treaty, asserts in the preamble that some provisions of this league in effect violate the Constitution, from which I infer he means that such provision was never contemplated in the Constitution or that it is contrary to the spirit and purpose of that instrument. I feel quite certain that the Senator will never go on record as declaring that an agreement made by this country with another country, or with other countries, whereby upon the happening of a contingency agreed upon by all, the nations shall act together to effectuate the purposes of the agreement, would be violative of any provision of the Constitution.

When we entered into a treaty with Great Britain and Japan and Russia to protect the seals in the Bering Sea and off the Pribilof Islands that treaty meant to all intent and purposes that our warships would act jointly with theirs against any people or any nation that would attempt to destroy those seals. Did we thereby surrender our power to declare war or to main-

tain an Army and Navy? And is it possible that we can enter into such an alliance to protect the lives of a few thousand seals without violating our Constitution, but that if we make a like agreement with the nations of the world to prevent the wholesale slaughter and starvation of millions of human beings we are violating the fundamental law of the land and surrendering the independence of the country?

But, Mr. President, this provision for disarmament is far more carefully guarded than an ordinary agreement for either arbitration or for unity of action. The fourth paragraph of article 8 declares:

> The council, taking account of the geographical situation of each State, shall formulate plans for such reduction for the consideration and action of the several governments.

Under this provision the council does not make or order the reduction. It simply formulates a plan for reduction. This plan is then to be submitted "for the consideration and action of the several governments." That means in this country that Congress must act before the plan becomes binding even in honor upon us. Of course, after it is adopted by one Congress the next Congress is in honor bound to comply with it.

If it is necessary or proper to reduce armaments somebody or some commission must be selected to study the situation of the several countries and to ascertain and present what would be an equitable and proportionate reduction. The situation of each of the nations of the world differs widely from that of others. Some are great in territorial extent and small in population; some great in population and small in area; some blessed with every natural resource necessary to sustain their populations; some dependent almost wholly on imports from every other corner of the earth; some almost immune from threatened attack by reason of their isolation or geographical situation; some so vulnerable that the very lives of their people depend upon their ability to meet immediately any threatened invasion; some contiguous to hostile and greedy nations ever ready to devour them; some within zones of peace and tranquillity, and some adjacent to restless and discordant peoples whose turmoils are as threatening as an active volcano. Unwise and unjust would be any international agreement which should not take into consideration the peculiar necessities of these several nations in determining what should be a just and fair military or naval strength. And so provision is made that the council shall formulate a general plan which can only become binding when each and every nation has agreed thereto.

To-day, after one of the most sanguinary and far-reaching wars, where national life has been saved only through past preparation and the Herculean efforts of present preparation, it is most natural that no nation would dare render itself totally helpless as against even a possible failure of a peace agreement. National life is too precious to be allowed to hang by that thread alone. Time and the beneficial results of such a compact can alone banish the spirit of fear and install the spirit of trust. But each nation can and should now reduce its armament, can and should lower its threatening arm.

Mr. President, we have preached the reduction of armaments for years. Now, present to me, if you can, a better or a safer plan than that provided in this treaty, or else acknowledge frankly that we never intended to conform our acts to our declarations.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I yield.

Mr. JONES of Washington. In addition to protecting our interests in this respect by requiring the plan as formulated by the council to be submitted to us and to be approved by us, is it not also true that no plan can ever be formulated or agreed upon without our consent?

Mr. McCUMBER. Certainly. That is one of the things that must be agreed upon by unanimous consent. It is not one of those questions like a dispute between nations where the two disputants are eliminated. It must have the unanimous consent of each and every nation.

Mr. NORRIS. Mr. President——

Mr. McCUMBER. I yield to the Senator from Nebraska.

Mr. NORRIS. I would like to ask the Senator from North Dakota on that very point a question, and I would like to preface it by just a single remark.

It has seemed to me that this particular provision of the league is subject to criticism because it is doubtful whether it would bring about a reduction of armament. At least that is the way I look at it. I would like it much better if it definitely agreed upon a plan that would be carried out without any further action than the signing of the treaty.

The question I want to ask is, Does not the Senator think, assuming that this is agreed to, there is great danger that there never will be any reduction of armament because of the fact that, in the first place, it requires a unanimous agreement of the council to the plan, and then it must be approved by every nation on earth before any nation would commence to reduce its armament?

Mr. McCUMBER. I think, Mr. President, that with the present condition of the world, after what the world has suffered, the impoverishment of the peoples of the world, the mighty debt that is laid upon their shoulders, they will be rather glad to agree to any disarmament that will be equitable. I admit that it will be a delicate question, because of the fact that in some countries the very lives of their people depend upon their ability at all times to reach every section of the earth and to defend their little island empires.

Mr. WILLIAMS. Mr. President, if the Senator from North Dakota will pardon me, in extension of what he has just stated, his opinion is furthermore reenforced by the fact that under the provisions of the treaty, not a part of the league of nations, Germany is compelled to disarm, and that compulsion of disarmament upon the part of Germany will lead to a willingness for partial disarmament upon the part of those who have kept armed out of the fear of her.

Mr. McCUMBER. I must assume, Mr. President, that when the league provision itself declares that a "reduction of armament is necessary for world peace," there will be an attempt to diminish the present armament.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. McCUMBER. I yield.

Mr. WALSH of Montana. I feel like saying in this connection, prompted by the inquiry of the Senator from Nebraska [Mr. NORRIS], when this subject was being considered by the English House of Lords in the month of August last, one of the gentlemen contributing to the debate advanced the idea that if the league went into operation it would carry so much of a guaranty to the various members thereof of future peace and safety that they themselves would, without any compulsion, reduce their armament, that they would not feel the necessity for it when a tribunal was provided before which international controversies would come; and he even argued that an agreement for disarmament was not necessary; that that would be the natural consequence which would result; and that the nations would reduce their armament in order to relieve themselves from the enormous burden of maintaining military establishments when there was no occasion for it. So I apprehend that, as the Senator from North Dakota suggests, it will not be found difficult even under this arrangement to secure the necessary disarmament.

Mr. NORRIS. May I interrupt the Senator further?

Mr. McCUMBER. I yield to the Senator from Nebraska.

Mr. NORRIS. I have heard that argument made a great many times. It has been made all over the world for a great many years. I have advocated it myself. Yet I learned to doubt its efficacy several years ago. I think if every man would apply it to himself here, if this were agreed to, he could select some nation that, if it did not reduce its armament and would continue to increase it, we would not for a moment think of cutting ours down unless there was an agreement all around. I think it is like the Senator from North Dakota has said. We build ships and raise armies because another nation builds ships and raises armies, and that nation builds ships and raises armies because we do. I do not believe we will get disarmament until there is an agreement that becomes effective among at least five or six of the leading nations of the world, of which we are one.

Mr. McCUMBER. Mr. President, I am compelled to believe that when all these nations solemnly declare in the league itself, "The members of the league agree to a reduction of national armament," they will attempt to do so and that the attempt will succeed.

Mr. WILLIAMS. And especially when they disarm the enemy.

Mr. McCUMBER. Yes.

VOTING POWER OF GREAT BRITAIN.

But it is complained that in this league of nations Great Britain has a voting power far superior to our own, because some of her self-governing colonies are allowed a vote, not in the council, which will undoubtedly settle all of the great international questions, but in the assembly to which some international question might by some possibility be referred.

Let us first consider the fairness or unfairness of such a declaration. I have never heard, either on the floor of the Senate

or in any of the addresses which have been made in opposition to this league outside of the Senate, a full, fair statement of its provisions relating to this subject. None of these opponents have told their audiences that in the council the British Empire has, in fact, but one vote.

Article 4 declares:

The council shall consist of representatives of the United States of America, of the British Empire, of France, of Italy, of Japan, together with the representatives of four other members of the league. * * * At the meetings of the council each member of the league shall have one vote.

As at first organized, the other four shall consist of Belgium, Brazil, Greece, and Spain. Whether these other four shall be continued or whether they shall be replaced with other nations, or whether the number shall be increased—all of which must be accomplished by unanimous vote, and on all matters considered—the British Empire has but one vote.

With the approval of the majority of the assembly the council may name additional members of the league whose representatives shall always be members of the council.

Thereby they may add to the membership of the council.

But, Mr. President, let us not forget that the council can only do that by a unanimous vote. Therefore it is in the power of the United States delegates to veto any attempt to add a single other member to the council. In this council Canada has no vote, Australia has no vote, New Zealand has no vote, and none of those can become a member of the council without the consent of the United States.

But, answer the opponents of a league of nations—and especially those opponents who wish to incite a hyphenated American opposition—the disputes may be removed to the assembly, where each member of the league, including colonies, would have a vote. But that would never be done unless we ourselves should desire it. First, because it would require a unanimous vote for removal, and, second, even if it did not require such a vote, it is almost inconceivable that the wishes of the most powerful nation, the one upon which the league must principally depend for its success, would be vetoed, not by a mere majority but by each and every other member of that council. To my mind it is unthinkable. But, first, as to the requirement of a unanimous vote for removal. That paragraph admittedly lacks clearness. But, applying the first rule of construction, that effect shall be given if possible to each and every provision, the following acts are necessary to secure the removal of any matter from the council to the assembly:

1. The application must come from one of the disputants;
2. It must come within 14 days after the submission of the dispute to the council; and
3. The council may, not must or shall, then refer the dispute to the assembly. And, Mr. President, if the council has any discretion in the matter of removal, which discretion is certainly reserved by the use of the word "may," it would require unanimous vote for removal, because the removal of a dispute is not among the exceptions to the requirement for unanimous vote provided in article 5. It is only on the merits of the question under dispute that the votes of the disputants are eliminated by article 15, and the unanimous verdict of all other members is required to indicate even the judgment of the council.

To give force and effect to both clauses the word "shall," in the second clause, must be construed as directory, meaning that the matter of removal shall be initiated only at the request of one of the parties, rather than mandatory, meaning that one party to the dispute could overrule the judgment of all the other parties, a construction that would not only eliminate bodily the first clause, "The council may in any case under this article refer the dispute to the assembly," but would be grossly antagonistic to and violative of the whole spirit of the instrument requiring unanimity of action on all matters except those of procedure.

I maintain, therefore, that giving a meaning to both clauses of that paragraph, it would require a unanimous vote in order to relieve the council of its jurisdiction to consider the international dispute. Neither we nor any other nation would change the jurisdiction unless we felt perfectly justified in doing so. But even if we should take the other view and do such violence to the law of construction as to entirely destroy the clause, "The council may in any case under this article refer the dispute to the assembly," what would be the danger to us of having Canada and Australia and New Zealand and, I believe, South Africa, blood of our blood and bone of our bone—peoples of the same inheritance, the same ideals, the same aspirations; peoples between whom there is as great and close a friendship and sympathy as between them and the mother country, members of this assembly? What would we have to fear from them? Take Canada, for example. The relation between Canada and Great Britain is similar to that between a grown daughter, who has married and is maintaining her own household far from the home of the mother, toward that mother. Canada says to Great Britain, "The old affection and kindly feeling still exist, but I am mistress of my own home, and whatever I do of kindness or of loyalty must come of my own volition." No treaties made by Great Britain are binding upon Canada unless Canada acquiesces. Were Canada to set up an independent nation to-day, I do not believe for an instant that Great Britain would challenge her right to do so, though she might think it wrong or unjust. Canadians, Americans, Britishers fought side by side in this Great War, suffered and died together, and I have no fear of any combination against the interests of the Western Hemisphere in which Canada would be found siding against any just claim of the United States. Every dispute that we have ever had has been amicably settled, and I can imagine nothing worse in this world than a war between the English-speaking peoples. And what I say of Canada can be said with almost equal emphasis with reference to Australia and New Zealand.

But let us look at the matter from another standpoint—that of fairness to Canada. There are included in the present league of nations 32 separate, independent countries. Canada is the eighth in population and the first in territory. Canada has 8,361,000 population and an area of 3,729,665 square miles, a little larger than the United States. We give Hedjaz, with a population of 300,000; and Panama, with a population of 427,000; Honduras, with a population of 592,000; Uruguay, with a population of 689,000, each a vote on the great international questions that must arise in the assembly. But you say that Canada, with 8,361,000 population and with a territory thirty times as great as all these countries together, should have no separate voice. Would that be just to Canada, that self-governing country whose blood and wealth have been so freely expended in defense of human civilization?

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I yield.

Mr. WILLIAMS. I dislike very much to interfere with the Senator, because he is speaking so clearly, but I wish to say right there, and I think he will agree with me, that upon all purely American questions, if a difference rose between Great Britain and the United States in the assembly Canada's vote would be with the United States and not with the mother country. On questions like Japanese and Hindu immigration and various other questions of that kind, that has been demonstrated in the past.

Mr. McCUMBER. I have placed the same thought in other words already, that Canada would not be found voting against the interests of this hemisphere.

Mr. WILLIAMS. Yes; I heard that, and I was merely emphasizing it.

Mr. McCUMBER. You give China a vote and she has 320,000,000 population, and yet China is far more under the control of the great powers of the eastern world than is Canada under the control of Great Britain. You give black Haiti a vote, you give black Liberia a vote, you give each of these little nations of whatever color a vote. But you would deny the great, independent Commonwealth of Canada a right, not in the upper house, not in the council, but in this assembly, where the only power that will in any probability be exercised will be the power of discussion, the right either to raise her voice or to give it an effectiveness equal to Hedjaz or Honduras or Panama. To my mind Canada has a far greater right to be heard in that assembly than any of these dozens of small nations which I have mentioned.

In addition to those 32 countries, we have invited—and they will undoubtedly accept—13 other nations, and 10 out of those 13 have a far less population than Canada.

And so I say most frankly, Mr. President, that to deny Canada, Australia, and New Zealand, whose sons suffered through four long years of this war, a voice not in the council but in the assembly, which can only be called together when some great question arises, while we give to Salvador and Paraguay and Hedjaz and Panama and 20 other such countries a full voting power in this assembly, would be so repellant to a world sense of justice that no league of nations bottomed upon such an inequitable foundation could ever fulfill its mission.

Therefore, from every principle of fairness, there should be one forum in which Canada can have a voice, Australia a voice, and New Zealand can be heard. That right has been granted, so far as the assembly is concerned, but in the higher tribunal, the permanent tribunal, which under this system will decide practically every question of international dispute, Canada and Australia, as separate entities, have no vote. Great Britain, which includes them in her empire, will have one vote, the same as the United States, the same as Belgium and Brazil and Greece—no greater power, no greater strength than the smallest nations whose representatives constitute this council.

I think it not improper to have inserted in the RECORD at the end of this address a table, which I have prepared, showing the population and area of each of the original members of the league of nations and the population and area of those States which have been invited to become members up to the present time. I shall ask that permission.

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

DOMESTIC MATTERS NOT SUBJECT TO JURISDICTION OF LEAGUE.

Mr. President, it has been declared on this floor that under the provisions of this covenant the United States would be compelled to submit for determination the question of immigration and other domestic policies. This claim is based upon the second clause of article 11, which reads:

It is also declared to be the fundamental right of each member of the league to bring to the attention of the assembly or the council any circumstances whatever affecting international relations which threaten to disturb either the peace or good understanding between nations upon which peace depends.

And it is urged that as Japan or China might declare that an exclusion law by the United States would threaten to disturb the good understanding and amity between either of these countries and the United States, the question of whether such laws should remain or whether they constitute a breach of the international compact could be passed upon by the council or the assembly. There is no foundation whatever for such a claim. It is true that under the provisions of this covenant any matter which any nation claims will disturb or tend to disturb international comity and good will may be presented by any nation to either the council or the assembly, but it is not true that either the council or the assembly has the right to pass upon or decide every question which any nation might think engendered international hostility. It is true that the door is wide open for the presentation of any circumstance affecting international relations, no matter how trivial or how foolish. And, Mr. President, it would be impossible to close this door even partially if we expect to inculcate a spirit of friendship and trust. We can not in the instrument itself differentiate between all classes of cases which might affect international amity more clearly than has been done by placing the domestic questions entirely outside the pale of international interference. This covenant guards and confines the questions which may be acted upon by either of these bodies to those questions that are not domestic in character.

The seventh paragraph of article 15 declares:

If the dispute between the parties is claimed by one of them and is found by the council to arise out of a matter which by international law is solely within the jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement.

What could be more clear and definite? Certainly no Senator would ask that a list of all the domestic questions should be enumerated. Their number is legion. There are, however, a large number of purely domestic questions which naturally awaken international opposition or resentment. Great Britain, being a great manufacturing country, might feel aggrieved that we erect a tariff wall against everything which she produces, while she allows the importation of everything we produce into her territory free from any tariff levy. But neither Great Britain nor any other country has ever denied our national right to do so. So China might complain of the Chinese exclusion law, a law which excludes Chinese from our country, while we enjoy perfect freedom of settlement in China. But no Chinaman, no matter how wise or ignorant, has ever questioned the fact that the subject is purely a domestic one.

Mr. President, we have 4,000 years of recorded history from which to draw our precedents to determine what subjects are clearly within the domain of sovereign or domestic powers of an independent State. It would be foolish to attempt to set them out in detail. They are evidenced by the yearly legislation turned out in thousands of tons from the legislative halls of every free and independent country. There is probably no subject in the world on which great nations would be so fully in accord as on the question of what is a domestic question and within the exclusive power of an independent State. Of course, it would be within the right of Japan to present the claim that our exclusion law was distasteful to her people, and, therefore, affected our good relations with her. But no intelligent statesman of Japan or any other country in the world would ever suggest that the exercise of such a power was not the exercise of a purely domestic right.

Mr. POMERENE. Mr. President——

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

Mr. McCUMBER. I yield.

Mr. POMERENE. Has the Senator from North Dakota ever heard it even suggested by anyone, except those who are conjuring up objections to the league, that the subject of immigration was not a domestic question?

Mr. McCUMBER. Never in the world. It never has been, and it never will be. The right of petition is guaranteed by our Constitution. Would any Senator claim that this sacred edifice of our national safety would be jeopardized by allowing a petition to be filed which might by a possibility ask us to do what we could not constitutionally do? Why, Mr. President, a large proportion of the thousands of petitions coming here yearly request us to pass Federal statutes that would contravene the rights reserved to the States. But we do not shut the door against them. We simply lay them aside as being without our Federal jurisdiction.

But you say that the question of whether the matter complained of is a domestic one must be decided by the council, and, therefore, an awful danger confronts us. Well, Mr. President, naturally some one must decide that question, and what better source could there be? But just remember that the verdict must receive the affirmative vote of every State represented in the council, outside the parties to the dispute, and that all the others must wickedly, contrary to and in defiance of the provisions of the compact, conspire against the United States. And to carry out such conspiracy each nation would commit an act of suicide by establishing a precedent that would compel it to surrender its own purely domestic powers to this council. To my mind it is simply unthinkable and not worthy of serious consideration. There is no danger on earth that Great Britain, or France, or the United States, or any other of the nine nations would vote a precedent which would destroy the independence of each of them.

But, on the other hand, Mr. President, there might be instances in which some irresponsible nation might claim that a matter clearly international in character was one of domestic concern only, and, therefore, not subject to consideration by either the council or the assembly, and it would not do to leave the matter in such shape that the mere claim of its being a domestic concern only could eliminate from the consideration of the council that which was unquestionably international, and hence the provision that not only the claim must be made that it is domestic but that it must be found by the council to arise out of a matter solely within the jurisdiction of one party. And, as I have suggested, if there is any one question certain and easy of solution it is the question of what is purely a domestic matter.

MONROE DOCTRINE.

A word about the Monroe doctrine. When opponents to the league of nations can not find support for a construction within the instrument itself, they sometimes go outside and accept some declaration from some outside source as to the meaning of a phrase. When this matter came before us in its original form it did not mention specifically the Monroe doctrine. There was no question but that the Monroe doctrine as it is generally understood by the world, namely, that no South or Central American Republic should be subject to conquest or domination by any European power, was merged into the broader world doctrine that no independent nation, whether in South America or elsewhere, should be subject to a war of conquest or domination by any other nation. What a German may say to his constituency as to his understanding of the Monroe doctrine, or what some British subject may say to his constituency as to his idea of what the Monroe doctrine means, can have little weight with us, especially as we evidently do not always agree ourselves as to what it means. But whatever it does mean we are protected in it, and as we alone promulgated the doctrine we shall undoubtedly give it a construction in accordance with the consensus of the American view. While I deny that the Monroe doctrine ever meant anything more than is clearly included within the declaration of President Monroe, I would not have this international compact itself attempt to define it. The framers of the league of nations in the amendment have sought to meet the objections made in this country that the Monroe doctrine was not recognized by specially recognizing it. Other nations have regional policies which such nations feel are necessary also for their own protection as we feel that the Monroe doctrine is necessary for our protection. We could not consistently ask on this side of the ocean a policy for our protection while we deny similar policies which other nations regard in Europe or Asia or Africa as necessary for their protection.

And so there was written into this new agreement these words:

Nothing in this document shall be deemed to affect the validity of international engagements such as treaty obligations or regional understandings like the Monroe doctrine for securing the maintenance of peace.

No one questions that the Monroe doctrine is an engagement on our part for securing the maintenance of peace. The document itself so declares. We, therefore, do not need to go outside the records to ascertain the opinion of anyone else as to whether the Monroe doctrine is recognized. The instrument says it is. That ought to be satisfactory to a reasonable man. Certainly Senators would not ask that it go further and define just what the Monroe doctrine may mean under every possible contingency. Let us get down to the very heart of the objection made. It is clearly indicated, though not quite specifically declared, in the address of the Senator from Pennsylvania of yesterday. He says:

> Never before has the Monroe doctrine been a mere measure of spineless pacifism.

And again:

> If we embody this provision in the league, the Monroe doctrine will cease to be a policy; it will become in truth a formal agreement.

And that he does not want. And again:

> Its precise character, the extent, method, and time of its application, the means of compelling its observance, are all matters of our high and uncontrolled will and sovereign prerogative. We, the United States, can not answer to anyone else in any respect of it. We use it when, as, and to the extent we need it. There can be no limitation upon it except our requirements, our will, and our force of arms.

Mr. President, if that is the true construction of the Monroe doctrine—and I am not questioning that view, although I am not admitting, and I do not think that I shall ever admit, that our Monroe doctrine gives us an unlimited control over everything in this hemisphere—I will admit, so far as he claims, that what we have done in the past, what the Monroe doctrine declared to be the doctrine, is the doctrine. Then, by recognizing the Monroe doctrine specifically, all nations have recognized that construction. The Senator says that it becomes an agreement, a mutual world agreement, and not an American doctrine or policy. That, Mr. President, is not a just construction of the provision. The provision says:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

When these nations thus recognize the Monroe doctrine they recognize an American Monroe doctrine, because there is no other and never has been any other Monroe doctrine, and therefore they are not making it a doctrine by agreement but a doctrine by acquiescence.

In the same language, you will observe, by which they recognize the Monroe doctrine, they also recognize treaties of arbitration and other understandings between nations. Would you for a moment contend that by recognizing a treaty between nations A and B by the nations C, D, and E, the latter three nations become parties to the treaty between A and B? Why, Mr. President, the subject of the treaty between A and B might have no possible application or relation to any other nation, and it would be most improper to say that by recognizing a compact between A and B, which might provide any means for its enforcement between those two nations, such contract becomes a mutual agreement between all five of these parties.

That is not the true construction. I am forced to the conclusion that what these Senators really want is not that all nations shall agree to our Monroe doctrine, but that they should not agree, so that our pride, our vanity, may be satisfied in asserting it as a policy of defiance rather than a policy in which other countries acquiesce. It is a rather strange position for a great nation to take.

I shall not at this time discuss what the Monroe doctrine does mean in all its possibilities, but I will take the time here to dissent from the view indicated at least by the Senator from Pennsylvania, that we have any right to say to a South American Republic that it shall not permit whomsoever it may see fit to accept to settle in its territory as immigrants. We have no right to say to Brazil, "You shall not allow Germans to settle in your country"; or to Argentina, "You shall not allow Chinese to enter your domains." Our Monroe doctrine does not go that far, and ought not to go that far. Whenever the conduct of any country, Germany or Japan or China, is such as to indicate that their purpose is not settlement, but is conquest or the acquirement of territory for the home country, then our right of interference is unquestionable under the Monroe doctrine.

I agree that the Monroe doctrine does include our right to determine that not an inch of American territory can be bargained, sold, or given away to any European power. And as that principle is recognized in recognizing the Monroe doctrine, there can be no possibility that this would not be a subject for international dispute, and I am equally certain that if this league provision should be adopted the Senator from Pennsylvania would be among the last to say that we had surrendered that right.

REASONS FOR CREATING BOTH A COUNCIL AND AN ASSEMBLY.

It might be well asked right here why two distinct bodies of representatives of the several world states are provided for? I can not answer this from any inside information. I can not attempt to state what arguments were presented in its favor. I can, however, see reasons for it. We may very properly divide the nations of the world into two general classes: First, the great and powerful nations; second, the weak and less powerful nations. We may reclassify them again into the stable and reliable and the unstable and unreliable nations. And when we have so classified the second time we will find that for the most part the great and powerful are also the stable and reliable nations. These nations, therefore, must be the very backbone of this league. The erratic, quarrelsome, though more numerous small states of Europe on the Asiatic borderlands and the revolutionary republics of South and Central America, where one autocrat succeeds another as regularly as the ebb and flow of the tides, must not exercise such a preponderating influence or voting power as shall overrule the saner policies of the truly self-governing nations on whose power and judgment the world must rely for any advancement toward the goal of world peace. And so these nine great nations are specifically named as member nations of the council.

Had there been no war the framers of this instrument would undoubtedly have limited the membership in the council to the powerful and stable governments only. But the heroism displayed and awful sufferings endured by some of the smaller nations, like Belgium and Greece, together with the fact that they were parties to this war, seemed to those who drafted the league to entitle them to a membership in the council. These framers were compelled to conform the instrument to meet the very many conditions which faced them. They could not be expected to be more logical than were the framers of our Constitution when they gave the tiny Colonies the same power in the Government as the mighty and destined-to-become-more-mighty States of the Union. All that we can be sure of is that the instrument comes to us as a compromise, and in it is the soul of a future world freedom. It is within our power to strangle the body but the soul will live and ever seek reembodiment in some future international organization.

But as the council could only embrace these nine nations, it was most proper that there should be some forum where the voice of each and every other nation could be heard, and to meet that requirement the assembly as a distinct body was provided for. In its chamber the small and the great meet on equal footing and the woes and wrongs of any country, no matter how backward or unstable its people, may receive consideration.

LINE OF DEMARKATION BETWEEN JURISDICTION OF COUNCIL AND ASSEMBLY NOT CLEARLY DEFINED.

Mr. President, I regret that there is not a more definite line of demarkation between the powers and duties of these two bodies, the council and assembly. Much confusion, I think, has arisen because of that weakness and much opportunity afforded to misrepresent the voting power of each nation. Article 3 of the proposed compact creates the assembly, a body in which all the nations constituting the league are represented.

Article 4 creates the council, in which the nine leading nations of the world are represented. The third paragraph of article 3 declares:

> The assembly may deal in its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

The fourth paragraph of article 4 declares:

> The council may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

The wording is the same in each case. It is well to understand, however, that the word "deal" as used in each paragraph does not carry with it the right to make binding judgment by either the council or the assembly. How either party may "deal" with the question is limited and defined in other sections of the instrument itself.

COUNCIL AND NOT ASSEMBLY HAS ORIGINAL JURISDICTION OF DISPUTES.

Let us not forget that the council and not the assembly has original jurisdiction in the matter of international disputes. Article 12 declares:

> The members of the league agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or an inquiry by the council.

Not by the assembly. Therefore, while the assembly may discuss any matter brought before it, any dispute likely to lead to war—and that is all the word "deal" means so far as the as-

sembly is concerned—the submission of the dispute must in the first instance be to the council and not to the assembly. It may be removed to the assembly under certain conditions under another provision of the instrument which I shall consider in a moment.

It will next be observed that each nation under the provisions of article 12 has the unquestioned right to determine whether it will submit the matter to arbitration or simply for inquiry. Of course, no nation will submit to arbitration any matter which affects its authority over its domestic relations. Therefore if there was nothing more in the instrument said about domestic questions there is no possible way by which the council could obtain jurisdiction over the domestic affairs of any country except through the consent of that country. But to make it doubly clear that purely domestic questions are not subject to its jurisdiction, provision is made that the council shall make no recommendation as to such questions. Therefore no nonjusticiable questions will ever come before either the council or the assembly for any final decision without the free and full consent of the nation itself. If a nation, however, submits a justiciable dispute—that is, a dispute that does not involve its sovereignty or domestic right—it is, of course, in honor bound to conform to the decision.

But under article 13 each member of the league agrees that where diplomacy fails it will submit a question which it recognizes to be justifiable to arbitration and others to inquiry. Of course, therefore, it must itself recognize the question to be justifiable. If it does not, it is only submitted for inquiry. What then happens in case the question is submitted to inquiry only? Well, the first thing the council does is to endeavor to effect a settlement of such dispute. And if its efforts are successful it will make a public statement giving such facts and explanations regarding the dispute and the terms of settlement as the council may deem appropriate.

If the dispute is not settled the council shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard to it. That is the extent of its power. If the award is unanimously agreed to by the members of the council other than the representatives of the disputing parties, these disputants agree by entering the league that they will not go to war with any party to the dispute which complies with the recommendation of the council. But this is only binding upon them in case the report is unanimously agreed to by all the members of the council except the disputants.

If the report is not unanimously agreed to by the members other than the disputants, then the members of the league—and here we get back to the members of the league and not the council—reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice. What is the meaning of that? It simply means that in such case the council has failed to bring about the reconciliation, and all members of the league, not the council or the assembly, but members of the league, may consider the matter and attempt a reconciliation outside the council.

Mr. President, most jealously has each nation guarded against the possibility of any real danger to its independence and sovereignty. But those who are fearful of some hidden danger in the possible removal of the question from the council to the assembly should read the ninth paragraph of article 15, which provides:

> In any case referred to the assembly all the provisions of this article and of article 12 relating to the action and powers of the council shall apply to the action and powers of the assembly.

Now, what are the provisions of article 12 which shall apply? Simply those I have enumerated, that they will submit either to arbitration or inquiry any dispute likely to lead to a rupture, and that they will in no case resort to war until three months after the award by the arbitrators or the report of the council, and that under article 15 the endeavor to secure a settlement will be as just stated. The only modification is this:

> *Provided*, That a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all members thereof other than the representatives of one or more of the parties to the dispute.

Nothing is granted in the action of the assembly that is not granted and circumscribed in the provision relating to the settlement of disputes by the council. In other words, when the matter goes to the assembly, all the nations agree to do is either to submit their matter to arbitration or to inquiry. If they submit it to arbitration, it is of their own volition; if they submit it to inquiry only, a report of the facts is made, and it is assumed that the report will bring about a reconciliation. If it does not bring about a reconciliation in the assembly, then, as suggested, it must hark back to the league itself. When the council or the assembly fails the several members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice. (Art. 15, par. 6.)

I am not here attempting to say that this is the best scheme, because I do not think that in any case these final important decisions should be removed from the council. But I am simply trying to ascertain what the scheme means.

Mr. President, in 20 years' service in the Senate I have known but one instrument whose terms have been so willfully misinterpreted and so grossly misrepresented as the covenant for a league of nations. That some of it is vague I know, and some portions objectionable from particular viewpoints may be freely admitted, but that it discriminates against us, is unfair in its treatment of our country, or that it imposes upon us any obligation or burden that is not equally borne by every other nation I most emphatically deny. It is regrettable that the mighty power of eloquence, a power that often overthrows reason and sets the emotions afloat upon painted wings that dazzle and mislead, is used to defame and distort the true meaning of an instrument, the most important that ever appealed to the heart or the soul of man.

EFFECT OF REFUSAL TO JOIN.

Suppose we now refuse to join with the rest of the world in some scheme to prevent war, what will happen? Mr. President, as surely as the sun shall rise every great nation of the world will proceed to devise means for the wholesale destruction of nations. The nation which is most learned, most thorough, and assiduous will take the lead in this nefarious design to manufacture gas bombs that will wipe out of existence in a single night raid New York or London or Paris or Berlin. The science of both aircraft and chemistry for war purposes is at present only in its experimental stage. The old glory of noble and honorable battle will give way to the evil necromancy of chemistry, to insidious germ-producing poisons. Even since the date of the signing of the armistice last November we have perfected flying machines ten times more powerful than those used during the greater part of this war. I am credibly informed that we now have in fair prospect of completion bombs which, if dropped by a single fleet over a great city like New York or London, would, not by mere explosions or fire but by poisonous and insidious gases, destroy all life in such city. The nations first and foremost in the invention of such satanic methods will be triumphant over the nations whose hearts rebel against such hideous purposes. Though the civilized world was against Germany in this war that country, through her preparedness and her plodding study of death-dealing devices, destroyed two lives to offset every German killed in battle. Her development of the U-boat enabled her to sink 50 tons of enemy shipping for every ton sunk by all of her enemies. It enabled her to send to the bottom of the ocean 404 warships with a loss of only 216 of her own warships. It enabled her to destroy the property of civilians of the value of fully $25,000,000,000 without the loss of a dollar's worth of her own property.

So desperate will be the next war that all the hate and all the venom created by this struggle will be infinitesimal compared with the next. Nations now wounded and bleeding, struggling with desperate effort to build up their industries, must so live and so slave as to be able to devote the greater part of their energies in creating implements of war for their own safety.

And against what races will all these weapons of death be used? Against the great white race. We talk about the yellow peril. Mr. President, the greatest peril to the white race of the world is the peril of internecine war. If there is to be no check to wrong or crime by nations, all the yellow race need to do is to wait in patience and bide its time; the white race will accomplish its own extinction.

Mr. President, some of the policies of the present administration followed during this war have grated most harshly upon my ideas of national policies, and I have opposed some of the measures recommended by the President. But, partisan as I admit I am, strong as my conviction of party fealty, I hope I shall never be so hidebound by partisanship or so governed by party exigency as to fail to recognize a just position taken or a truth declared by a member of any opposing party. In supporting a league of nations after this war, a league recommended by Republican leaders before this great death struggle and by Republican statesmen since, President Wilson has but followed the pathway blazed by the greatest American counsellors, Republican as well as Democratic; and no matter how earnestly or how justly we may disagree with the domestic policies of his administration, no words were ever more truly spoken by any

President than that sentence in President Wilson's address on Decoration Day in France when he said:

It is for us, particularly for us who are civilized, to use our proper weapons of counsel and agreement, that there never is such a war again.

Mr. President, I am not the molder of my brother's convictions nor the keeper of his conscience, but speaking for myself as just one American citizen, I could not cast my vote against any reasonable agreement to secure future world peace without a conviction that would follow me to the grave, that I had committed an unpardonable offense against all future generations.

APPENDIX.

ORIGINAL MEMBERS.

Country.	Population.	Area.
China	320,620,000	1,861,000
India	315,156,000	1,802,629
United States	103,500,000	3,026,789
Japan	56,860,000	147,655
Great Britain	45,231,000	121,331
France	39,601,000	207,054
Italy	36,546,000	110,623
Brazil	24,618,000	3,292,000
Poland	12,247,000	49,018
Czechoslovakia	11,000,000	20,065
Canada	8,361,000	3,729,665
Roumania	7,508,000	54,000
Belgium	7,571,000	11,373
Siam	6,000,000	220,000
South Africa	5,980,000	473,090
Portugal	5,957,000	35,490
Greece	4,821,000	46,522
Australia	4,941,000	3,063,041
Serbia	4,600,000	34,000
Peru	4,500,000	683,321
Bolivia	2,520,000	708,195
Guatemala	2,092,000	48,290
Liberia	2,060,000	41,000
Haiti	2,030,000	10,200
Cuba	2,406,000	44,164
Ecuador	1,500,000	116,000
Uruguay	1,225,000	72,172
New Zealand	1,159,720	105,000
Nicaragua	689,000	49,532
Honduras	592,000	46,250
Panama	427,000	32,380
Hedjaz	300,000	96,500

STATES INVITED.

Country.	Population.	Area.
Spain	20,747,000	190,050
Persia	9,000,000	628,000
Argentine	8,574,000	1,139,196
Netherlands	6,583,000	12,648
Sweden	5,757,000	172,876
Colombia	5,472,000	345,278
Chile	5,000,000	292,100
Switzerland	3,880,000	15,976
Denmark	2,940,000	15,388
Venezuela	2,811,000	393,976
Salvador	1,254,000	7,255
Norway	2,391,000	124,129
Paraguay	800,000	97,722

During the delivery of Mr. McCUMBER's speech,

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

The SECRETARY. A bill (S. 18) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

Mr. McCUMBER. I think there need be no request that the bill be laid aside in order that I may proceed.

The VICE PRESIDENT. Oh, no; the Senator can proceed on the bill.

After the conclusion of Mr. McCUMBER's speech,

Mr. WILLIAMS. Mr. President, I hesitate even to reenforce what has been said by the Senator from North Dakota, because it has been so clearly said, and with such a broad and such a long vision, and it is such a complete answer to an adroit, cool-headed, and wary politician, and to a diplomatic legalist, but I have here a little article written by Robert R. Reed, of New York, upon the subject of "The Covenant and Sovereignty," and I desire to insert it in the RECORD. It dwells upon some of the very points touched by the Senator.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

THE COVENANT AND SOVEREIGNTY.

To the editor of the Evening Post:

SIR: Much of the discussion over the league of nations seems to be based on a natural misapprehension of a fundamental proposition which, when stated, must be recognized by everyone. Senator KNOX seemed to stumble over it in his first attack on the league covenant. The fundamental proposition is that sovereigns do not part with their sovereignty by agreeing to meet together to discuss and decide international questions and that the creation of an international council composed of sovereign States is nothing more than such an agreement. It is as if several business men agreed to meet at a given time to settle a disputed point, or, as the case actually stands, to meet at stated times to settle any points that might require settlement between them, and also, if they choose, to decide on a course of action in any matter of common interest. They might, if they desired, specifically agree that certain questions should be decided by majority assent, but in the absence of an express agreement neither the undertaking to meet together nor the specification of various matters which they are to discuss and may decide involves any suggestion of a surrender of their individual freedom of action.

There is in principle no analogy, near or remote, between such a council agreed upon between sovereign States and the creation by a single sovereignty of a subordinate legislative or administrative body with power by majority vote to exercise certain delegated powers. The limitations of sovereignty, if such they may be called, are found in the specific restrictive covenants, not in the general covenant nor in the creation of the league executive council. There is also, of course, the very substantial fact that the council may tend to agree, rather than to disagree, and that the spirit of common interest and common action may prove strong enough in time to create an effective superstate. But there is no such creation in the proposed covenant. Nor, I take it, will any lawyer in the Senate or elsewhere be able to spell it out of the covenant.

ROBERT R. REED.

Mr. WILLIAMS. Mr. President, The Living Church, which is published at Milwaukee and New York and Chicago, on June 14 came out with an editorial entitled "The peace treaty and the Senate." Some parts of it I have stricken out, and I hope the reporters will note that fact. I have run a lead pencil through them, because I thought they were a bit too severe and perhaps personal; but the balance of this article, entitled "The peace treaty and the Senate," I fully indorse, and wish it published in the RECORD as a part of my remarks.

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

The matter referred to is as follows:

THE PEACE TREATY AND THE SENATE.

Will not the press, secular and religious, join us in appealing to the American people to make known their great displeasure at the studied boorishness which is being displayed in the Senate and in some few but well-established daily papers in regard to the peace treaty?

We are not thinking now so much of the fact of opposition to the treaty, quite recognizing that its very immensity must leave portions open to criticism and that, in all probability, no single person, whether of the peace conference or outside, is or could be satisfied with it in all its provisions; but rather of the manner in which so serious a matter is being treated in Washington.

Seldom have we had such cause to be ashamed of certain of our legislators as at the present time. There has always been a small sprinkling of boors in the Senate and probably always will be; but never in our recollection has boorishness seemed to be so willingly tolerated by men who are themselves not boors as at the present time.

Let us remind our readers of the customary procedure of the United States in making treaties. Whether the long, musty records of the past would disclose any exception we can not say, but what has been the usual practice is beyond question.

The treaty is negotiated between the diplomatic representatives of the United States and the other high contracting power or powers. None but the Executive and the State Departments are negotiators on behalf of the United States. Not until it has been completed and signed by the diplomats on both sides is it laid before the Senate. The "advice and consent" of the Senate are then invited; and the Senate, after careful consideration, gives or withholds that "consent," or gives "advice" in the form of amendments—which latter are then returned to the President as the "advice" of the Senate, and he, in turn, either accepts the advice and lays the matter anew before the other party or withdraws the draft of the treaty and drops the matter. The failure of an important treaty with England by the latter method in Mr. Roosevelt's administration will be readily recalled. Of course, the Senate has the right to "advise" the President in advance, but to do so uninvited would be most unusual.

The draft of the now pending treaty has been signed by the diplomatic representatives of the Allies, but it has not yet been signed by those of Germany. It is by no means certain that it is yet in its final form. To submit it in its present form and under present conditions to the Senate would be a gross violation of every diplomatic propriety and precedent. Moreover that would seriously complicate the matter of ratification, since it could not be ratified before it was completed, and it could not be completed before it had been accepted by the diplomatic representatives of all the signatory powers.

When the Senate proceeded to debate a treaty that had not been laid before it, was notoriously not ready for submission and had not been accepted by the enemy powers, it was guilty of a grave impropriety, while the boorish manner in which it has been discussed by certain Senators, the repeated insults in debate to England and English statesmen, not to say to the President of the United States, are such as would have been esteemed deliberate German propaganda a year ago, and are equally contemptible to-day.

Are Americans no longer proud of what this Nation has accomplished? Do they want to go back to the dreary anti-British hatred that we have been trying during these years of war to counteract? Has England, or has she not, given us cause to trust her in this war? Do we wish to be her friends or her enemies?

Let men differ as they will upon political questions at home, but let us all—all of us who deserve the name of loyal Americans—denounce all attempts at making partisan footballs of those sacred matters that have involved the blood of our sons. Mothers who wear the gold star, sons who are still suffering in military hospitals, are insulted by the manner in which their supreme sacrifice is now being treated.

The treaty of peace is a frightfully serious matter. It differs from all previous treaties in three essential characteristics: In the magnitude of the war, of which it is the conclusion; in the attempt to make future wars as nearly impossible as can be made; and in the great number of nations, each with separate interests and varying ideals, which must collaborate and unanimously agree in order that

any treaty whatever may be negotiated. If Japan or Italy could be left out or could be persuaded to accept Anglo-Saxon ideals the treaty could be improved. It is obvious that they can not. The unprecedented circumstances make the negotiation of the treaty probably the most difficult diplomatic feat that was ever attempted, and if it fails the civilization of the twentieth century may almost be said to go down into defeat.

And because the United States is only one of so great a number of interested powers it is next to impossible for the Senate to amend the treaty, though the precedent established by Mr. Roosevelt and Mr. Root of ratifying it with a declaratory statement of the understanding or position of the United States, as in The Hague conventions, is quite feasible.

* * * * * * *

And the power of the United States Senate to plunge the world into hopeless anarchy by refusing the cooperation of this Government in the treaty that stands for the reconstruction of the world is a power so overwhelming that its wide reach can hardly be overstated. Yet, when this treaty has neither been completed nor laid before the Senate, the partisan debates upon it have been an insult to the intelligence of the Nation and a slap upon the statesmen of those nations with which we have until now been associating as brothers and friends, not to say upon our own.

Let no one suppose that subsidiary questions are germane to this paramount issue of patriotism and sense of national responsibility. It may be that Mr. Wilson has been wondrously tactless in dealing with the Senate; it seems so to us. It may be that he has been unhappy in the choice of some of his associates in the Government. Very likely he has the defects of an exceedingly determined nature. No doubt the surreptitious appearance of copies of the treaty in New York (if they really have appeared) shows a bad leak somewhere—though, at least, as likely to be from German as from American or allied sources—and investigation may well be made. Perhaps some Senators have cause personally to dislike the President. It may be that the President is not easy to work with. All these things help to explain the partisanship into which the Senate and a part of the press and the Nation have sunk, but they do not excuse it.

Whoever treats the treaty as a matter for partisan advantage or personal spite is a traitor to his country, for he is rendering aid and comfort to the enemy in this time of war.

Earnestly, fearfully, do we call upon loyal Americans and the American press to denounce these partisan and personal viewpoints that are so conspicuous in the premature discussions of the subject in the Senate. The blood of our sons, shed upon the fields of France, challenges the irreverent to recognize that in the earnest efforts of the Versailles diplomats to establish a basis of permanent peace they are on holy ground. To discuss those efforts in the manner in which Senators have been discussing them is little less than blasphemy.

When the proper time for discussion arises, which will be after Germany has signed the covenant and the President has formally laid it before the Senate in a dignified manner, the handicap of this premature and improper discussion will reflect serious discredit upon those responsible for it. One hopes that their own constituents will vigorously demand an accounting.

But one also hopes that the group of old-time American gentlemen and patriots in the Senate, regardless of party, will now firmly assert themselves and demand that the current outrage upon the sensibilities of the American people and the dignity of the Senate shall cease.

CALLING OF THE ROLL.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ball	Johnson, S. Dak.	McNary	Smith, Ga.
Beckham	Jones, N. Mex.	Myers	Smith, Md.
Calder	Jones, Wash.	New	Smoot
Capper	Kellogg	Newberry	Stanley
Curtis	Kendrick	Norris	Swanson
Dial	Kenyon	Page	Thomas
Edge	Keyes	Phelan	Trammell
Elkins	King	Phipps	Warren
Fletcher	Kirby	Pittman	Watson
France	Knox	Poindexter	Williams
Gronna	La Follette	Pomerene	Wolcott
Harding	McCormick	Sheppard	
Harrison	McCumber	Shields	
Henderson	McKellar	Simmons	

Mr. KING. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Massachusetts [Mr. WALSH] are necessarily detained on official business.

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

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

Mr. GRONNA. I ask unanimous consent that the unfinished business be laid aside and that the Senate proceed with the consideration of the Agricultural appropriation bill.

The PRESIDING OFFICER. The Chair is informed that the unfinished business has already been laid aside temporarily.

Mr. GRONNA. I ask, then, that the Agricultural appropriation bill be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3157) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The PRESIDING OFFICER. The Secretary will state the first amendment passed over.

The SECRETARY. The first amendment passed over, offered by the committee, will be found at the top of page 77. It is an item relative to enabling the Secretary of Agriculture to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home. The committee proposes to strike out, on page 77, line 2, "46,280" and to insert in lieu thereof "$76,280."

Mr. GRONNA. Mr. President, this is the paragraph that the junior Senator from Utah [Mr. KING] asked to have go over. I think the Senator stated that he wished to offer an amendment. Has the Senator that amendment ready now?

Mr. KING. Mr. President, I have an amendment which I shall offer to the entire bill.

Mr. GRONNA. Would that affect this amendment also?

Mr. KING. Yes.

Mr. GRONNA. The Senator might just as well offer that amendment now, then.

Mr. KING. The trouble is, as I understand the procedure, that amendments to the bill are not in order until the committee amendments have been disposed of. I will therefore withdraw that amendment, as I shall offer a general amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. KING. Mr. President, if I may be permitted just a word, the amendment offered by the Senate committee increases the provision adopted by the House. I have asked the Senator having the bill in charge for an explanation, which he submitted the other day, and which, I respectfully submit, does not explain. I hope that the amendment offered by the Senate committee will be disagreed to and that the House provision will be retained in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee increasing the appropriation to $76,280.

The amendment was agreed to.

The SECRETARY. The next amendment of the committee passed over will be found on page 89, where, beginning with the top of the page, the committee proposes to insert the item relating to the Bureau of Markets.

The PRESIDING OFFICER. That amendment has already been read. Is there a request that it be read again? The Chair hears none.

Mr. KING. As I recall, a point of order was made against that provision.

The PRESIDING OFFICER. Has a point of order been submitted?

Mr. GRONNA. Mr. President, I should like to be heard on the point of order.

The PRESIDING OFFICER. There is no record of a point of order having been made to this amendment.

Mr. GRONNA. May I have the attention of the Senator from Utah? I do not wish to take advantage of him. Does the Senator raise a point of order against the amendment on page 89 that has reference to the wool section of the War Industries Board? I hope the Senator will not raise the point of order. I have here the law authorizing it, and, of course, I shall be compelled to take the time to explain it.

The PRESIDING OFFICER. There are two amendments on page 77 that were passed over and not agreed to. The Secretary will call attention to them.

The SECRETARY. On page 77, in line 9, the committee proposes to strike out "$4,501,980" and to insert in lieu thereof "$5,731,980," so as to read:

In all, for general expenses, $5,731,980.

The amendment was agreed to.

The SECRETARY. Also, in line 10, the committee proposes to strike out "$4,705,820" and to insert "$5,935,820," so as to read:

Total for States Relations Service, $5,935,820.

Mr. KING. Mr. President, a parliamentary inquiry. Is that merely a change in the totals to correspond with the action of the Senate or is it an augmentation of the original appropriation?

The PRESIDING OFFICER. The Chair understands so; but the chairman of the committee will be able to answer the question of the Senator more accurately.

Mr. GRONNA. I will say to the Senator that this is simply changing the numerals to conform to the amounts as they were increased by the Senate committee.

Mr. KING. There can be no objection to that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. GRONNA. Now, I ask unanimous consent that the Secretary be authorized to change and correct all of these totals, wherever they may occur in the bill, so as to correspond to the action taken on the amendments.

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

Mr. SWANSON. Mr. President, are we through with the Senate committee amendments now?

The PRESIDING OFFICER. Not yet. On page 89 there is a committee amendment.

Mr. GRONNA. Do I understand from the Senator that he has raised a point of order against that amendment?

Mr. KING. I submitted a point of order yesterday against the amendment, commencing on line 15, page 89, and ending on line 7, page 90, upon the ground that it was general legislation upon an appropriation bill.

Mr. GRONNA. May I ask the Chair if that is the amendment we are now considering?

The PRESIDING OFFICER. Yes; that is the amendment we have reached, on page 89.

Mr. GRONNA. Mr. President, on yesterday I stated——

Mr. SHEPPARD. Mr. President, will the Senator permit me to make an inquiry?

Mr. GRONNA. Certainly.

Mr. SHEPPARD. I wanted to ask what amendment is pending. I think the Secretary has read one amendment and the Senator from Utah has in mind another.

The SECRETARY. The pending amendment is on page 89, where the committee proposes to insert, beginning with the top of the page, the item relative to the Bureau of Markets, down to and including line 14.

Mr. KING. I withdrew the point of order as to that. I understood that the item commencing on line 15 of the same page and ending on line 7 of the following page was the one which was now before the Senate for consideration; and as to that item I urge the point of order.

The PRESIDING OFFICER. The question is on agreeing to the amendment on the first 14 lines of page 89.

Mr. SMOOT. Mr. President, there ought to be an amendment to this amendment if it is going to be agreed to. I called attention yesterday to the fact that on line 1 it says "That hereafter," which, of course, means that this shall apply, if it becomes a law, for years and years, or until legislation is passed to change it; and then on lines 13 and 14 it says "during the fiscal year ending June 30, 1920." That is quite inconsistent. Either the word "hereafter" ought to be stricken out or else the words "during the fiscal year ending June 30, 1920," ought to be stricken out—one or the other.

The PRESIDING OFFICER. Does the Senator from Utah move to strike out the word "hereafter" on page 89 in the first line?

Mr. SMOOT. I ask the Senator having the bill in charge whether he desires to have that word stricken out or the words at the end of the paragraph "during the fiscal year ending June 30, 1920."

Mr. GRONNA. I think it would be better not to strike out the first part because that would make it a permanent law.

Mr. SMOOT. Then I am perfectly satisfied. All the interest I have in it is to make it consistent. I move to strike out the words "during the fiscal year ending June 30, 1920."

Mr. KING. Before that is done, I wish to state that in withdrawing the point of order I do not concede that this is proper legislation, nor do I concede that the point of order if pressed would not be entitled to receive favorable consideration at the hands of the Chair; but the Senator from Texas [Mr. SHEPPARD] states to me that perhaps this is a meritorious provision. He is not sufficiently familiar with it and with all the complications connected therewith to make a satisfactory explanation, but he assures me that if it goes to conference the matter will receive full consideration, and that if it shall be discovered that it is not proper and legitimate the conferees will strike it out.

Mr. GRONNA. Let me say to the Senator that all this amendment will do is to authorize the Secretary of Agriculture and other persons in his department to administer oaths. That is all there is to the whole amendment.

Mr. KING. No one could give a satisfactory explanation the other day. Several Senators were called upon to submit an explanation and none complied with the request of the chairman. I have assurance, however, that the law will be examined into very carefully and if it shall be discovered that the amendment is improper the conferees will then change it.

The PRESIDING OFFICER. Without objection, the words are stricken out in line 13, "during the fiscal year ending June 30, 1920." Is there objection to agreeing to the committee amendment as amended? The Chair hears none, and the amendment is agreed to.

Mr. GRONNA. Mr. President, before I proceed I wish to inquire if the committee amendment on page 83 has been agreed to?

The PRESIDING OFFICER. The Secretary informs me that the amendment at the bottom of page 83 and the top of page 84 was agreed to.

Mr. GRONNA. Then the only amendment against which a point of order has been made is the amendment on page 89.

The PRESIDING OFFICER. The amendment on page 89, beginning with line 15 and extending down to and including line 7 on page 90.

Mr. GRONNA. Mr. President, yesterday when this amendment was pending before the Senate the Chair asked if there was any law authorizing the President of the United States to delegate the power in question to any department or to any bureau. I said I believed there was such a power not only in the Overman Act and in what is known as the national-defense act, but that such power will be found in section 5 of the food-control act.

Mr. SMOOT. The Senator has the act before him?

Mr. GRONNA. I have the act here. Section 5 of the so-called food-control act approved August 10, 1917, provides:

SEC. 5. That from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessaries, in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessaries as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. Whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust, or unreasonable, or discriminatory and unfair, or wasteful, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue such unjust, unreasonable, discriminatory and unfair storage charge, commission, profit, or practice. The President may, in lieu of any such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, find what is a just, reasonable, nondiscriminatory, and fair storage charge, commission, profit, or practice, and in any proceeding brought in any court such order of the President shall be prima facie evidence. Any person who, without a license issued pursuant to this section, or whose license shall have been revoked, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, in accordance with the requirement of an order issued under this section, or any regulation prescribed under this section, shall, upon conviction thereof, be punished by a fine not exceeding $5,000, or by imprisonment for not more than two years, or both: *Provided*, That this section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to the products of any farm, garden, or other land owned, leased, or cultivated by him, nor to any retailer with respect to the retail business actually conducted by him, nor to any common carrier, nor shall anything in this section be construed to authorize the fixing or imposition of a duty or tax upon any article imported into or exported from the United States or any State, Territory, or the District of Columbia: *Provided further*, That for the purposes of this act a retailer shall be deemed to be a person, copartnership, firm, corporation, or association not engaging in the wholesale business whose gross sales do not exceed $100,000 per annum.

Mr. President, that is the food-control act.

The VICE PRESIDENT. Is there anything in that act which authorizes the President to give to any board on earth the power to determine whether the excess profits are excessive, and, if so, to say how they shall be distributed?

Mr. GRONNA. There is, and if the Vice President does not wish me to take the time to read it, I shall be glad to put it in the RECORD.

The President of the United States issued his proclamation covering all these points. There is in the law a provision authorizing the President to change it from one bureau to another bureau to coordinate it.

The VICE PRESIDENT. There is no doubt about it.

Mr. GRONNA. There is in the so-called Overman Act a clause, section 120, which I shall also put in the RECORD, authorizing the President to do this.

SEC 120. Purchase or procurement of military supplies in time of actual or imminent war: The President in time of war or when war is imminent, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry.

Compliance with all such orders for products or material shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof and shall take precedence over all other orders and contracts theretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry, and any individual,

firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any plant equipped for the manufacture of arms or ammunition, or parts of ammunition, or any necessary supplies or equipment for the Army, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any manufacturing plant, which, in the opinion of the Secretary of War shall be capable of being readily transformed into a plant for the manufacture of arms or ammunition, or parts thereof, or other necessary supplies or equipment, who shall refuse to give to the United States such preference in the matter of the execution of orders, or who shall refuse to manufacture the kind, quantity, or quality of arms or ammunition, or the parts thereof, or any necessary supplies or equipment, as ordered by the Secretary of War, or who shall refuse to furnish such arms, ammunition, or parts of ammunition, or other supplies or equipment, at a reasonable price as determined by the Secretary of War, then, and in either such case, the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants, and through the Ordnance Department of the United States Army, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

The compensation to be paid to any individual, firm, company, association, corporation, or organized manufacturing industry for its products or material, or as rental for use of any manufacturing plant while used by the United States, shall be fair and just.

The Secretary of War shall also make, or cause to be made, a complete list of all privately owned plants in the United States equipped to manufacture arms or ammunition, or the component parts thereof. He shall obtain full and complete information regarding the kind of arms or ammunition, or the component parts thereof, manufactured or that can be manufactured by each such plant, the equipment in each plant, and the maximum capacity thereof. He shall also prepare, or cause to be prepared, a list of privately owned manufacturing plants in the United States capable of being readily transformed into ammunition factories, where the capacity of the plant is sufficient to warrant transforming such plant or plants into ammunition factories in time of war or when war shall be imminent; and as to all such plants the Secretary of War shall obtain full and complete information as to the equipment of each such plant, and he shall prepare comprehensive plans for transforming each such plant into an ammunition factory, or a factory in which to manufacture such parts of ammunition as in the opinion of the Secretary of War such plant is best adapted.

The President is hereby authorized, in his discretion, to appoint a Board of Mobilization of Industries Essential for Military Preparedness, nonpartisan in character, and to take all necessary steps to provide for such clerical assistance as he may deem necessary to organize and coordinate the work hereinbefore described.

[Act approved Aug. 29, 1916.]

Section 2 of the act of May 20, 1918:

SEC. 2. That in carrying out the purposes of this act the President is authorized to utilize, coordinate, or consolidate any executive or administrative commissions, bureaus, agencies, offices, or officers now existing by law, to transfer any duties or powers from one existing department, commission, bureau, agency, office, or officer to another, to transfer the personnel thereof or any part of it either by detail or assignment, together with the whole or any part of the records and public property belonging thereto.

The VICE PRESIDENT. There is not any doubt about the Overman Act authorizing the President to change bureaus and combine them or do anything else.

Mr. NORRIS. I should like to have the Senator from North Dakota yield just a moment that I may have the attention of the Chair and also the attention of the junior Senator from Utah [Mr. KING]. I do not know whether this explanation was made here yesterday. I do not believe if he understands the facts as they were explained by a representative of the department that he will insist on the point of order, even if the point of order is good.

As I understand it, under the section the Senator from North Dakota has read a proclamation was issued by the President. The order was made and a license was granted to wool dealers to do the business they wanted to do under certain conditions stated in the license. One of those conditions was that they should not charge above a certain price in excess of what they had paid for the wool.

Mr. KING. Will the Senator explain where there was any authority to compel a man who was dealing in wool to obtain a license from the Federal Government?

Mr. NORRIS. I do not think there is any doubt but that the War Industries Board, under the proclamation of the President, has a right to license him as well as anybody else. Let me finish the explanation. They did it. They went into business, and instead of complying with their own agreement, so we were informed by a representative of the department, they charged excesive prices. They did not abide by their agreement. They charged in excess of what they had agreed to charge if they were permitted to do business, and did not comply with one of the conditions under which the license was granted to them. Some dealers did not do that. Some dealers kept their faith and complied with their agreement. Those who did not do so, of course, made an excessive profit and have kept the money.

Now, this is an appropriation to get after the fellows who violated their agreement, who made the excessive profit, and to get a return of those excess profits. I understand that is the object of this appropriation as it was explained by a representative of the department who was asking for the appropriation.

I should like to ask the Senator from North Dakota if I have stated it fairly and correctly.

Mr. GRONNA. That is absolutely in accordance with the way I understand the law.

Mr. NORRIS. So this money is appropriated for the purpose of getting from these men something that is in excess of the charges that they themselves agreed to make.

Mr. SMOOT. I do not know what the testimony was before the committee, but I have always understood that this amount of money was for the purpose of closing up the account of the wool commission houses who handled the wool for the Government, receiving it direct from the wool producers. I rather think that $25,000 is the proper amount for Congress to appropriate. If the Senator's contention is that the law now gives the Bureau of Markets this power, then all that will be necessary would be to amend the bill by striking out all after the numerals "$35,000" or if it is to be amended to "$25,000" striking out all after "$25,000."

The Senator says they want this for the specific purpose of making the investigation. Then strike out the balance of the amendment, which confers this power upon the Bureau of Markets; and I say to the Senator frankly I believe it is general legislation. I do not believe that section 5 of the pure-food act gives the authority as defined in the amendment, but in order that they may go on with the work it does seem to me that by striking out all after the numerals "$35,000" there would be no necessity for my colleague to make a point of order against the amendment.

Mr. NORRIS. Will the Senator from Utah yield?

Mr. SMOOT. Certainly.

Mr. NORRIS. It is possibly true that from a legal point of view, and that is the sense in which we ought to consider it so far as the point of order is concerned, the Senator from Utah is right; but I would dislike to see stricken out of the amendment the words he suggests be stricken out. Still I have no definite knowledge but that what he says is true. It reads:

The activities to be undertaken under this appropriation shall include the securing and auditing of accounts and records of all dealers, the further collection of excess profits, etc.

They ought to be given authority to audit these books in order to reach an intelligent conclusion as to just what the excess profits are.

I believe if the junior Senator from Utah would think of it for a moment, if I have it right, and all I have is what was laid before us by a representative of the department, he would see the necessity not only of the appropriation but all the language that follows it. We ought not to take away from the representatives of the Government the power to fully investigate and get at the real facts and find out what the profits are. If you only make the appropriation and strike out that language, it seems to me you would cripple them so that they would not be able to get at the truth.

Mr. SMOOT. The Senator——

The VICE PRESIDENT. Let me get a little information. The Government fixed the price of wool for the woolgrowers. Is that true?

Mr. GRONNA. That is true.

The VICE PRESIDENT. The Government fixed the price of wool for the wool dealers?

Mr. GRONNA. That is true. It had that right under the law.

The VICE PRESIDENT. And they collected more than the Government fixed as the price?

Mr. GRONNA. They collected more than the price fixed by the Government.

The VICE PRESIDENT. And it is the scheme now to collect it back and give it to the woolgrowers?

Mr. GRONNA. That is the work intended to be done. A part of it has been done. Several thousand dollars have been paid back by the commission men, I will not say to the woolgrowers, but to those who shipped the wool. Of course, it was shipped in large quantities by dealers in wool.

The VICE PRESIDENT. The law which the Senator read was this, if I can understand the law: That the Government had a perfect right to fix the price for the woolgrowers, and did it; the Government had a perfect right to fix the price for the wool dealers, and did it; and the Government in this act furnished a penalty and punishment for the man who charged more.

Mr. SMOOT. Yes.

The VICE PRESIDENT. As I see it, you are trying to change that.

Mr. NORRIS. No.

The VICE PRESIDENT. And collect the money back; to turn this bureau into a court and take the money away from the Government and give it to the woolgrowers.

Mr. NORRIS. Mr. President, I think the Chair has omitted one thing that it was represented to us they are trying to do. In the license granted to the dealer he agreed to this price, and that it would be returned. The Government has not gotten the profit. The Government has not any of the money.

Mr. GRONNA. The Government has none of the money.

Mr. NORRIS. No; the dealers sold it to somebody else. It is simply trying to make the wool dealers comply with the agreement which they made with the Government.

Mr. GRONNA. That is true.

The VICE PRESIDENT. It is a little outside of the point of order, but the Chair would like to know why if it was collected from some man who used the wool the money should go back to the woolgrower rather than to the man from whom it was collected?

Mr. SMOOT. I wish also to call the Senator's attention to the fact that as far as the excess profits were concerned the Government would collect it.

Mr. NORRIS. This is not a tax which goes to the Government. The Internal-Revenue Bureau will not collect this tax. They may collect the percentage of excess profits that would go to the Government, but that is not what we are trying to do here.

Mr. SMOOT. All I was trying to do is to see if we could not amend the amendment so that a point of order could not lie against it. The Senator having the bill in charge says the existing law gives this same power, and therefore a point of order will not lie against it. If the existing law does give the power, why put the language in here? Why not strike it out and make only a straight appropriation? It seems to me that that is the way to get around it. Then there will be no question as to where the money goes, or any other question.

Mr. GRONNA. If I may have the attention of the Chair for just a few moments I will read the Executive order:

Whereas by Executive Order No. 2868, dated May 28, 1918, I established the War Industries Board, with the functions, duties, and powers outlined in my letter of March 4, 1918, to Bernard M. Baruch, its chairman, and now, by virtue of the armistice and approaching peace, it becomes desirable to provide for the dissolution of said board and for the termination of its activities in the manner hereinafter set forth.

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the authority vested in me as Chief Executive and by virtue of the powers conferred upon me by the act of Congress entitled "An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government," approved May 20, 1918, as well as by virtue of any and all other acts of Congress conferring authority upon me in the premises, do hereby order and direct—

That the War Industries Board and all divisions, sections, committees and subordinate bodies thereof shall terminate and dissolve on January 1, 1919, save and excepting:

1. That if the chairman finds that the proper performance of any duty duly intrusted to him or to the board requires the continuance in office of either himself, or of any member or members of the board or official or officials connected therewith, for a limited period after January 1, 1919, then the board and any such official or officials thereof may, in the discretion of the chairman, be continued for such limited period after January 1, 1919, as may be necessary for the performance of such duty, but in no event longer than the proclamation of peace. The appropriations of the War Industries Board shall be and continue available for any salaries and expenses incident to the performance of any such duty.

2. That the powers and functions of the Division of Planning and Statistics of the War Industries Board shall, on January 1, 1919, be transferred to and thereafter exercised by the War Trade Board. There shall be transferred and assigned to said War Trade Board such officials or employees of the War Industries Board, if any, as in the judgment of the chairmen of the said two boards may be necessary for the performance of the duties herein referred to, and also all papers, files, and records appertaining thereto, and the expenses incident to said duties shall be charged against and paid from the appropriations of the War Industries Board. Upon the completion of said duties the papers, files, and records aforesaid shall be disposed of as may be hereafter directed by me, and the powers and functions hereby transferred shall thereupon cease and be at an end.

3. That the powers and functions of the Wool Division of the War Industries Board, including particularly those relating to the payment by the dealers or buyers of any sums due by them in accordance with the "Government regulations for handling wool clip of 1918," as established by said board on May 21, 1918, and the disposition of such payments, shall, on January 1, 1919, be transferred to and thereafter exercised by the Bureau of Markets of the Department of Agriculture until such time as the affairs and duties of said division, uncompleted on said date, shall have been finally completed and wound up. There shall be transferred and assigned to said Bureau of Markets such officials or employees of the War Industries Board, if any, as, in the judgment of the chairman of the said board and the chief of said bureau, may be necessary for the performance of the duties herein referred to, and also all papers, files, and records appertaining thereto, and the expenses incident to said duties shall be charged against and paid from the appropriations of the War Industries Board. Upon the completion of said duties the papers, files, and records aforesaid shall be retransferred by the Bureau of Markets to the liquidating officer of the War Industries Board, and the powers and functions hereby transferred shall thereupon cease and be at an end.

4. That the powers and functions of the Price Fixing Committee of the War Industries Board shall continue until such of the prices already fixed by said committee, as will not expire on or before January 1, 1919, shall have expired, and the appropriations of the War Industries Board shall continue available for expenses incident to such continuance. Upon the expiration of all of such prices the papers, files, and records of said committee shall be delivered to the liquidating officer of the War Industries Board, and the powers and functions of the Price Fixing Committee shall thereupon cease and the committee shall be and stand dissolved.

5. That if any of the orders, directions, regulations, or functions of the board, or any of its divisions, committees, sections, or subordinate bodies (other than such as have heretofore been provided for in this order), can not, in the judgment of the chairman, be finally abrogated, released, complied with, or fulfilled with due regard to the interests involved before January 1, 1919, then the chairman shall designate the same to the War Trade Board, and the powers and functions now possessed by the War Industries Board with respect thereto shall, on January 1, 1919, be transferred to and thereafter exercised by the War Trade Board until such time as such orders, directions, regulations, or functions shall have been finally abrogated, released, complied with, or fulfilled. There shall be transferred and assigned to the War Trade Board such officials or employees of the War Industries Board, if any, as, in the judgment of the chairmen of the two boards, may be necessary for the performance of the duties herein referred to, and also all papers, files, and records appertaining thereto, and the expenses incident to said duties shall be charged against and paid from the appropriations of the War Industries Board. Upon the completion of said duties the papers, files, and records aforesaid shall be retransferred by the War Trade Board to the liquidating officer of the War Industries Board, and the powers and functions hereby transferred shall thereupon cease and be at an end.

6. That, except as hereinbefore provided, the War Industries Board shall continue after January 1, 1919, for the sole and only purpose of winding up its affairs, and of arranging, completing, indexing, and inventorying its papers, files, records, accounts, property, and effects, and of lawfully disposing of the same as soon as practicable and advisable; and for this purpose the chairman may appoint a liquidating officer, who shall have such powers as may be necessary for the proper performance of said work, including the right to submit the papers, files, records, and accounts of the board to inspection by those duly authorized or entitled to inspect them, and with power also, on behalf of the board, to continue and engage and pay such employees and to incur such expenses as may be necessary for the performance of the duties aforesaid; and also, on behalf of the board, through such disbursing officer as he may continue or employ, to draw upon the board's appropriations therefor, and also to draw upon such appropriations for any salaries, expenses, or obligations of the board due and unpaid on January 1, 1919, or thereafter incurred pursuant to this order.

This order shall be effective from its date, the 31st day of December, 1918.

WOODROW WILSON.

THE WHITE HOUSE,
31 December, 1918.

The War Industries Board ceased to function on the 1st day of January, 1919. It is out of existence. The President has transferred the duties of the War Industries Board to the Bureau of Markets. The Bureau of Markets has functioned in accordance with the proclamations and orders issued under authority of law; first, under section 5 of the food-control act, under the so-called act of national defense, section 120, which gives the President specific authority, and under the Overman Act. It seems to me, Mr. President, that this amendment can not be subject to a point of order.

The VICE PRESIDENT. The Chair does not seem to be understood. If there is a law now that authorizes any department of the Government to collect excess profits, as provided in the regulations for handling the wool clip of 1918 and distributing such excess profits to the individual growers of the wool upon which the profits were made, then this provision is wholly unnecessary. If there is no such provision, if it is not general legislation the Chair does not know what general legislation is.

Mr. GRONNA. May I ask the Senator from Utah what portion of the amendment he proposes to strike out?

Mr. SMOOT. All after the numerals "$35,000"; in other words, to strike out the following:

The activities to be undertaken under this appropriation shall include the securing and auditing of accounts and records of all dealers, the further collection of excess profits as provided in the regulations for handling the wool clip of 1918, and, so far as practicable, the distribution of such excess to the individual growers of the wool upon which such profits were made—

And so forth, down to and including the words "wool clip of 1918," in line 7 on page 90. In other words, this simply means an appropriation direct for the carrying on of the very work that the War Industries Board was doing before under the law the Senator says now exists.

The VICE PRESIDENT. The appropriation proper is not subject to a point of order.

Mr. SMOOT. That is what I said.

Mr. GRONNA. Then, rather than take the chances of having the whole paragraph go out, I will consent to the amendment proposed by the Senator from Utah.

The VICE PRESIDENT. It will be stated.

The SECRETARY. In the committee amendment, on page 89, line 20, after the numerals "$35,000," and after the period, strike out the remainder of the paragraph down to and including line 7 on page 90.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. NORRIS. I believe that disposes of the committee amendments.

Mr. GRONNA. I have some verbal amendments here which I wish to offer. The total here should be corrected.

The VICE PRESIDENT. It will be understood that the Secretary has power to correct totals.

Mr. GRONNA. On page 4, line 18, I move to strike out the word "office" and insert in lieu the word "bureau."

The amendment was agreed to.

Mr. GRONNA. On page 5, line 6, I move to strike out the word "Office" and insert the word "Bureau," so as to read "Bureau of Farm Management" in the heading.

The amendment was agreed to.

Mr. GRONNA. On page 29, line 13, after the numerals "$103,200," I move to strike out:

Provided, That $9,000 of said amount shall be available for the investigation and improvement of the pecan, and methods of growing, harvesting, packing, and shipping the same.

The VICE PRESIDENT. The committee amendment has been already agreed to, and this will necessitate a reconsideration of the vote.

Mr. GRONNA. I move that it be reconsidered.

The motion to reconsider was agreed to.

The amendment to the amendment was agreed to.

Mr. KING. I should like to ask the Senator having the bill in charge in view of the prohibition law why the committee——

Mr. GRONNA. Will the Senator wait until we complete these amendments?

Mr. KING. It is a part of the amendment under consideration. I ask the Senator why the provision for $20,000 "for investigating and developing new grape industries and methods of utilizing grapes heretofore used for the production of alcoholic beverages"——

Mr. GRONNA. I will say to the Senator that the committee felt that the Federal Government should assist the grape growers of the country in adjusting themselves to the new conditions. I am sure the Senator from Utah will agree with me that $20,000 is a very small amount compared with the amount that will be paid to the entire country in having the change.

Mr. PHELAN. I will say it is done at the request of the Secretary of Agriculture.

Mr. GRONNA. Yes; it is.

Mr. PHELAN. While I am on my feet I wish to ask the chairman of the committee why he eliminates the item of $9,000 proposed to be made available "for the investigation and improvement of the pecan, and methods of growing, harvesting, packing, and shipping the same"?

Mr. GRONNA. I will say to the Senator that the department felt there should be no such limitation on that provision.

Mr. PHELAN. Then the pecan interest will not suffer by the change?

Mr. GRONNA. No; it will not.

The amendment as amended was agreed to.

Mr. GRONNA. On page 60, line 21, in the committee amendment already agreed to, at the end of the line, I move to strike out the period and insert a semicolon.

The VICE PRESIDENT. The vote by which the amendment was agreed to will be reconsidered and that change will be made, without objection.

Mr. GRONNA. The next amendment is simply a transposition. I ask that the amendment be stated.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. On page 104 it is proposed to change the position of the paragraph, beginning in line 3 and ending in line 15, by inserting the same paragraph on page 103, after line 7.

Mr. GRONNA. That simply transfers the paragraph to another place.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota.

The amendment was agreed to.

Mr. NORRIS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. On page 53, after line 13, it is proposed to insert the following paragraph:

For biological investigation of food and drug products and substances used in the manufacture thereof, including investigations of the physiological effect of such products on the human organism, $15,000.

The VICE PRESIDENT. The question is on the amendment.

Mr. SMOOT. Mr. President, I think the very subject matter of the amendment offered by the Senator from Nebraska [Mr. NORRIS] is under the Public Health Bureau, and an appropriation has been made for it. I do not know whether the appropriation is in this bill or not.

Mr. NORRIS. The appropriation was in the bill as we reported it to the Senate in the last Congress, and by inadvertence it was left out of this bill. I am familiar with what is being done with the appropriation.

Mr. SMOOT. Does not the Senator think it would be a duplication of the item?

Mr. NORRIS. No.

Mr. SMOOT. I know that the Public Health Service has received appropriations for years and years for this very work.

Mr. NORRIS. This appropriation is used to a large extent, for instance, for the purpose of making experiments and chemical analyses of feeding material for stock. It is purely a scientific proposition which is entirely handled by the chemists of the department. They have made great advances in a great many lines even with this small appropriation. The only objection I have to it is that it is too small to really do the work which they have in hand.

The feeders of the country, those who are feeding cattle and hogs, get a great deal of information from the bulletins which are issued as the result of this particular investigation.

Mr. SMOOT. If it applies only in that direction, I have no objection to the amendment.

Mr. GRONNA. I will say to the Senator from Nebraska that I shall be perfectly willing to let the matter go to conference.

Mr. NORRIS. I am not offering this amendment merely because I desire to have it pass the Senate. The Senator from North Dakota knows that I desire that it shall remain in the bill and become a law.

Mr. GRONNA. Of course.

Mr. NORRIS. There is not an item in the bill, as far as agriculture is concerned, considering the amount of money that is involved, that is of any more importance to the farmer, or out of which he gets more good, than out of this particular item. The same is also true as to the feeder of live stock.

Mr. McLEAN. Mr. President, I understand this item was left out of the bill through an oversight?

Mr. NORRIS. Yes. It is not found in the bill as reported from the committee, because nobody brought the matter to the attention of the committee.

Mr. McLEAN. It is a matter apparently of great interest to those residing in my section of the country. I think I have received as many requests to endeavor to secure a reinstatement of this appropriation in the bill as any other appropriation in it. I hope that the chairman of the committee will be able to keep it in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. SWANSON. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 5, after line 13, it is proposed to insert the following:

For collecting and distributing by telegraph, mail, and otherwise on the supply, demand, commercial movement, disposition, quality, and market price of peanuts, and its products, $12,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. SWANSON. Mr. President, I should like to say, in connection with this amendment, that I have talked to the chairman of the committee about it. The peanut is the only product in reference to which the growers of the article can not get the market conditions. The peanut industry is not a small industry. From one hundred to two hundred million dollars of peanut products are annually produced in this country. Its products include both oil and butter. All we ask is that the growers of peanuts in seven or eight States be furnished the same information as to their product that is given as to butter, tobacco, and other products. For $12,000 the department state they can furnish this information to the peanut growers.

When our peanut growers produce their product the large buyers insist there is a large product in Japan, in China, and in

Spain, and consequently the peanut producers in this country are at their mercy, for they are not able to get information such as is furnished relative to other agricultural crops. All that the people interested in this industry desire is that they shall have the same privilege of knowing the market conditions and the prices as have the producers of other agricultural products. The chairman of the committee and other members of the committee have stated that they thought this industry ought to have the same privilege which has been extended to other agricultural interests.

Mr. GRONNA. Mr. President, if I may be permitted to say a word, the two Senators from North Carolina spoke to me about the importance of having appropriated a fund sufficient to give the market reports as to this particular industry. I agree with the Senator from Virginia that it is a very important industry. We produced last year some 56,000,000 bushels of peanuts. It is an important article of food; it is used in many different ways; and I myself am ignorant as to many purposes for which it is being used. It has, however, become a staple article of food. I stated to the Senators from North Carolina that it was my belief that this matter would be taken care of in the appropriation of $317,000 which is to be expended under the Bureau of Markets. I have since found that it is not there taken care of. I took the matter up with the department, and the department suggested a much larger expenditure than the amount which is now proposed by the Senator from Virginia.

Mr. LA FOLLETTE. Mr. President, will the Senator from North Dakota yield to me?

Mr. GRONNA. Yes.

Mr. LA FOLLETTE. Mr. President, I want to say a word for the peanut, my friend from North Dakota having yielded to me for a moment.

One of the greatest health institutions of this country, the Battle Creek (Mich.) Sanitarium, which is conducted by Dr. Kellogg, puts that product as one of the highest in nutrition and one of the best in all respects as an article of food. It is a perfect substitute for meat. The people all over this country are crying out about the high price of meat, and with much cause, and that product, grown in I do not know how many of the Southern States, is a perfect substitute in the chemistry of digestion for meat. It is wholesome; it is palatable; and it ought to receive at the hands of this Government all of the encouragement that can be given to it.

There is a paltry little sum involved in this proposed amendment, and while voting our billions for other things here we ought not to stickle over this.

The peanut is a cheap product, a wholesome product, a perfect substitute for an expensive product. It furnishes in a well-balanced ration the elements that are demanded by the human system; and if this Government can do anything to encourage the people who are engaged in its production, it ought to do it.

Mr. SWANSON. Mr. President, I should like also to say that this is exactly similar language to that which is used as to the furnishing of market conditions for other industries; it is an exact copy.

I should like also to say in addition that the department assured me that it is impossible for them to furnish these market conditions and inform farmers how to plant and how to sell without such information as would be furnished by this appropriation. At present the great buyers insist that there is a big crop, as I before stated, in Japan, in China, and in Spain, and consequently the peanut grower, not having knowledge, will be compelled to sell at a low price. All that is asked for this industry, which is growing rapidly—it is doubling and trebling each year—is that it shall have the market reports which are furnished to other agricultural interests.

Mr. SIMMONS. Mr. President, I wish merely to say a word in behalf of the peanut growers. The Senator from Wisconsin [Mr. LA FOLLETTE] is correct. Peanuts, I think, are not grown in very many States of the Union, but in a few States of the Union the peanut is a very important product. In certain counties of my State it is probably the most important agricultural crop that is grown outside of cotton and possibly tobacco. The production of peanuts in this country is rapidly increasing, and it is really becoming a very important industry, viewed from a national standpoint. Last year it is estimated that the value of the peanut crop in this country was $100,000,000. That is no inconsiderable sum when you consider the small area in which it is possible to grow these nuts.

Mr. President, the real trouble about the situation is this: The peanut growers have no way of ascertaining the amount of the crop. The only people who know anything about the size of the crop—and, of course, the size of the crop to some extent regulates the price of the product—are the buyers of peanuts. Peanuts are bought not by retail, not by the great number of people who consume them, but, in the first instance, they are bought up by great dealers. They are used for the purpose, first, of extracting the oil; a large portion of the product is devoted to the production of certain valuable oils, and only a very insignificant part of the peanut crop is eaten by the people or is used in the making of candy; its chief use is in the manufacture of oil. Of course, the by-product is a very valuable food product. Nobody knows under the present situation the amount of the crop raised in this country and in the world except the dealers in peanuts; and, for the purpose of depressing the price, misrepresentations are made—and they obtain without contradiction, because there is no means of contradicting them—as to the quantity of peanuts produced in this and in other countries.

The Senator from Virginia [Mr. SWANSON] has alluded to the fact that it is very important to know the amount of peanuts grown in foreign countries for the purpose of determining what ought to be the price of peanuts. It is equally important to know the quantity of peanuts grown in this country and used for the purposes for which they are put on the market. That is difficult of ascertainment and requires a degree and character of investigation that is not required with reference to any other agricultural product, and for this reason—and it will be apparent when I state it to the Senate that my statement is correct: Probably one-half of the peanut crop grown in the South—and I presume that is so everywhere else in this country where they are grown—is never harvested for the purpose of being placed upon the market, but the peanuts are sown in order to serve as a food for hogs. The hogs are turned into the field; they root up the peanuts, which are better than corn, and better than anything else, except the soya bean, for the purpose of fattening hogs. So it is claimed that at least one-half of the peanuts that are grown in this country are never placed upon the market; but the estimates upon which the production in this country is based, when there are any estimates, are upon the known yield per acre, measuring all the acres that are sown to peanuts in the country. In order that there may be anything like a reliable ascertainment of the amount of peanuts put upon the market it is necessary to have investigations that will enable the Government officials or statisticians to segregate that part of the crop which is used for hog-raising purposes from that part of the crop which is used for merchantable purposes. Therefore, Mr. President, it has become of great importance to the peanut growers to have this information.

What reason is there why they should not have it? We provide in our appropriations—and I will ask the Senator in charge of the bill if I am not correct—for estimates as to the fruit crop of the country, do we not?

Mr. GRONNA. I will say to the Senator that we do.

Mr. SIMMONS. Do we not also make similar provision as to the vegetable crop of the country?

Mr. GRONNA. We do.

Mr. SIMMONS. In the case of nearly every other kind of a crop in the country we also provide for an estimate, but as to this important product, the part that is placed upon the market being valued at $100,000,000, and the part consumed in the fattening of hogs being equally as valuable, the entire crop being worth at least $200,000,000 to this country, we have no reliable estimates to help the farmer to ascertain whether or not he is even offered by the purchaser an adequate and compensatory price.

I desire also to say to the Senator in charge of the bill that I think it is equally important that the peanut growers should have the benefit of the market service that is afforded in the case of other agricultural products.

Mr. SMITH of Georgia. Mr. President, there is one word I should like to add to what the Senator from North Carolina has said. In the southern third of Alabama and of Georgia there is, perhaps, no crop that is found so valuable to the grower of cotton in the fight against the boll weevil as the peanut crop. The production in these two States is rapidly growing and is very large, although but a small portion of the crop is gathered and put upon the market. As the Senator from North Carolina has stated, it is used largely for the purpose of fattening hogs, which are turned into the fields and consume the peanuts in the ground, without the crop being gathered. Peanuts afford a splendid substitute in changing cultivation from cotton, so as to enable a successful fight against the boll weevil to be waged, the change leaving the boll weevil for the year the peanut is planted without any food upon which it can subsist, and in that way ridding sections, temporarily, at least, of the boll weevil, so that a better opportunity may be had the next year to cultivate cotton.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Virginia [Mr. SWANSON].

The amendment was agreed to.

Mr. SWANSON. I have here a statement regarding the peanut industry, which I ask unanimous consent to have printed in the RECORD, in connection with the discussion on the amendment itroduced by me.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

The peanut industry of the United States has been growing very rapidly, until last year it reached the grand total of 56,000,000 bushels, valued at approximately $100,000,000. It is one of the crops that is being profitably used to replace cotton in the boll-weevil sections of the South. However, because of its very great food value, it is of peculiar importance to the consuming population of the entire country.

Despite its importance as a food and feed crop, it has long been neglected by the Government and by the agricultural agencies of the several States. There is no crop of the importance of the peanut that has had so little attention paid to it by Government agencies.

The industry has now reached a stage where it is absolutely necessary to have Government assistance, not only to insure its proper development but to maintain its present position.

The assistance that is most urgently needed is an accurate crop estimate and a market news service. The present form of crop estimates is being used to injure the grower and to depress the market. The conditions are such that a commercial crop estimate is absolutely essential. Of the greatly increased acreage in the Southern States it is estimated that over 50 per cent is used for forage, "hogging off" as it is called, and a great per cent of the rest is used for oil. Peanuts used for these purposes do not come in competition with peanuts which are marketed to be eaten as nuts.

However, the present crop estimates do not differentiate between these uses and therefore buyers use the estimates to beat down the market, insisting that all this great increase has to be handled by the manufacturers and that the big crop has knocked the bottom out of the market. What is needed is an estimate that will give us the actual marketable surplus, showing the amount used for forage, the amount used for oil, and the amount marketed as peanuts.

This matter has been taken up with Mr. Estabrook, chief of the Bureau of Crop Estimates, who informs us that it is impossible to take on more work under his present funds. He advises, however, that he could put on the desired service with an additional appropriation of $12,000 and that with the same machinery set up with this money could give commercial estimates on beans, cowpeas, soy beans, and velvet beans. These crops with peanuts aggregate a value of $250,000,000 and a commercial estimate on them would be of incalculable benefit to each crop.

Certainly the appropriation requested is most moderate in view of the value of the service. At present the Bureau of Crop Estimates has only $3,500 to be spent on all these crops, and of this amount only $700 is spent on peanuts.

The information furnished by a market news service is second in importance only to the crop estimates. At present there is no source of price information in regard to peanuts. The growers have to rely absolutely on what the buyer tells them the crop is worth. This creates a condition that is most discouraging and destructive to the industry. This condition would be remedied and the entire industry benefited by a market news service such as is now being rendered on fruits and vegetables by the Bureau of Markets. We are advised by the Bureau of Markets that an appropriation of $25,000 would enable them to set up a market news service station which would furnish the desired information.

It is felt that in view of the fact that the Government had done very little for the industry so far, that peanuts have rapidly grown in importance, that the service is badly needed and costs very little, the Congress should come to our relief and give us this assistance at its present session.

Mr. PHELAN. Mr. President, I ask the Secretary to read the notice and amendment which I have heretofore submitted.

The SECRETARY. Mr. PHELAN moves to suspend paragraph 3 of Rule XVI, in order that he may propose to the bill the following amendment:

That the act approved November 21, 1918, entitled "An act to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products, and for other purposes,'" be, and the same is hereby, amended so as to read as follows:

"That after June 30, 1919, until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, for the purpose of conserving the man power of the Nation, and to increase the efficiency in the production of arms, munitions, ships, food, and clothing for the Army and Navy, it shall be unlawful to sell for beverage purposes any distilled spirits, and during said time no distilled spirits held in bond shall be removed therefrom for beverage purposes except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the manufacture and sale of distilled spirits and removal of distilled spirits held in bond after June 30, 1919, until this act shall cease to operate, for other than beverage purposes. After the approval of this act no distilled liquors shall be imported into the United States during the continuance of the present war and period of demobilization: *Provided*, That this provision against importation shall not apply to shipments en route at the time of the passage of this act.

"Any person who violates any of the foregoing provisions shall be punished by imprisonment not exceeding one year or by fine not exceeding $1,000, or by both such imprisonment and fine," be, and the same is hereby, repealed.

Mr. PHELAN. Mr. President, the object of the amendment is to repeal part of the war-time prohibition provision so as to authorize the manufacture and sale of wine and beer pursuant to the recommendation of the President recently made to Congress in the following words:

The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers, but I am advised that without further legislation I have not the legal authority to remove the present restrictions. I therefore recommend that the act approved November 21, 1918, entitled "An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products,' and for other purposes," be amended or repealed in so far as it applies to wines and beers.

This is a subject with which the Senate is familiar, and, therefore, I will content myself with saying that the war is over; that demobilization has practically been completed; and there is no reasonable excuse for Congress to persist in its invasion of the rights of the States which, when there is no war, absolutely and exclusively control the subject of sumptuary legislation. The people regard it as a trespass upon their rights; there is a great deal of unrest and discontent by reason of this denial of a constitutional right, and, since the President has seen fit to recommend the legislation to Congress, it is well worth the consideration of Congress.

I would not say that spirituous liquors are without their injurious effects, but what I am pleading for here is beverage beer and wine. I was gratified to read in the proceedings of the Allied Medical Association of America in yesterday's papers as follows:

NEW YORK, *June 16.*

The Allied Medical Association of America, comprising all the various schools of medicine in the country, to-day adopted a resolution at the convention here declaring that properly brewed lager beer was absolutely essential in the treatment of certain cases and favoring the manufacture of beer containing not to exceed 2¾ per cent of alcohol. Light wine, if pure, was indorsed as beneficial in certain medical cases.

The resolution declared that "2¾ per cent beer" was not only beneficial to humanity at large when drunk in moderation, but also admirably adapted as a substitute for stronger alcoholic drinks and as a variant for many kinds of so-called soft drinks.

The resolution presented by Dr. L. M. Ottofy, of St. Louis, declared that many of the soft drinks on the market "can not be recommended without reservations." The continued use of light wines, he urged, would, in a measure, "prevent the increased use of narcotics."

Here is a beverage which is beneficial in cases of sickness, a beverage generally used by the people, especially those who work; in fact, the only beverage many of them have. It has been very properly urged that, under our liberal laws, those who can afford it have stored wines to serve them during their entire life, whereas the poor man, the mechanic and the laborer, not having the ability to invest in beer and wine, is practically denied the privilege which the more opulent enjoy, because there is no law, so far as I know, against the storage of these beverages.

Mr. Elihu Root has declared the law unconstitutional, and Dr. Frank J. Goodnow, president of Johns Hopkins University, is reported in the Morning Post as follows:

A stand against the prohibition of wines and beer by Dr. Frank J. Goodnow, president of Johns Hopkins University, and his urging of a repeal of the law is being discussed by antiprohibitionists. Dr. Goodnow's opinion bears much weight in all quarters, for while not a prohibitionist, he is regarded as an advocate of temperance and an authority on constitutional government.

Dr. Goodnow said it was his opinion that the prohibition clause as it is written in the Constitution is most unwise.

"It marks a new departure from our established order of things, for it is the first time in the history of the Nation 'thou shalt not' has been written in the Federal Constitution," he said.

This reference is to the constitutional amendment.

I beg to remind the Senate that in January next year the constitutional prohibition amendment, so drastic and so revolutionary, will doubtless go into effect, unless the Supreme Court establishes the rule of the referendum. That makes it all the more reasonable why we should request that war-time prohibition, which begins on July 1, be not allowed to go into operation.

California produces about 50 per cent of all the hops grown in the United States and probably 85 per cent of the wine crop. The growers of wine in my State—and the same is true of the manufacturers of beer—will be denied by a law whose constitutionality is questioned the right to engage in this industry. At a time when there is a general concurrence of sentiment in favor of the repeal of war-time prohibition, at a time when the President of the United States sees fit to recommend action by Congress, it seems unreasonable that we should persist in the enforcement of this law. It should be promptly repealed. The grape growers and the hop raisers have for many, many years received every encouragement from the Government and the Agricultural Department. They have perfected their product. The wine of California has attained a great degree of excellence, and now the industry is ruined by the constitutional amendment; but if this war-time prohibition is now repealed by Congress these men will have the opportunity of realizing on this year's crop, which would in a small measure compensate for the labors of their lifetime.

There has been no proposal here to compensate these men for the destruction of their property by law. I do not know why such a proposal was not made; largely, I believe, because it

would perhaps extend into the retailing and the wholesaling of wines and liquors. I have in mind the legitimate producers, the men of the farm and the vineyard. Because this is an industry which is licensed, I believe it has been held that it is wholly within the discretion of the States to deny them the privilege of doing business at any time without notice and without compensation. But what of the vineyardist and the hop grower? The farmer has always been an object—the wheat farmer, particularly, in this Congress—of careful solicitude, and there is no reason why the hop grower and the wine grower in this instance should not receive the same consideration. By repealing the law now you will in a small measure compensate them for their loss.

I therefore move, pursuant to the recommendation of the President, that the rule of the Senate be suspended by which matters embracing general legislation are forbidden to be engrafted upon an appropriation bill, in order that the question may squarely come before the Senate for action.

Mr. GRONNA. Mr. President, the speech of the Senator from California convinces me that this question will lead to interminable debate; and I therefore move to lay his motion on the table.

Mr. PHELAN. Mr. President, may I ask the parliamentary situation?

The VICE PRESIDENT. The Senator from North Dakota moves to lay the motion on the table.

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALDER (when Mr. GERRY's name was called). I have a pair with the junior Senator from Rhode Island [Mr. GERRY]. I understand that if present he would vote "nay." I will therefore let my vote in the negative stand.

Mr. ROBINSON (when his name was called). I have a pair with the senior Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the senior Senator from Alabama [Mr. BANKHEAD], and vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. KELLOGG]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN], and vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN], and vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. In his absence I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH], and vote "yea."

Mr. WALSH of Montana (when his name was called). I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH of Montana. I have a general pair with that Senator which I transfer to the Senator from Oklahoma [Mr. GORE], and vote "yea."

Mr. WOLCOTT (when his name was called). I transfer the general pair I have with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Texas [Mr. CULBERSON], and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. May I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I have a general pair with that Senator, and am therefore compelled to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WILLIAMS. I transfer the pair which I have with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Louisiana [Mr. RANSDELL], and vote "nay."

Mr. HARDING. Because of the absence of the junior Senator from Alabama [Mr. UNDERWOOD], I am obliged to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. McLEAN (after having voted in the negative). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence I withdraw my vote. If at liberty to vote, I should vote "nay."

Mr. KING. I desire to announce that the senior Senator from Louisiana [Mr. RANSDELL], the junior Senator from Louisiana [Mr. GAY], the junior Senator from Massachusetts [Mr. WALSH], the junior Senator from Kentucky [Mr. STANLEY], and the junior Senator from Alabama [Mr. UNDERWOOD] are necessarily detained on public business.

Mr. CURTIS. I desire to announce that the Senator from Connecticut [Mr. BRANDEGEE] is paired with the Senator from Louisiana [Mr. GAY].

The result was announced—yeas 55, nays 11, as follows:

YEAS—55.

Ball	Harris	McNary	Sheppard
Beckham	Harrison	Moses	Sherman
Borah	Henderson	Nelson	Simmons
Capper	Johnson, S. Dak.	New	Smith, Ariz.
Chamberlain	Jones, N. Mex.	Newberry	Smith, Ga.
Cummins	Jones, Wash.	Norris	Smoot
Curtis	Kendrick	Nugent	Spencer
Dial	Kenyon	Overman	Sutherland
Elkins	Keyes	Page	Swanson
Fernald	Kirby	Phipps	Trammell
Fletcher	Lenroot	Pittman	Walsh, Mont.
Frelinghuysen	McCormick	Poindexter	Warren
Gronna	McCumber	Pomerene	Wolcott
Hale	McKellar	Robinson	

NAYS—11.

Calder	King	Phelan	Wadsworth
Edge	Knox	Reed	Williams
France	La Follette	Thomas	

NOT VOTING—30.

Ashurst	Gerry	Martin	Stanley
Bankhead	Gore	Myers	Sterling
Brandegee	Harding	Owen	Townsend
Colt	Hitchcock	Penrose	Underwood
Culberson	Johnson, Calif.	Ransdell	Walsh, Mass.
Dillingham	Kellogg	Shields	Watson
Fall	Lodge	Smith, Md.	
Gay	McLean	Smith, S. C.	

So Mr. PHELAN's motion was laid on the table.

Mr. HARRIS. Mr. President, in connection with the amendment of the Senator from California, I ask to have read the resolution which I send to the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

BROTHERHOOD OF RAILROAD TRAINMEN,
Atlanta, Ga., June 16, 1919.

Hon. WILLIAM J. HARRIS,
United States Senate, Washington, D. C.

DEAR SIR: In view of the fact that the public press is quoted as saying that organized labor demands that we shall have wine, beer, etc.: Be it

Resolved, That the Brotherhood of Railroad Trainmen, Georgia Lodge, No. 866, of Atlanta, Ga., wishes to go on record that we are not in favor of manufacturing any kind of a beverage that contains alcohol in any quantity, and that we urge our United States Senators and Congressman from this district to vote and use their influence against any and all measures looking to this end.

Trusting that you will be victorious in this fight and wishing you much success, we are, yours, for prohibition,

GEORGIA LODGE, NO. 866.
P. H. HUTCHINSON, *Secretary.*

Mr. LA FOLLETTE. Mr. President, pursuant to the notice which I gave some days ago, I move to suspend paragraph 3 of Rule XVI of the standing rules of the Senate; and I make that motion in order that I may offer the following amendment:

That at and after 2 o'clock ante meridian on Sunday, October 26, 1919, next, the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, be, and the same hereby is, repealed.

Upon the motion to suspend the rules I do not care to take the time of the Senate, nor do I think it necessary to argue the merits of the amendment which I propose to offer, further than to say that the act which it seeks to repeal was adopted as a part of the war-time legislation; that it never went before the people of this country for consideration by them in any election; that as a consequence they have had no opportunity to indicate that they were willing to accept the radical changes in time which that legislation imposed upon them; and that therefore, Mr. President, we ought to have an opportunity to present this amendment and have it passed upon by the Senate and by the House of Representatives.

All that I am asking up to this point is that the rule be suspended and that an opportunity be given to present the amendment, and, if there is opposition to it, to discuss its merits.

Mr. CALDER. Mr. President, the bill which it is proposed to repeal by this amendment has been the law for nearly two years. Before it was enacted hearings were had upon it before a committee of this body, and those for and against the measure were given the opportunity of expressing their views. I protest that an effort to repeal a law of such great importance to the people of the country ought not to be undertaken on an appropriation bill. Several bills on the subject have been introduced and referred to appropriate committees. Hearings can be had in an orderly way; the opponents and proponents of the legislation can be heard; and then, after a thorough and complete investigation of the advantages and disadvantages of the

law, the matter can be determined by a committee and then by the Senate.

Like the Senator from Wisconsin, I am not going to discuss the matter further. I believe every Senator here knows what the passage of this rider means. It affects every individual in the land. In my judgment the daylight-saving law has been a boon to the people of the country, and if it is repealed the people generally will be sorely disappointed.

I sincerely trust that the Senator's motion will not prevail.

Mr. SMITH of Arizona. Mr. President, I have here a short amendment to which I am sure there will be no objection. Would the Senator mind my offering it now?

Mr. LA FOLLETTE. I will state to the Senator from Arizona that I have an amendment pending.

Mr. SMITH of Arizona. I thought there would be objection to that. If there is none, of course I do not want to interrupt the Senator.

Mr. LA FOLLETTE. I think we can have a vote on the question of suspending the rules at once, without further debate.

Mr. SMITH of Arizona. Very well.

The VICE PRESIDENT. The question is, Shall paragraph 3 of Rule XVI be suspended in order to enable the Senator from Wisconsin to introduce the amendment which has been read to a general appropriation bill? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. DILLINGHAM's name was called). I desire to announce the absence on business of the Senator from Vermont [Mr. DILLINGHAM]. He has a pair with the senior Senator from Maryland [Mr. SMITH].

Mr. HARDING (when his name was called). I am advised of the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair, and therefore am obliged to withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence, I withhold my vote.

Mr. ROBINSON (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the Senator from Alabama [Mr. BANKHEAD], and vote "nay."

Mr. SIMMONS (when his name was called). Announcing the same transfer as on the previous roll call, I vote "yea."

Mr. SMITH of Georgia (when his named was called). Announcing the same transfer that I announced on the previous roll call, I vote "yea."

Mr. STERLING (when his name was called). Again announcing my pair with the senior Senator from South Carolina [Mr. SMITH], and being unable to obtain a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhole Island [Mr. COLT]. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH], and vote "yea."

Mr. WILLIAMS (when his name was called). Making the same announcement with regard to my pair and its transfer that I made on the previous roll call, I vote "nay."

The roll call was concluded.

Mr. STERLING. I have already announced my pair with the senior Senator from South Carolina [Mr. SMITH]. Upon inquiry I find that that Senator would vote the same way that I shall vote; hence, I am at liberty to vote. I therefore vote "yea."

Mr. CALDER (after having voted in the negative). I have a pair with the junior Senator from Rhode Island [Mr. GERRY]. If that Senator were present, he would vote "nay" on this motion. I will therefore let my vote stand.

Mr. CURTIS. I wish to announce that the Senator from Connecticut [Mr. BRANDEGEE] is paired with the Senator from Louisiana [Mr. GAY].

Mr. KING. I wish to announce that the Senator from Maryland [Mr. SMITH], the Senator from Alabama [Mr. UNDERWOOD], and the Senator from Massachusetts [Mr. WALSH] are detained on official business.

The roll call resulted—yeas 46, nays 20, as follows:

YEAS—46.

Ball	Johnson, S. Dak.	McKellar	Smith, Ariz.
Capper	Jones, Wash.	Moses	Smith, Ga.
Cummins	Kendrick	Nelson	Spencer
Curtis	Kenyon	Norris	Stanley
Dial	Keyes	Nugent	Sterling
Fall	King	Overman	Swanson
Fernald	Kirby	Phelan	Trammell
Fletcher	Knox	Pomerene	Wadsworth
France	La Follette	Reed	Warren
Gronna	Lenroot	Sheppard	Wolcott
Harris	McCormick	Sherman	
Harrison	McCumber	Simmons	

NAYS—20.

Calder	Henderson	Page	Smoot
Edge	Jones, N. Mex.	Phipps	Thomas
Elkins	McNary	Pittman	Walsh, Mont.
Frelinghuysen	New	Poindexter	Watson
Hale	Newberry	Robinson	Williams

NOT VOTING—30.

Ashurst	Dillingham	Lodge	Smith, Md.
Bankhead	Gay	McLean	Smith, S. C.
Beckham	Gerry	Martin	Sutherland
Borah	Gore	Myers	Townsend
Brandegee	Harding	Owen	Underwood
Chamberlain	Hitchcock	Penrose	Walsh, Mass.
Colt	Johnson, Calif.	Ransdell	
Culberson	Kellogg	Shields	

The VICE PRESIDENT. On the motion to suspend this paragraph of the rules the yeas are 46, the nays are 20; so the motion prevails, and the amendment is in order.

Mr. LA FOLLETTE. Mr. President, I offer the following amendment, to come in at the end of the bill, just before the last two lines:

That at and after 2 o'clock ante meridian on Sunday, October 26, 1919, next, the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, be, and the same is hereby, repealed.

Mr. SMOOT and Mr. LA FOLLETTE called for the yeas and nays, and they were ordered.

Mr. JONES of New Mexico. Mr. President, I voted against the motion to suspend the rule. I did so because I am opposed generally to suspending this particular rule. I do not believe in the practice of suspending rules under ordinary circumstances, and this, to my mind, is a very important and salutary rule. In the next place, I am advised that the House has just passed a measure which does carry out the purpose of the amendment now offered by the Senator from Wisconsin [Mr. LA FOLLETTE]. I thought it much better to have the substance of the amendment enacted into law in the regular way than to suspend the rule. I voted against the suspension of the rule, but, of course, I am in favor of the amendment offered by the Senator from Wisconsin.

Mr. SMOOT. Mr. President, I voted against suspending the rule, because, as I have stated time and time again, I intend to vote against the suspension of rules unless it is a question which involves the very life of the country. I shall vote for the amendment offered, but I voted not to suspend the rule, because of the position which I have taken ever since I have been in the Senate.

Mr. WILLIAMS. Mr. President, like the Senator from New Mexico, I voted against the motion to suspend the rule, because I do not think it good policy to be suspending rules to accomplish the purpose, but I am emphatically in favor of God's time as against the idea of the Senator from New York [Mr. CALDER]. I am inclined to think this whole thing is a reflection upon the intelligence of the American manufacturing capital and the proletariat engaged in manufacturing. They could just as easily agree to go to work an hour earlier or an hour later as any other agreement could be entered into by anybody at any time. They are intelligent enough to do it. I never saw any particular reason why the farm labor of the United States should be subjected to the annoyance and trouble and worry of this legislation.

I am, furthermore, opposed to the Senate and Congress undertaking to usurp not only all the functions of the Government of the United States, dual in their character, State and Federal, but undertaking to usurp the function of God Almighty Himself and to fix the time when the sun shall rise and set and when it shall be at the meridian.

The VICE PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. McLEAN (when his name was called). I again announce my pair with the junior Senator from Louisiana [Mr. GAY] and withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. ROBINSON (when his name was called). Announcing the same pair and transfer as on the previous vote, I vote "nay."

Mr. SIMMONS (when his name was called). Announcing the same pair and transfer as on the former vote, I vote "yea."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). If my colleague were present he would vote "yea."

Mr. STERLING (when his name was called). Again announcing my pair with the senior Senator from South Carolina [Mr. SMITH], and also announcing that I am informed he would vote the same way I am about to vote on this question, and I am at liberty to vote. I vote "yea."

Mr. TRAMMELL (when his name was called). Announcing the same pair and its transfer as on the last vote, I vote "yea."

Mr. WILLIAMS (when his name was called). I make the same announcement of the transfer of my pair as when we last voted, and I vote "yea."

The roll call was concluded.

Mr. CURTIS. I wish to announce the absence of the senior Senator from Vermont [Mr. DILLINGHAM] on official business. He is paired with the senior Senator from Maryland [Mr. SMITH].

The result was announced—yeas 56, nays 6, as follows:

YEAS—56.

Ball	Jones, N. Mex.	Moses	Smith, Ariz.
Borah	Jones, Wash.	Nelson	Smith, Ga.
Capper	Kendrick	New	Smoot
Cummins	Kenyon	Norris	Spencer
Curtis	Keyes	Nugent	Stanley
Dial	King	Overman	Sterling
Fall	Kirby	Phelan	Swanson
Fletcher	Knox	Pittman	Trammell
France	La Follette	Poindexter	Wadsworth
Gronna	Lenroot	Pomerene	Walsh, Mont.
Harris	McCormick	Reed	Warren
Harrison	McCumber	Sheppard	Watson
Henderson	McKellar	Sherman	Williams
Johnson, S. Dak.	McNary	Simmons	Wolcott

NAYS—6.

Calder	Newberry	Phipps	Robinson
Frelinghuysen	Page		

NOT VOTING—34.

Ashurst	Elkins	Kellogg	Smith, Md.
Bankhead	Fernald	Lodge	Smith, S. C.
Beckham	Gay	McLean	Sutherland
Brandegee	Gerry	Martin	Thomas
Chamberlain	Gore	Myers	Townsend
Colt	Hale	Owen	Underwood
Culberson	Harding	Penrose	Walsh, Mass.
Dillingham	Hitchcock	Ransdell	
Edge	Johnson, Calif.	Shields	

So Mr. LA FOLLETTE's amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I ask the indulgence of the Senate for a moment, without going through the formality of offering an amendment, simply to state in explanation of the date which I wrote into the amendment which has just been adopted that I think it is a great injustice to the people of the country that they should be compelled to submit to this distortion in time until next October. As I introduced the bill, which I requested to have sent to the Committee on Agriculture and Forestry, which was finally incorporated in the appropriation bill in the form in which it was reported, I provided for the immediate repeal of the so-called daylight-saving law. I think it should be repealed at once, but I was led to believe, Mr. President, that if I offered the amendment in that form, under the provision requiring a vote of two-thirds of the Senate to suspend the rule, I would not be able to get it through. Therefore I gave notice of a motion to suspend the rule, and offered the amendment with the date fixed at the last Sunday in October.

I merely wish to enter this explanation in the RECORD as a part of this legislation. I refrained from making the statement before the vote was taken because I did not want to protract the debate, lest we might lose a quorum, owing to the lateness of the hour.

Mr. SMITH of Arizona. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the amendment just agreed to add a new paragraph, as follows:

That the field employees of the Department of Agriculture shall have 30 days' leave of absence in each year, and under the same terms as is now allowed practically to all other Government employees.

Mr. SMITH of Arizona. Mr. President, I have little, if anything, to say in regard to the amendment, as it explains itself. I have simply attempted to put these field agents or laborers under the same provision as applies to the great majority, if not all, other employees in the Federal service. I have nothing further to say in support of the amendment.

The amendment was agreed to.

Mr. MOSES. I offer the following amendment.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 104, after line 2, insert:

That the President is hereby authorized to extend invitations to all nations of the world interested in the manufacture or raising of cotton to appoint delegates or representatives to the World Cotton Conference to be held at New Orleans, La., October 13, 14, 15, and 16, 1919: *Provided*, That no appropriation shall be granted for the expenses of such delegates or for any other expenses incurred in connection with said conference.

The amendment was agreed to.

Mr. KING. I offer the following amendment as a new section to be added at the end of the bill:

That no person employed under any provision herein which carries a lump-sum appropriation shall be paid at a rate in excess of $2,500 per annum.

Mr. GRONNA. I will say to the Senator from Utah that I have not had time to examine into the merits of this amendment. I shall not object to letting it go to conference, but I will not agree, of course, to keep it in the bill unless we find that it has real merit.

Mr. KING. That is all I ask the Senator to do. I would like to add this before action is taken: In examining the various pages of the bill I find millions of dollars given in lump sums to be expended by some subordinate without any limitation or restriction whatever. The entire appropriation up to $10,000 could be paid to one individual. I think it is a very vicious and indefensible way of legislating. I say again, there are upon 15 or 20 pages of the bill appropriations aggregating perhaps one-third of the entire amount that are to be expended in this way, and it does seem to me if this amendment, which the Senator accepts, is not agreed upon in conference, some other amendment that will safeguard the interests of the Treasury and the people ought to be agreed upon by the conferees, and the same reported back to their respective Houses.

Mr. GRONNA. So far as I am concerned, I am willing to let the amendment go to conference and we will look into it as carefully as we possibly can.

The amendment was agreed to.

Mr. KING. If I may have the attention of the Senator having the bill in charge, before I move to strike out the provision found on page 57 I would like to make an inquiry of him. Commencing with line 3 and terminating with line 5 the following provision is found:

For exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and other natural fertilizer, $31,340.

I want to say to the Senator that the Interior Department, the Bureau of Mines, and various other agencies of the Government have made extensive examinations with regard to potash and potash deposits and the question of fertilizers and have accumulated a great amount of data respecting those subjects. It seems to me this is a duplication. That work has been committed by former legislation to the Bureau of Mines. It is clearly within the jurisdiction of that branch of the public service, and I do not think it is wise legislation to enact the provision to which I have directed attention. If the Senator believes that it ought to remain in this bill, I may accede to his wishes, but I sincerely believe, with my present information, that this provision ought to be stricken from the bill.

Mr. GRONNA. I want to be perfectly frank with the Senator. I do not know whether it is absolutely necessary or not to have this paragraph retained in the bill.

Mr. KING. I move to strike out all of lines 3, 4, and 5, on page 57.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. GRONNA. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GRONNA, Mr. NORRIS, and Mr. SMITH of Georgia conferees on the part of the Senate.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until 8 o'clock this evening.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas. [Putting the question.] The noes seem to have it.

Mr. CURTIS. I ask for a division.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Hitchcock	McKellar	Simmons
Calder	Johnson, S. Dak.	McLean	Smith, Ariz.
Capper	Jones, N. Mex.	McNary	Smith, Ga.
Chamberlain	Jones, Wash.	Moses	Smoot
Curtis	Kendrick	New	Spencer
Dial	Kenyon	Newberry	Stanley
Fall	Keyes	Norris	Sutherland
Fletcher	King	Nugent	Swanson
France	Kirby	Overman	Thomas
Frelinghuysen	Knox	Phelan	Warren
Gronna	La Follette	Phipps	Watson
Harris	Lenroot	Pomerene	Williams
Harrison	McCormick	Sheppard	Wolcott
Henderson	McCumber	Sherman	

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The pending question is, Shall the Senate take a recess until 8 o'clock this evening?

Mr. SIMMONS. Mr. President, before the vote is taken I desire to ask if we can not have an agreement, if there is to be a night sesion, that there will be nothing taken up except the District of Columbia appropriation bill?

Mr. CURTIS. So far as I am concerned, I will agree that nothing shall be taken up to-night except the District of Columbia appropriation bill. The Senator from Iowa [Mr. KENYON] has consented that the unfinished business shall be temporarily laid aside so that we may proceed to the consideration of the District of Columbia appropriation bill. That is all the business which will be before the Senate to-night.

Mr. KENYON. That is agreeable to me.

Mr. SMITH of Arizona. With that understanding, I shall make no objection to the motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas.

On a division, the motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m., on the expiration of the recess.

VOCATIONAL REHABILITATION.

Mr. CURTIS. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 18) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

Mr. CURTIS. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. Without objection, leave is granted.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. CURTIS. I ask unanimous consent that the Senate proceed to the consideration of House bill 4226, the District of Columbia appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4226) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. CURTIS. I ask that the formal reading of the bill be dispensed with, and that it be read for amendment, the committee amendments to be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, after the enacting clause, to strike out:

That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely.

And insert:

That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, namely.

Mr. NUGENT. I move that the committee amendment be rejected.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The next amendment was, under the head of "General expenses," on page 2, line 22, after the word "government," to strike out "$1,200" and insert "$1,400," so as to make the clause read:

Veterinary division: Veterinary surgeon for all horses in the departments of the District government, $1,400.

The amendment was agreed to.

The next amendment was, on page 3, line 1, after the word "storekeeper," to strike out "$1,200" and insert "$1,400," so as to make the clause read:

Purchasing division: Purchasing officer, $3,000; deputy purchasing officer, $1,800; computer, $1,440; clerks—1 $1,800, 3 at $1,500 each, 6 at $1,200 each, 1 $1,100, 3 at $900 each, 7 at $840 each; storekeeper, $1,400; messenger, $600; driver, $600; inspectors—1 of materials $1,400, 2 at $900 each; 2 laborers, at $720 each; 2 property-yard keepers, at $1,000 each; temporary labor, $250.

Mr. FRANCE. I desire to offer an amendment to the amendment of the committee. On page 3, line 2, I move to strike out "$1,400" and insert "$1,800."

In connection with this amendment I desire to state that the man who has held this position has been a faithful servant of the Government for 20 years. He is the head of a family and for all these years he has received the salary of only $1,200. I feel that in justice to this man and in recognition of his faithful service the amendment to the amendment should be adopted giving him an increase of $400.

On a division, the amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The next amendment was, on page 3, line 11, after the word "necessary," to strike out "$1,500" and insert "$1,800," so as to make the clause read:

Building inspection division: Inspector of buildings, $3,000; assistant inspectors of buildings—principal $2,000, 1 $1,500, 1 $1,400, 10 at $1,200 each; fire-escape inspector, $1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, $1,800; civil engineers or computers—1 $2,000, 1 $1,500; clerks—chief $1,800; 1 $1,050, 1 $1,000, 1 (who shall be a stenographer and typewriter) $1,000, 1 $900; messenger, $600; assistant inspector $1,500.

The amendment was agreed to.

The next amendment was, on page 3, after line 14, to insert:

The Commissioners of the District of Columbia are authorized and directed, from time to time, to prescribe a schedule of fees to be paid for inspecting passenger elevators and for inspecting hotels, public halls, moving-picture shows, theaters, and other places of amusement which are required to have annual licenses, and for inspecting buildings which are required by law to have fire escapes; and they are further authorized and directed to impose fees for all inspections or service to be performed by any public officer or employee of the District of Columbia under any law or regulation now in force or hereafter enacted, said fees to cover the cost and expense of such inspections or service; and a schedule of such fees shall be printed and conspicuously displayed in the office of the said commissioners, and said fees shall be paid to the collector of taxes, District of Columbia, and deposited in the Treasury of the United States to the credit of revenues of the District of Columbia and the United States in equal parts.

Mr. McKELLAR. Will the chairman of the committee explain this provision?

Mr. CURTIS. Up to a short time ago the District Commissioners fixed a fee for the examination of buildings, and that fee was paid for some time. Eventually the proprietors of the Willard Hotel contested the right of the District Commissioners under existing law to collect a fee for such an examination, and the court held that under existing law they had no right to do it. The hotels, theaters, and other buildings are examined to see whether or not they are safe, their elevators are examined, and it is no more than right that the examination should be paid for. This amendment simply authorizes the District Commissioners to fix a reasonable fee for that purpose.

The amendment was agreed to.

The next amendment was, on page 4, line 14, after the word "office," to strike out "$124,190" and insert "$124,890," so as to make the clause read:

In all, executive office, $124,890.

The amendment was agreed to.

The next amendment was, on page 4, line 23, before "$900," to insert "storekeeper, $900," and in line 26, after the words "in all," to strike out "$40,100" and insert "$41,000," so as to make the clause read:

Care of District Building: Assistant superintendent, $2,000; chief engineer, $1,600; 3 assistant engineers, at $1,200 each; electrician, $1,400; 2 dynamo tenders, at $880 each; 4 firemen, at $840 each; 3 coal passers, at $600 each; electrician's helper, $880; 8 elevator conductors, at $600 each; laborers—2 at $660 each, 2 at $500 each; 2 chief cleaners (who shall also have charge of the lavatories), at $500 each; 33 cleaners, at $240 each; matron, $600; storekeeper, $900; chief watchman, $1,000; assistant chief watchman, $660; 8 watchmen, at $600 each; pneumatic-tube operator, $600; in all, $41,000.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after "$900," to strike out "inspector, $1,200" and insert "2 inspectors, at $1,200 each," and on page 6, line 3, after the words "in all," to strike out "$13,100" and insert "$14,300," so as to make the clause read:

License bureau: Superintendent of licenses (who shall also be secretary to the automobile board without additional compensation), $2,000; clerks—2 at $1,400 each, 2 at $1,200 each, 1 $1,000, 1 $900; 2 inspectors, at $1,200 each; inspector of licenses, $1,200; assistant inspector of licenses, $1,000; messenger, $600; in all, $14,300.

The amendment was agreed to.

The next amendment was, on page 6, line 7, before the word "bailiffs," to strike out "three" and insert "four"; in line 8,

before the words "at $1,200 each," to strike out "eleven" and insert "thirteen"; and in line 11, after the words "in all," to strike out "$48,420" and insert "$52,020," so as to make the clause read:

Collector's office: Collector, $4,000; deputy collector, $2,000; chief clerk, arrears division, $2,000; cashier, $1,800; 2 assistant cashiers, at $1,500 each; bookkeeper, $1,600; 4 bailiffs, at $1,200 each; clerks—4 at $1,400 each; 13 at $1,200 each; 4 at $1,000 each (including 1 transferred from assessor's office), 5 at $900 each, 1 $720; clerk and bank messenger, $1,200; 2 messengers, at $600 each; in all, $52,020.

The amendment was agreed to.

The next amendment was, on page 6, line 22, after "$1,500," to insert "seventh, $1,500," and in line 25, after the words "in all," to strike out "$21,920" and insert "$23,420," so as to make the clause read:

Office of corporation counsel: Corporation counsel, $4,500; assistants—first $3,000, second $2,500, third $2,000, fourth $1,800, fifth $1,500, sixth $1,500, seventh $1,500; clerk and stenographer, $1,400; stenographer and typewriter, $1,200; two stenographers, at $900 each; clerk, $720; in all, $23,420.

The amendment was agreed to.

The next amendment was, on page 9, after line 12, to strike out:

Public Utilities Commission: For salaries (including inspector of gas and meters, $2,000; assistant inspectors of gas and meters—one $1,200, two at $900 each; messenger, $600); in all $33,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $4,000 per annum.

And insert:

Public Utilities Commission: Executive secretary, $4,000; accountant, $3,000; traffic engineer, $3,000; assistant accountant, $2,000; statistical clerk, $1,800; inspectors—one $1,800, one $1,600, one $1,400; inspector of gas and meters, $2,000; inspector of electric meters, $1,800; assistant inspectors—one $1,200, two at $900 each; clerks—two at $1,400 each, two at $100 per month each for seven months; two messengers, at $720 each; in all, $31.040.

The amendment was agreed to.

The next amendment was, on page 10, line 5, after the word "necessary," to strike out "$20,000" and insert "$10,000," so as to make the clause read:

For incidental and all other general necessary expenses authorized by law, including the employment of expert services where necessary, $10,000.

The amendment was agreed to.

The next amendment was, on page 10, line 6, after the word "Commission," to strike out "$53,000" and insert "$41,040," so as to make the clause read:

In all, Public Utilities Commission, $41,040.

The amendment was agreed to.

The next amendment was, on page 10, line 22, after the word "hire," to strike out "$300" and insert "$600," and in the same line, after the words "in all," to strike out "$11,340" and insert "$11,640," so as to make the clause read:

Department of insurance: Superintendent of insurance, $3,500; deputy and examiner, $2,000; statistician, $1,700; clerks—1 $1,200, 2 at $900 each; stenographer, $840; temporary clerk hire, $600; in all, $11,640.

The amendment was agreed to.

The next amendment was, on page 11, line 23, after "$1,000," to strike out "1 $900, 7 at $840 each," and insert "8 at $900 each"; in line 25, before the word "each," to strike out "$720" and insert "$840"; on page 12, line 1, before the word "each," to strike out "$600" and insert "$720"; in the same line, after the word "copyist," to strike out "$600" and insert "$720"; in line 2, after the word "cataloguers," to strike out "1 $840, 1 $720, 2 at $600 each." and insert "4 at $840 each"; in line 4, after the word "one," where it occurs the first time, to strike out "$720" and insert "$900"; in the same line, after "$900," to strike out "6 at $600 each, 5 at $540 each," and insert "11 at $720 each"; in line 6, after the word "collator," to strike out "$600" and insert "$720"; and in line 12, after the words "in all," to strike out "$66,120" and insert "$70,840," so as to make the clause read:

Free Public Library, including Takoma Park branch: Librarian, $4,000; assistant librarian, $1,800; chief circulating department, $1,500; director of children's work, $1,500; director of reference work, $1,500; children's librarian, $1,000; supervisor of school work, $1,200; librarian's secretary, $1,000; Takoma Park branch librarian, $1,000; chiefs of divisions—order and accessions $1,200, industrial $1,200; reference librarian, $1,200; chief, catalogue department, $1,200; assistants—1 $1,000, 1 in charge of periodicals $1,000, 8 at $900 each, 7 (including 1 for the Takoma Park branch) at $840 each, 6 (including 1 for Takoma Park branch) at $720 each; copyist, $720; classifier, $900; shelf lister, $1,020; cataloguers—4 at $840 each; stenographers and typewriters—1 $1,000, 1 $840; attendants—1 $900, 11 at $720 each; collator, $720; 4 messengers, at $600 each; 10 pages, at $420 each; 4 janitors, at $600 each, 1 of whom shall act as night watchman; janitor at Takoma Park branch, $480; engineer, $1,200; fireman, $720; workman, $600; library guard, $720; 2 cloakroom attendants, at $360 each; 6 charwomen, at $240 each; in all, $70,840.

Mr. CURTIS. I wish to correct the total.

The SECRETARY. On page 12, line 12, make the total "$70,960."

The PRESIDENT pro tempore. Without objection the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

Mr. CURTIS. To save time I ask that the clerks at the desk be authorized to correct the totals.

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

The next amendment was, under the head of "Contingent and miscellaneous expenses," on page 15, line 25, after the word "division," to insert "assistant superintendent of the street-cleaning division," and on page 16, line 3, after the word "officer," to insert "chief of the bureau of preventable diseases," so as to make the clause read:

Telephones may be maintained in the residences of the superintendent of the water department, sanitary engineer, chief inspector of the street-cleaning division, assistant superintendent of the street-cleaning division, inspector of plumbing, secretary of the Board of Charities, health officer, assistant health officer, chief of the bureau of preventable diseases, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, one fire-alarm operator, and two fire-alarm repair men, under appropriations contained in this act. The commissioners may connect any or all of these telephones to either the system of the Chesapeake and Potomac Telephone Co. or the telephone system maintained by the District of Columbia, as in their judgment may be most economical to the District.

The amendment was agreed to.

The next amendment was, on page 17, line 9, after the word "bodies," to strike out "$5,000" and insert "$6,225," so as to make the clause read:

For purchase and maintenance, hire of livery, of means of transportation for the coroner's office and the morgue, jurors' fees, witness fees, removal of deceased persons, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $6,225.

The amendment was agreed to.

The next amendment was, on page 18, after line 8, to insert:

For rent of offices of the recorder of deeds, to be expended under the direction of the Superintendent of the Capitol Building and Grounds, $6,000.

The amendment was agreed to.

The next amendment was, on page 19, line 2, after the word "fire," to strike out "the unexpended balance of the appropriation of $10,000 made for the fiscal year 1919 is reappropriated and continued available during the fiscal year 1920," and insert "$10,000," so as to make the clause read:

For repair of buildings owned and used by the District of Columbia, when injured by fire, $10,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 3, to insert:

Office of the assessor: For lithographing and binding office maps, $2,000.

The amendment was agreed to.

The next amendment was, under the head of "Improvements and Repairs," on page 20, line 21, after the word "vehicles," to strike out "$150,000" and insert "$220,000," so as to make the clause read:

Assessment and permit work: For assessment and permit work, including maintenance of motor vehicles, $220,000; and any unexpended balance of the appropriation contained in the District of Columbia appropriation act for the fiscal year 1919 for assessment and permit work, streets, is reappropriated and made available for the same purposes during the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 23, after line 9, to insert:

Northwest: For paving Euclid Street, University Place to Columbia Road, 30 feet wide, $33,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 11, to insert:

Northwest: For grading and improving Connecticut Avenue, Pierce Mill Road to Chappell Road, $39,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 13, to insert:

Northwest: For paving Georgia Avenue, Buchanan Street to Military Road, 60 feet wide, $122,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to insert:

Northwest: For paving Connecticut Avenue, Chappell Road to Chevy Chase Circle, 60 feet wide, $136,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 17, to insert:

Northeast: For paving Eleventh Street, H Street to Maryland Avenue, 32 feet wide, $17,000.

The amendment was agreed to.

The next amendment was, on page 23, line 20, after the words "in all," to strike out "$282,300" and insert "$629,300"; so as to make the clause read:

In all, $629,300, to be disbursed and accounted for as "Street improvements" and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment was, on page 26, line 3, after the word "buildings," to strike out "$10,000" and insert "$20,000"; so as to make the clause read:

For construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, $20,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 3, to insert:

In view of an urgent necessity for laying a concrete roadway on Howard Road from Nichols Avenue to a point 1,600 feet westward therefrom in the month of November, 1918, at a cost double the average cost of laying such roadways, one-fourth of the cost of said work shall be assessed against abutting property in lieu of one-half of such costs as provided by existing law.

The amendment was agreed to.

The next amendment was, under the head of "Sewers," on page 28, line 7, after the word "sewers," to insert "including the purchase of one motor field wagon at not to exceed $2,000, and the maintenance of motor vehicles," so as to make the clause read:

For suburban sewers, including the purchase of one motor field wagon at not to exceed $2,000, and the maintenance of motor vehicles, $110,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 9, to insert:

The unexpended balance of the appropriation for suburban sewers, 1917, is reappropriated and continued available for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 28, after line 19, to insert:

Appropriations contained in the District of Columbia appropriation act for the fiscal year 1919 for "sewers," namely: "For main and pipe sewers and receiving basins," "For suburban sewers," and "For assessment and permit work, sewers," are made available also for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 30, line 6, after the word "expenses," to strike out: "$621,000" and insert "$656,000," and in line 7, after the word "*Provided*," to strike out "That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in parts: *Provided further*," so as to make the clause read:

Disposal of city refuse: To enable the commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection and allowance to inspectors for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed $25 per month for each inspector for horse-drawn vehicles, $30 per month for automobiles, and $15 per month for motorcycles; fencing of public and private property designated by the commissioners as public dumps; and incidental expenses, $656,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels, places of business, large apartment or boarding houses.

The amendment was agreed to.

The next amendment was, under the head of "Electrical Department," on page 33, line 19, after the word "items," to strike out "$3,500" and insert "$5,000," so as to make the clause read:

For placing wires of fire-alarm, telegraph, police-patrol, and telephone service underground in existing conduits, including cost of cables, terminal boxes, and posts, connections to and between existing conduits, manholes, handholes, posts for fire-alarm and police boxes, extra labor, and other necessary items, $5,000.

The amendment was agreed to.

The next amendment was, on page 33, line 24, after the word "items," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

For extension and relocation of police-patrol system, including purchase of new boxes, purchase and erection of necessary poles, cross arms, insulators, pins, braces, wire, cable, conduit connections, posts, extra labor, and other necessary items, $2,000.

The amendment was agreed to.

The next amendment was, on page 34, line 23, after the word "items," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

For extension and relocation of fire-alarm system, including purchase of new boxes, purchase and erection of necessary poles, cross arms, insulators, pins, braces, wire, cable, conduit connections, posts, extra labor, and other necessary items, $6,000.

The amendment was agreed to.

The next amendment was, under the head of "Public schools," on page 36, line 1, after the word "years," to insert:

Provided, That an employee transferred from another position in the service of the Board of Education to the position of assistant principal of the Central High School shall not suffer a decrease of salary by such transfer.

So as to make the clause read:

Assistant principal of the Central High School, $1,800: *Provided*, That said assistant principal shall be placed at a basic salary of $1,800 per annum and shall be entitled to an increase of $100 per annum for five years: *Provided*, That an employee transferred from another position in the service of the Board of Education to the position of assistant principal of the Central High School shall not suffer a decrease of salary by such transfer.

The amendment was agreed to.

The reading of the bill was continued to line 16 on page 37.

Mr. JONES of Washington. I wish to offer what was really an amendment overlooked by the committee. It was in the last bill. On page 37, line 16, I move to strike out "$1,000" and insert "$1,200," so as to include group A of class 6.

The PRESIDENT pro tempore. The Chair suggests to the Senator from Washington that the Senate is now acting under an order adopted that committee amendments should be first considered.

Mr. JONES of Washington. I understand that, but this is really a committee amendment. While it was not formally authorized by the committee, it was simply overlooked, and if adopted would be included among the amendments of the committee. I ask unanimous consent to offer the amendment at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The amendment was agreed to.

The next amendment was, on page 37, line 18, before the word "each," to strike out "$950" and insert "$1,000," so as to make the clause read:

Class 5, 136 at $1,000 each, including vocational and trade instructors.

The amendment was agreed to.

The next amendment was, on page 37, line 20, before the word "each," to strike out "$850" and insert "$1,000," so as to make the clause read:

Class 4, 498 at $1,000 each.

The amendment was agreed to.

The next amendment was, on page 37, line 22, before the word "each," to strike out "$800" and insert "$1,000," so as to make the clause read:

Class 3, 543 at $1,000 each.

The amendment was agreed to.

The next amendment was, on page 37, line 24, before the word "each," to strike out "$800" and insert "$1,000," so as to make the clause read:

Class 2, 364 at $1,000 each.

The amendment was agreed to.

The next amendment was, on page 38, line 1, before the word "each," to strike out "$800" and insert "$1,000," so as to make the clause read:

Class 1, 90 at $1,000 each: *Provided*, That all teachers and librarian and clerks herein provided for shall be entitled to the full amount of any increased compensation granted for the fiscal year 1920 regardless of the increase herein made.

The amendment was agreed to.

The next amendment was, on page 38, line 7, after the word "teachers," to strike out "$1,813,700" and insert "$2,094,600," so as to make the clause read:

In all for teachers, $2,094,600: *Provided*, That no part of said appropriation, or any appropriation herein, shall be used for the payment of any teacher to give instruction in the German language or for the purchase of any books for use in such instruction.

The amendment was agreed to.

The next amendment was, on page 38, line 13, before the word "clerks," to strike out "and three" and insert "three, four, and five"; so as to read:

The salaries appropriated herein for teachers in classes 1, 2, 3, 4, and 5, clerks, and librarians in all classes during the fiscal year 1920, shall be in lieu of the present basic or initial salaries for such classes and the present rates of longevity increases of pay for the said classes shall apply to the basic or initial salaries appropriated herein.

Mr. JONES of Washington. In line 13 I wish to offer an amendment to the committee amendment. I move to strike out between the words "four, five," the word "and," and after the word "five" to insert "and group A of class 6."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 39, line 3, before the word "each," to strike out "$840," and insert "$1,000," and in line 4, after the words "in all," to strike out "$30,000" and insert "$31,600," so as to make the clause read:

Ten librarians in high and normal schools in class 5, at $1,000 each; 30 clerks in class 4, at $720 each; in all, $31,600.

The amendment was agreed to.

The next amendment was, on page 39, line 7, after the word "schools," to insert "and playgrounds"; in the same line, after the word "and," to insert "directors, officers"; in line 8,

after the word "schools," to insert "and playgrounds"; and in line 9, after the words "also be," to insert "directors, officers"; so as to make the clause read:

Vacation schools and playgrounds: For the proper care, instruction, and supervision of children in the vacation schools and playgrounds, and directors, officers, supervisors, teachers, and janitors of vacation schools and playgrounds may also be directors, officers, supervisors, teachers, and janitors of day schools, $14,000.

The amendment was agreed to.

The next amendment was, on page 40, line 11, after the word "For," to insert "school officers"; in line 13, after the word "and," where it occurs the second time, to insert "school officers," and in line 14, after the words "also be," to insert "school officers," so as to make the clause read:

Night schools: For school officers, teachers, and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and school officers, teachers, and janitors of night schools may also be school officers, teachers, and janitors of day schools, $50,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 19, to insert:

Americanization work: For Americanization work and instruction of foreigners of all ages in both day and night classes, including a principal, who shall give his full time to this work, at $2,500 per annum, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, $12,000.

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

For contingent and other necessary expenses, including books, equipment, and supplies, $3,000.

The amendment was agreed to.

The next amendment was, on page 46, line 7, after the word "same," to strike out "$190,000" and insert "$210,000," so as to make the clause read:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating, plumbing, and ventilating apparatus, and installation of sanitary drinking fountains in buildings not supplied with same, $210,000.

The amendment was agreed to.

The next amendment was, on page 48, after line 17, to insert:

For the complete equipment of the machine shops of the new Central High School, $50,000.

Mr. McKELLAR. Mr. President, will the Senator in charge of the bill explain the situation that makes this amendment necessary?

Mr. CURTIS. Mr. President, the Central High School, as the Senator from Tennessee well knows, is equipped with everything except machine shops for the benefit of the young men and young women who are attending it. There are a thousand young men there who wish to take the course of manual training in the machine shop. The Commissioners of the District, and also the Board of Education, very strongly recommend it. This additional appropriation will completely equip the Central High School.

The PRESIDENT pro tempore. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed, the last clause read being as follows:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, and employees of the day schools may also be employees of the community forums and civic centers, $30,000.

Mr. KING. Mr. President, if I may be permitted, I desire to make an inquiry respecting the item just read which is not an amendment. I should like to direct the attention of the Senator in charge of the bill to lines 24 and 25 on page 48, and lines 1, 2, 3, 4, and 5, on page 49. I recall that there was some discussion when the last District of Columbia appropriation bill was before the Senate relative to the feasibility of appropriations of this character. As I recall, there was a great deal of criticism about this or a similar item, and the impression which I then obtained was that the appropriation was temporary, and that even the proponents of the then temporary appropriation would not ask for any further appropriation.

Mr. CURTIS. Mr. President, I know nothing about the understanding to which the junior Senator from Utah refers, but I do know that those in charge of this work came before the committee at this session and asked for an appropriation of $60,000. That was not recommended by the Commissioners of the District of Columbia; the subcommittee refused to allow the $60,000, and the full committee refused to allow the $60,000, but did allow $30,000, which was estimated for by the District Commissioners.

There has been, as has been said by the junior Senator from Utah, some objection and some doubt as to this work, but the District Commissioners felt that they ought to ask for $30,000 to continue it for this year. We hope by the next session of Congress to have a full and complete statement of the work that is being done and an itemized statement of all the expenses, which I hope will be of interest to other Senators, as I know it will be to members of the committee.

Mr. KING. Mr. President, when the amendments reported by the committee shall have been considered and passed upon, unless there is some additional explanation of this item, I shall move to strike it out.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 49, after line 18, to strike out:

Hereafter the board of education is authorized to use all necessary floor and room space in the Franklin School Building for office purposes.

The mendment was agreed to.

The next amendment was, under the head of "Metropolitan police," on page 53, line 4, before the word "captains," to strike out "11" and insert "12"; in line 19, before the word "lieutenants," to strike out "20" and insert "21"; in line 20, before the word "sergeants," to strike out "54" and insert "57"; in line 24, before the word "privates," to strike out "187" and insert "197," so as to read:

Major and superintendent, $4,000; 2 assistant superintendents, at $2,500 each; 3 inspectors, at $2,000 each; 12 captains, at $2,000 each; chief clerk, who shall also be property clerk, $2,000; clerk (who shall be a stenographer), $1,800; clerk and stenographer, $1,500; clerks—1 (who shall be assistant property clerk) $1,200, 1 $1,200, 3 at $1,000 each, 1 $700; 4 surgeons of the police and fire departments, at $840 each; additional compensation for 35 privates detailed for special service in the detection and prevention of crime, $16,800, or so much thereof as may be necessary; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of $120 per annum, $1,680, or so much thereof as may be necessary; additional compensation for 1 inspector or captain and 1 lieutenant detailed for special service in the detection and prevention of crime, at $400 each; 21 lieutenants, 1 of whom shall be harbor master, at $1,600 each; 57 sergeants, 1 of whom may be detailed for duty in the harbor patrol, at $1,400 each; 493 privates of class 3, at $1,320 each; 86 privates of class 2, at $1,200 each; 197 privates of class 1, at $1,080 each.

Mr. KING. If the Senator will pardon me, I wish to inquire in relation to the item on line 4, page 53. It seems that with the termination of the war there would not be the necessity for the number of captains of police that there was during the past year. Did evidence disclose the necessity of increasing the number?

Mr. CURTIS. It did. They really asked for more than the committee was willing to give them. It is desired to organize a traffic squad so as to relieve the regulars from some of the work that is now being done by them. There is no question that these additional officers are needed in the District.

Mr. KING. Speaking generally, I desire to say that I observe an increase in very many of the items with respect to the police force provided for in this bill. I had been led to understand that with the termination of the war and our getting back to normal conditions there would be no necessity for such an increase.

Mr. CURTIS. I desire to say that as to the police force there will be an amendment offered, and I think after the reasons for it shall have been given the junior Senator from Utah will consent to an additional increase. Conditions are such in the city now as to require an additional police force in order to protect the lives and the property of the people here. There will be an amendment offered not by the committee, but an amendment to the committee amendment covering that matter. I hope the junior Senator from Utah will listen to a letter which has been sent here in support of the amendment. I should have proposed the amendment myself, but having been authorized to stand by this amendment the senior Senator from Utah [Mr. SMOOT] will offer the amendment to which I refer instead of your humble servant.

Mr. SMOOT. Mr. President, I move to amend the committee amendment by inserting "237" instead of "197," on page 53, line 24, before the word "privates," and I want to call the attention of the Senate to the reasons why I offer the amendment. Perhaps it would be well to read a letter received from the Acting Secretary of State relating to this amendment, and then explain why it has not been thought best to grant the full 135 asked for. The Acting Secretary of State, Hon. William Phillips, on June 17, 1919, wrote to Hon. HENRY C. LODGE, chairman of the Committee on Foreign Relations, the following letter:

DEPARTMENT OF STATE,
Washington, June 17, 1919.

MY DEAR SENATOR LODGE:

Recent developments have made it necessary that the following important matter should be brought to your attention as chairman of the Committee on Foreign Relations, with the hope that it may be given the most sympathetic and favorable consideration possible.

There are in the city of Washington 41 representatives of foreign governments accredited to the Government of the United States.

Many of them occupy embassy or legation buildings which are the property of their governments, in which are housed, in addition to their families, their official archives. It is of the greatest international importance that the embassies and legations of foreign nations should be given most thorough police protection at this time because of the unrest and unsettled conditions in this country and abroad.

After conference with the superintendent of police, I find that it is not possible to detail men from the police force at each of the embassies and legations, because of the great need of patrolmen for general police service in every section of the District of Columbia, which as you are already aware has an area of approximately 70 square miles and more than 510 of opened and used streets. During the war patrolmen have been stationed at certain of the embassies, but the number of men who could be spared from other police duty to permit of the constant presence of an officer during each of the three eight-hour periods of the day made it necessary so greatly to increase the area to be covered by each man as to render ineffective the protection which he was depended upon to afford.

It would take 123 patrolmen to provide one for each of the 41 embassies and legations during each eight hours of the day and night, and to provide for sick and annual leave it would be necessary to increase the number to at least 135 men.

After careful consideration of the whole question the superintendent of police believes that it may be feasible so to arrange the territory to be patrolled by each officer as to make it possible to afford reasonably adequate protection with approximately 80 additional privates in the Metropolitan police force at a salary of $1,080 each per annum. This is approximately one-half the total number which should be used if one man were kept on duty at each of the 41 embassies or legations during each eight-hour period of duty; but in view of the fact that a number of the legations are located within a square or so of one another, an effort could be made to arrange to have one patrolman cover two, or perhaps three, missions located in close proximity to each other.

You will, I am sure, at once recognize the importance of affording adequate police protection in the existing conditions of unrest to the foreign representatives, who are in a very real sense guests of the United States. It would inspire a feeling of national humiliation if, through lack of the police protection which could be afforded at small cost, a representative of a friendly Government should suffer loss of life or property at the hands of irresponsible individuals. American diplomatic, and even consular, representatives in foreign countries are as a rule afforded most ample police protection upon request, and it would seem that the United States could hardly afford to give less adequate protection to foreign representatives in the National Capital than that afforded its own representatives in the capitals of the world.

I earnestly request that you will give this matter your attention and endeavor to have added to the District appropriation bill now pending before Congress a provision appropriating the sum of $86,400 for 80 additional privates in the Metropolitan police force at $1,080 each per annum to make possible adequate protection of the foreign representatives and their embassy and legation buildings in this city.

I am, my dear Senator LODGE,

Very faithfully, yours,

WILLIAM PHILLIPS,
Acting Secretary of State.

The Hon. HENRY C. LODGE,
Chairman Committee on Foreign Relations,
United States Senate.

Mr. President, I do not think it is necessary for me to go into the details as to why we have reduced the number from 80, as suggested by the Acting Secretary of State, to 40; but I wish to say to Senators that we think we now have the matter so arranged that proper protection can be given to all of the embassies by adding 40 privates instead of 80. I do not think it would do any good to state at this time how or why, but I will say to the Senate that if the 40 additional privates are provided for at this time we feel that ample protection will be afforded the embassies and legations. Therefore I offer the amendment which I have already suggested.

The PRESIDENT pro tempore. The amendment offered by the Senator from Utah to the amendment reported by the committee will be stated.

The SECRETARY. In the committee amendment, on page 53, lines 24 and 25, it is proposed to strike out "one hundred and ninety-seven," and in lieu thereof to insert "two hundred and thirty-seven."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 54, line 4, before the word "telephone," to strike out "eight" and insert "ten"; and in line 11, before the word "drivers," to strike out "thirty-five" and insert "forty," so as to make the clause read—

ten telephone clerks, at $900 each; 18 janitors, at $600 each; laborer, $720; messenger, $600; inspector, mounted on horse, $480; 38 captains, lieutenants, sergeants, and privates, mounted on horses, at $480 each; motor vehicle allowance to 20 sergeants and privates at $360 each; 64 lieutenants, sergeants, and privates, mounted on bicycles, at $60 each; 40 drivers, at $900 each.

The amendment was agreed to.

The next amendment was, in line 13, page 54, after the words "in all," to change the total from "$1,224,340" to "$1,249,240."

Mr. CURTIS. Mr. President, in view of the amendment just agreed to the total is not now correct, but authority has been given to the Secretary to change the totals, so that will be taken care of.

The PRESIDENT pro tempore. That action will be taken.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 55, line 14, after the word "expended," to strike out "*Provided*, That the War Department may, in its discretion, furnish the commissioners, for use of the police, upon requisition, such worn mounted equipment as may be required" and insert "*Provided*, That the War Department may, in its discretion, furnish the commissioners, for use of the police, upon requisition, such ordnance, worn motor, mounted, or other equipment as may be required."

The amendment was agreed to.

The next amendment was, on page 56, line 11, before the word "each," to strike out "$600" and insert "$720"; in line 12, after the word "janitor," to strike out "$600" and insert "$720"; and in line 16, after the words "in all," to strike out "$16,920" and insert "$17,760," so as to make the clause read:

House of Detention: To enable the commissioners to provide transportation, including purchase and maintenance of necessary horses, wagons, and harness, and a suitable place for the reception, transportation, and detention of children under 17 years of age, and, in the discretion of the commissioners, of girls and women over 17 years of age, arrested by the police on charge of offense against any law in force in the District of Columbia, or held as witnesses, or held pending final investigation or examination, or otherwise, including two clerks, at $1,000 each; two drivers, at $780 each; six guards, at $720 each; janitor, $720; three matrons, at $720 each, to possess police powers of arrest; miscellaneous expenses, including rent, fuel, gas, ice, laundry, meals, maintenance of motor station vehicle and other necessary expenses, $7,000; in all, $17,760, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 56, line 18, before the word "each," to strike out "$600" and insert "$720"; and in line 19, after the words "in all," to strike out "$5,000" and insert "$5,600," so as to make the clause read:

Harbor patrol: Two engineers, at $1,000 each; two firemen, one watchman, and two deck hands, at $720 each; in all, $5,600.

The amendment was agreed to.

The next amendment was, on page 56, line 22, after the words "in all," to strike out "$8,500" and insert "$9,100," so as to make the clause read:

In all, $9,100.

The amendment was agreed to.

The next amendment was, under the head of "Fire department," on page 58, line 12, after the word "items," to insert: "cost of installation and maintenance of telephones in the residences of the superintendent of machinery and the fire marshal," so as to make the clause read:

For contingent expenses, horseshoeing, furniture, fixtures, oil, medical and stable supplies, harness, blacksmithing, gas and electric lighting, flags and halyards, and other necessary items, cost of installation and maintenance of telephones in the residences of the superintendent of machinery and the fire marshal, $25,000.

The amendment was agreed to.

The next amendment was, on page 58, after line 23, to insert:

For one concrete and frame drill tower to be erected adjacent to No. 8 engine house, on North Carolina Avenue, between Sixth and Seventh Streets SE., on land owned by the District of Columbia, $10,368.

The amendment was agreed to.

The next amendment was, under the head of "Health Department," on page 59, line 8, before the words "at $1,200 each," to strike out "nine" and insert "twelve"; in line 11, before the words "at $1,400 each," to strike out "two" and insert "four"; and in line 19, after the words "in all," to strike out "$87,190" and insert "$93,590," so as to make the clause read:

Health officer, $4,000; assistant health officer, $2,500; chief clerk and deputy health officer, $2,500; chief, bureau of vital statistics, $1,800; clerks—1 $1,600, 5 at $1,200 each, 4 at $1,000 each, 2 at $900 each, 1 $720; sanitary inspector—chief $1,800, assistant chief $1,400, 12 at $1,200 each, 2 at $1,000 each, 3 at $900 each; food inspectors—chief $1,800, assistant chief $1,400, 4 at $1,400 each, 5 at $1,200 each, 6 at $1,000 each, 5 at $900 each; chemist, $2,000; assistant chemist, $1,500; chief of bureau of preventable diseases and director of bacteriological laboratory, $2,750; serologist, $2,500; 2 assistant bacteriologists, at $1,200 each; laboratory assistant, $840; skilled laborers—1 $720, 1 $600; 2 messengers at $600 each; 2 chauffeurs, at $720 each; poundmaster, $1,400; watchman, $600; laborers, at not exceeding $60 per month each, $3,120; in all, $93,590.

The amendment was agreed to.

The next amendment was, on page 63, line 13, after the word "service," to strike out "$360" and insert "$600," so as to make the clause read:

For the maintenance of one motor vehicle for use in the pound service, $600.

The amendment was agreed to.

The next amendment was, on page 63, after line 13, to insert:

For one motor ambulance at a cost not exceeding $2,500, and for equipping, maintaining, and operating the same and keeping it in good order, $600; in all, $3,100.

The amendment was agreed to.

The next amendment was, on page 64, after line 4, to insert:

For clinical examination, advice, care, and maintenance of children under 6 years of age, under a contract to be made with the Washington Diet Kitchen by the health officer of the District of Columbia, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Emergency Fund," on page 68, line 6, after the word "commissioners," to strike out "$8,000" and insert "$10,000," so as to read:

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $10,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts and Prisons," on page 68, line 24, after "$1,200," to insert "electrician, $900," and on page 69, line 4, after the words "in all," to strike out "$16,020" and insert "$16,920," so as to make the clause read:

Courthouse, District of Columbia: For care and protection, under the direction of the United States marshal of the District of Columbia: Engineer, $1,200; electrician, $900; 3 watchmen, at $720 each; 3 firemen, at $720 each; 5 laborers, at $600 each; 6 messengers, at $720 each; 2 elevator conductors, at $720 each; clerk to jury commissioner, $720; telephone operator, $720; attendant in ladies' waiting room, $300; in all, $16,920, to be expended under the direction of the Attorney General.

The amendment was agreed to.

The next amendment was, on page 70, line 2, after the word "court," to strike out "$27,200" and insert "$29,600," so as to make the clause read:

Pay of bailiffs: For not exceeding one crier in each court, of office deputy marshals who act as bailiffs or criers, and for expenses of meals and lodging for jurors in United States cases and of bailiffs in attendance upon same when ordered by the court, $29,600.

The amendment was agreed to.

The next amendment was, under the head of "Charities and Corrections," at the top of page 71, to insert:

For purchase and equipment of motor ambulance, $2,000.

The amendment was agreed to.

The next amendment was, on page 71, after line 2, to strike out:

For the maintenance of one motor ambulance, $600.

The amendment was agreed to.

The next amendment was, on page 71, after line 3, to insert:

For the maintenance of two motor ambulances, $1,200.

The amendment was agreed to.

The next amendment was, under the subhead "Reformatories and correctional institutions," on page 72, after line 14, to insert:

For purchase of apparatus for operating room, including Lumbard's airway, gas oxygen apparatus, and electric ether suction apparatus, $350.

The amendment was agreed to.

The next amendment was, on page 73, line 14, after the word "harness," to strike out "$2,000" and insert "$2,500," so as to make the clause read:

Transportation of prisoners: For conveying prisoners to Washington Asylum and Jail, including salary of driver, not to exceed $840, and purchase and maintenance of necessary horses, wagons, and harness, $2,500.

The amendment was agreed to.

The next amendment was, on page 73, line 15, after the word "Jail," to strike out "$194,475" and insert "$195,325," so as to make the clause read:

In all, Washington Asylum and Jail, $195,325.

The amendment was agreed to.

The next amendment was, on page 74, after line 11, to insert:

For an additional amount for extension of colored women's ward, $13,000;

The amendment was agreed to.

The next amendment was, on page 74, line 14, after the word "Infirm," to strike out "$73,392" and insert "$86,392," so as to make the clause read:

In all, Home for Aged and Infirm, $86,392.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Charities," on page 76, after line 20, to insert:

For repairing the elevators in the Central Dispensary and Emergency Hospital and for the purchase and installation of a new elevator in said hospital, $22,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 78, line 8, after the word "sidewalks," to strike out "$2,000" and insert "$2,500," so as to make the clause read:

For repairs and improvements to buildings and grounds, including roads and sidewalks, $2,500.

The amendment was agreed to.

The next amendment was, on page 78, line 9, after the word "Hospital," to strike out "$72,640" and insert "$73,140," so as to make the clause read:

Tuberculosis Hospital, $73,140.

The amendment was agreed to.

The next amendment was, under the subhead "Child-caring Institutions," on page 78, line 21, after the word "Agent," to strike out "$1,800" and insert "$2,000"; and in line 25, after the words "in all," to strike out "$18,200" and insert "$18,400," so as to make the clause read:

Salaries: Agent, $2,000; clerks—one $1,200, one $900; stenographer, $900; placing and investigating officers—two at $1,200 each, one $1,000, nine at $900 each; record clerk, $900; messenger, $500; laborer, $500; in all, $18,400.

The amendment was agreed to.

The next amendment was, on page 79, line 10, after the word "Guardians," to strike out "$207,200" and insert "$207,400," so as to make the clause read:

In all, Board of Children's Guardians, $207,400.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary homes," on page 82, after line 10, to insert.:

National Library for the Blind: For aid and support of the National Library for the Blind, located at 1729 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 15, to insert:

Columbia Polytechnic Institute: To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $1,500.

The amendment was agreed to.

The next amendment was, on page 85, line 13, after the words "Assistant superintendent" to strike out "$2,000" and insert "$1,800," in line 18, after the words "in all," to strike out "$30,900" and insert "$30,700," so as to make the clause read:

Reformatory: Assistant superintendent, $1,800; chief clerk, $1,200; assistant clerk and stenographer, $1,000; steward, $1,500; captain of day officers, $1,200; 6 instructors, at $1,200 each; 10 day officers, at $900 each; captain of night force, $1,080; 6 night officers, at $720 each; parole officer, $1,200; overseer, $1,200; in all, $30,700.

The amendment was agreed to.

The next amendment was, on page 86, line 8, after the words "in all" to strike out "$162,900" and insert "$162,700," so as to make the clause read:

In all, $162,700, which sum shall be expended under the direction of the commissioners.

The amendment was agreed to.

The next amendment was, under the head of "Anacostia River and Flats," on page 88, line 15, after "$100,000," to insert:

Provided, That whenever the Secretary of War, in pursuance of authority conferred on him my law, causes proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way needed for the said work, the United States, upon the filing of the petition in any such proceedings, shall have the right to take immediate possession of said lands, easements, or rights of way to the extent of the interest to be acquired and to proceed with such public works thereon as have been authorized by Congress: *Provided further*, That certain adequate provisions shall have been made for the payment of just compensation to the party or parties entitled thereto, either by previous appropriation by the United States or by the deposit of moneys or other form of security in such amount and form as shall be approved by the court in which such proceedings shall be instituted. The respondent or respondents may move at any time in the court to increase or change the amounts or securities, and the court shall make such order as shall be just in the premises and as shall adequately protect the respondents. In every case the proceedings in condemnation shall be diligently prosecuted on the part of the United States in order that such compensation may be promptly ascertained and paid.

So as to make the clause read:

For continuing the reclamation and development of Anacostia Park, to be expended in accordance with the plans specified in the item for the reclamation of the Anacostia River and Flats, contained in the District of Columbia appropriation act for the fiscal year 1919, $100,000: *Provided*, That whenever the Secretary of War, in pursuance of authority conferred on him by law, causes proceedings to be instituted for the acquirement by condemnation of any lands, easements, or rights of way needed for the said work, the United States, upon the filing of the petition in any such proceedings, shall have the right to take immediate possession of said lands, easements, or rights of way to the extent of the interest to be acquired and to proceed with such public works thereon as have been authorized by Congress: *Provided further*, That certain adequate provisions shall have been made for the payment of just compensation to the party or parties entitled thereto, either by previous appropriation by the United States or by the deposit of moneys or other form of security in such amount and form as shall be approved by the court in which such proceedings shall be instituted. The respondent or respondents may move at any time in the court to increase or change the amounts or securities, and the court shall make such order as shall be just in the premises and as shall adequately protect the respondents. In every case the proceedings in condemnation shall be diligently prosecuted on the part of the United States in order that such compensation may be promptly ascertained and paid.

The amendment was agreed to.

The next amendment was, under the subhead "Water Department," on page 90, line 25, after the word "chief," to strike out "$1,750" and insert "$1,800," and on page 91, line 8, after the words "in all," to strike out "$91,560" and insert "$91,610," so as to make the clause read:

For distribution branch: Superintendent, $3,300; engineer, $2,400; assistant engineers—1 $1,800; 1 $1,700; master mechanic, $2,000; foreman, $1,800; assistant foremen—1 $1,275, 1 $1,200, 1 $1,125, 1 $900; steam engineers—chief $1,800, 2 at $1,200 each, 3 assistants at $1,000 each; chief inspector of valves, $1,600; leveler, $1,200; inspector, $1,200; draftsman, $1,050; clerks—1 $1,800, 1 $1,500; 3 at $1,200 each (one transferred to assessor's office); stores clerk, $1,500, 2 at $1,000 each; timekeeper, $900; 2 rodmen at $900 each; 2 chainmen at $675 each; 4 oilers at $720 each; 3 firemen at $900 each; janitor, $900; drivers—1 $700, 1 $630; 2 messengers, at $600 each; in all, $91,610.

The amendment was agreed to.

The next amendment was, on page 92, line 12, after the word "exceed," to strike out "$400,000" and insert "$450,000," so as to make the clause read:

For continuing the extension of and maintaining the high-service system of water distribution, laying necessary service and trunk mains for low service, and purchasing, installing, and maintaining water meters on services to such private residences and to such business places as may not be required to install meters under existing regulations as may be directed by the commissioners, said meters at all times to remain the property of the District of Columbia; to include all necessary land, machinery, buildings, mains, and appurtenances, and labor, and purchase and maintenance of horses, wagons, carts, and harness necessary for the proper execution of this work, not to exceed $450,000 of the amount available in the water fund during the fiscal year 1920 after providing for the expenditures hereinbefore authorized.

The amendment was agreed to.

The next amendment was, on page 92, after line 14, to insert:

For completing the purchase, installation, and maintenance of water meters, to be placed on the water services to the United States buildings, reservations, or grounds in the District of Columbia, and for each and every purpose connected therewith, said meters to be purchased, installed, and maintained by and remain under the observation of the officer in charge of the Washington Aqueduct, to be available until expended, $9,600.

The amendment was agreed to.

The next amendment was, on page 92, after line 22, to insert:

That on and after July 1, 1920, all users of water furnished through the water supply and distribution system of the District of Columbia, including all departments, branches, and agencies of the United States and the government of the District of Columbia, shall be required to pay for all water so furnished, at rates determined by the Commissioners of the District of Columbia and approved by Congress. Payments for said water shall be made by officers of the United States and the District of Columbia, respectively, in charge and control of all buildings and plants of the United States and the government of the District of Columbia from any appropriations available for said purpose. All such payments shall be made to the collector of taxes of the District of Columbia, who shall deposit same in the Treasury of the United States to the credit of the water fund. Said commissioners shall submit with their estimates to Congress at the beginning of its session December, 1919, and annually thereafter, a schedule of proposed water rates.

Mr. McKELLAR. Mr. President, will the Senator in charge of the bill please explain this item?

Mr. CURTIS. The various Government offices in the District of Columbia have water furnished them without charge. There would not have been very much complaint if it had not been for the fact that there is a great waste of water in all the departments. The evidence showed that in one department there is enough water wasted in one day to supply a city of 30,000 people. The committee—not only the subcommittee, but the full committee—thought they were justified in putting in this provision first to put in meters so that we would know the amount of water used and so that some steps could be taken to reduce the consumption of water to the amount actually necessary; second, to compel the departments to pay, not what is paid by the citizens of the District of Columbia, but about what the water costs. The committee—not only the subcommittee, but the full committee—thought that would be only fair and right; and we do hope we can retain this provision in conference, because something of this kind must be done, on account of the scarcity of water in the city of Washington. The Senator will remember that last summer orders were issued restricting the use of water at the residences in the city of Washington while the departments went on wasting water just as they had been doing before; and something ought to be done to save the water for the citizens of the District.

Mr. McKELLAR. Mr. President, I have no objection to the item. The explanation offered by the chairman of the committee seems to be very convincing. I did not know what the item meant, and I simply wanted an explanation.

Mr. CURTIS. I am glad the Senator asked the question.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 7, page 98, line 21, after the word "activities," to insert:

In every case where any material, supplies, including food supplies, and equipment coming under the provisions of this section shall have been purchased from any other source than the various sources of the Government, it shall be affirmatively shown that the provisions of this section have as far as possible been complied with.

So as to make the section read:

SEC. 7. That the commissioners and other responsible officials, in expending appropriations contained in this act, so far as possible shall purchase material, supplies, including food supplies, and equipment, when needed and funds are available, from the various services of the Government of the United States possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the commissioners and other officials, before purchasing any of the articles described herein, to ascertain from the Government of the United States whether it has articles of the character described that are serviceable. And articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such articles to the municipal government under the conditions specified and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities. In every case where any material, supplies, including food supplies, and equipment coming under the provisions of this section shall have been purchased from any other source than the various sources of the Government, it shall be affirmatively shown that the provisions of this section have as far as possible been complied with.

The amendment was agreed to.

The next amendment was, on page 100, after line 11, to insert as a new section the following:

SEC. 11. That the Secretary of War is authorized and directed to appoint a commission of five members, three of whom shall be selected from the Corps of Engineers of the United States Army and one from the Washington Suburban Sanitary Commission and one from the engineering department of the District of Columbia, whose duty it shall be, under the direction of the Secretary of War, to make full investigation of the sources of water supply from rivers and streams in the proximity of the city of Washington, with the view to increasing the water supply of the District of Columbia, and to report their findings and recommendations to the Secretary of War at the earliest practicable time, said report to be accompanied by data and other information as to such sources of supply, together with estimates of the probable cost of a project or projects for the transmission of water sufficient to augment the present water supply of the District of Columbia commensurate with present and future needs, including the territory embraced within the jurisdiction of the Washington Suburban Sanitary Commission and Federal military reservations contiguous to the District of Columbia. Such report shall be submitted to Congress by the Secretary of War with his recommendation. And for the purposes herein authorized there is hereby appropriated the sum of $15,000, or so much thereof as may be necessary, to be expended by and under the direction of said commission upon vouchers to be approved by the Secretary of War, and a detailed statement thereof shall accompany the commission's report.

Mr. NORRIS. Mr. President, about 12 years ago it became apparent that there was going to be a shortage of water in the District of Columbia; and Congress, in an appropriation bill, appropriated $20,000 to investigate the water supply of the city of Washington, and incidentally connected with it to ascertain whether Great Falls out here could be harnessed and electricity furnished for this District. In pursuance of that appropriation the proper persons were appointed, a survey was made, and a man placed at the head of the investigation who is or was at that time perhaps the best hydraulic engineer in the United States and perhaps in the world.

They made a detailed survey, a minute survey, of all of the supplies that could possibly be used for water for the city of Washington. They went into a minute investigation as to its cost. They spent the $20,000; and I am not charging that a dollar of it was wrongfully spent. They made a report to Congress, consisting—I do not happen to have a copy of it here with me now—of perhaps 200 pages, in which they described every possible means they could discover of increasing the water supply of the District and analyzed each one of them.

There were three main sources of supply for increase. They went into detail as to every one. There is the most complete official report now on file that ever was made in the investigation of any proposition of this kind anywhere in the United States. They told how you could increase the water supply to any extent and how much money would be necessary to carry it out. There was not a detail left out; and they reported it to Congress.

Unfortunately, however, connected with that report was also a detailed description of the way in which the price of electricity could be reduced to the consumers of this Capital City. They found the amount of power that could be developed and the amount of money that it would take to develop it. They carried it out to the substations all ready for distribution, so

that it included a water supply away beyond the present necessities of the city. I have forgotten what the population was, but the plan provided for supplying a city much larger than Washington is now. That report went into a pigeon hole, and it is in the pigeon hole yet.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I do.

Mr. KING. Does the Senator recall whether there were any other sources of supply than the Potomac River?

Mr. NORRIS. Yes; there were three sources—two besides the Potomac River.

Mr. KING. Did this commission recommend either of the sources of supply except the Potomac River?

Mr. NORRIS. They recommended the Potomac River.

Mr. KING. I was quite interested in the Senator's statement, for the reason that a number of years prior to that, when I was in the House, I was charged with the duty of making an investigation of this subject, and, after spending several weeks in making the investigation, I secured an option upon the Great Falls for approximately $500,000.

That would have given not only the riparian rights to the city for the Government but also the power, the water, the riparian rights, and the bed of the stream, so far as the owners of the property could convey, and in addition it would have extinguished a judgment against the city for a sum which, as I now recall, was in excess of $300,000, and would have settled a suit which was then pending for three or four hundred thousand dollars for diverting the water from the Potomac River, and thus lessening the quantity flowing over the falls and to that extent diminishing, of course, the value of the falls for power purposes. So that the city at that time could have acquired the entire river—that is, the riparian rights and the falls—for approximately $500,000, and, as stated, could have extinguished or satisfied the judgment, and prevented or settled the lawsuit. The proposal was beaten in the House by several distinguished gentlemen, whose names it is not necessary to mention; but a very full examination was made at that time by myself, and I reached the conclusion that the Potomac River was the most available source of supply for water, and would furnish an indefinite amount of power for the city all the time.

Mr. NORRIS. The Senator was unfortunate, just like this commission, because he coupled with his water supply a power supply, and that is wrong, and so we must not develop Great Falls. The plan of this commission under the famous engineer who made these recommendations, if carried out, would have made electricity so cheap in the city of Washington that men and women would not have taken time to turn it off in the daytime. It would have operated every street railway that there is in the District. It would have turned every wheel by power supplied by God Almighty that is going to waste now running over the falls and doing nobody any good. But it did come in contact with the Potomac Electric Power Co., and for that reason it was unjustifiable.

That is not the only investigation that has been made of this subject, Mr. President. There have been various others made. If I had known that this item was in the bill and was coming up this evening, I would have been supplied with sufficient documents to take until to-morrow morning showing the various investigations that have been made. I am not tied up to any one of them. I only think that this one for which the taxpayers of this country paid the sum of $20,000 was the most complete in every detail that was ever made of any project. It could not be done now for the same money I realize, but when that was done it was realized by Members of Congress and others that the time was going to come when there would be a shortage of water in the city of Washington if the city kept on going. But that was before the installation of meters in this city. After that report was made there were meters installed, and that brought about great economies in the use of water and the emergency was put off further.

It was always impossible to get anything through Congress. It was impossible really to get favorable consideration from most of the officials of the Government to any proposition looking to the carrying out of the plan that this commission had recommended. You could have separated, and you could to-day separate, in some of these propositions as I remember them, the water supply from the power supply. As I remember it some of them contained no proposition about power, because the two other sources would not seek to build a dam in the Potomac River to get power from other streams that are in the District.

Mr. SMITH of Arizona. Will the Senator yield to me?

Mr. NORRIS. I yield to the Senator.

Mr. SMITH of Arizona. I heartily agree with the Senator that we should save the power and water possible at the Great Falls. I have never looked at it without regretting the waste. I have wondered whether there were not several months in the low seasons of water when it would fail to generate the power on which we could safely rely for a sufficient supply. I have seen the Potomac River extremely low, and I have seen it run as much water as I thought there was anywhere in the world in any one river. Does this report show that in the low-water season the city could depend on it for electric power and light, or for the consumption of the water itself, by a proper utilization of the water and the power at Great Falls?

Mr. NORRIS. The Sentor has put his finger on the only objection that was ever made to the proposition I have ever heard that had any merit whatever in it. But, Mr. President, the Potomac River has been measured as accurately and as long, perhaps, as any other river in the United States. We have, as the records show, a minute detail of the amount of water which flows down the stream in the various years—in the wet years and in the dry years. That was all taken into consideration in this report. There was not anything of that kind omitted. The Senator must remember that I am speaking now from memory.

I have given some of the facts before to the Senate, but I have not looked at the report or any of the investigations that I made in connection with it now for two or three years, so that the figures I give may not be accurate. This report showed on an average of 15 years, as I remember it, exactly how much power would be developed under this plan every day in the year. In the tables that they made up from the history of the flow of the river, as I remember it now, there would be on an average one day in 15 years when the power would be down to 1,500 or 1,600 horsepower. The average of the time the flow was between 60,000 and 70,000 horsepower, as I remember the figures. So that would have turned all the wheels and run all the elevators and all the street cars and lighted all the houses. There would have been a few days in the average year when they would have had to supplement it by steam power, which we already have and which the various concerns that generate electricity now own.

A good water-power system usually needs a steam system as well. If we had been starting in anew and had had to use these power systems there would have been more in the argument. It would have been very seldom when that would have been necessary. They analyzed the increase that would be necessary as the population increased.

Remember, Mr. President, this report did not pretend to utilize all the power of Great Falls. The proposition was to build a dam across the Potomac River very near the District line. As I remember it now, the dam was to be 115 feet high, and to build a dam on the District line 115 feet high will dam the water up in the Potomac River to the foot of the falls and not at all interfere with the falls. That was done to help out nature there, so that the beauty of the falls would not be interfered with. They could have very easily increased the power by making a lake about 9 miles long. They could have increased it, as I remember it, about one-third more than they took into consideration in any of their estimates or any of their tables by utilizing the power of the falls proper.

Now, the only objection to the proposition is that the Potomac River varies. When there is too much water coming down you do not get as much power and when there is too little water coming down you do not get as much power. It is the average that gives the maximum amount of power.

While this plan did not go into the subject of reservoirs, privately Col. Langfitt, who had charge of the matter, told me himself—and if this had gone through that would have been another proposition he would have presented—there were three places above the dam on the Potomac River where at a comparatively cheap cost great reservoirs could have been constructed which would have obviated high water and low water and made the flow of the stream practically the same the year round with wet or dry; and with that put in, with the falls properly utilized, if Congress ever wanted to destroy its beauty by such a utilization, the average power would have been more than double, and there never would have been a day in any year when any steam power would have been necessary.

Now, Mr. President, connected with this water development was the supply of additional water to the city of Washington. As I said, at that time meters had not been installed. When they were installed, and that was done soon afterwards, it was said we do not need any more water in Washington, we are economizing with it now, we will not need to bother about the increase of the water supply, and a great many honest people lost interest in the proposition on that account. It was not until the war came on that the enormous increase in popula-

tion in the city made it apparent that we were going to have a shortage of water, no matter how economical we might be in its use.

But, aside from Great Falls, I might speak of some other plans that other engineers proposed; some much less expensive; some that utilized simply the falls proper by increasing the existing dam just a little, constructing a canal around to this side of the falls, where the wheels could be put in at a cost perhaps half or less than the great scheme Col. Langfitt and his assistants had recommended, a plan not nearly so elaborate and one that would not necessarily interfere with the other. You could put in one now, utilize it to its full capacity, and in a year or 10 years from now put in the other without interfering with the first in any degree whatever. Then you could take up the reservoir proposition above and develop that as rapidly as you saw fit.

But there was a Great Falls water-power company—I think that is the name—that a good many years ago got and claims to own now a lot of riparian rights and other legal claims round about the Great Falls. The name of the corporation, incorporating in Virginia, would indicate that it was organized for the purpose of developing Great Falls. As a matter of fact, it was organized for the purpose of permitting the development of Great Falls, owned by the Potomac Electric Power Co. or one of these street railway companies. One of the street railway companies and one of the electric-power companies and the Great Falls company are all mixed up together. I think while the Great Falls company had considerable money invested it never had any income, of course. It simply owns the property up there to keep somebody else from using it. So, in order to pay dividends, it is necessary for the other companies that own its stock to pay enormous dividends in order to get anything on that stock. When the street car company is making too much money it can transfer stock to the electric-light company and thus reduce its dividends where they want them reduced and increase them where they will not excite any suspicion, and then change it back when the thing is reversed. That has been going on for years. In the meantime we are short of water. In the meantime every citizen of the city of Washington is paying at least twice what he ought to pay and paying three times what he would pay if that development had been made according to the estimates and the plans of Col. Langfitt.

Mr. DIAL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. NORRIS. I yield to the Senator.

Mr. DIAL. About what was the estimated cost per horsepower?

Mr. NORRIS. I can not give that to the Senator now. As I said, perhaps when he was not in the Chamber, I did not know this question was coming up and I am speaking entirely from memory. I was once very familiar with the subject, and it is all a matter of record now. I can not even give to the Senate the number of the document, although I think the copies have been long since exhausted, and it is perhaps impossible to get it unless you get the document from some one who obtained it a year or two ago. I have two or three copies in my office somewhere that I would be glad to supply to any Senator who would like to look it over.

The result has been that nothing has been accomplished. When a bill was introduced here to authorize the Secretary of War to carry out the recommendations of this commission, it was referred to the Committee on the District of Columbia several years ago and they referred it to the Secretary of War and also to the Commissioners of the District. The commissioners promptly made a report, recommending legislation. The Secretary of War did not report on it, and after waiting quite a long while I remember I wrote a letter to the Secretary of War asking him about the delay and he said that there was an objection on file, that some engineer had written an article in some magazine in which he said the plan was not feasible, or he had some objections to it. After some further investigation I found the magazine and found the engineer and talked with him. I could not see any possible objection that he had set forth. Incidentally, it developed that while he said at the time he wrote the article he was not in their employ, he had been one of the engineers of the Potomac Electric Power Co. for quite a good many years.

When Secretary Baker came into office I thought then, with the reputation standing behind him, certainly Great Falls would be developed, and I lost no time in taking it up with Secretary Baker. I wish I had the correspondence that took place after he had made an investigation such as he wanted to make. Remember, this commission was a long time, perhaps a year or more, in making the investigation, using the $20,000. But Secretary Baker, contrary to his past record, judged by what we read of him, took a stand against the development of Great Falls instead of favorable to it. After a while he finally said that he would appoint a commission to look into it and see what they would say about it. He appointed some engineers, and after going out and viewing the landscape through the periscope of a War Department limousine they decided that it was not advisable to spend this money and make this development.

One reason was that we did not need any more water then, that we had plenty of it; and another reason was that the bill which provided for its development seemed to be hinged on the constitutional peg that the Government of the United States could make this development because the Government had a great many buildings in the city of Washington to light and elevators to operate, and that was true. But he said if the development is made under the bill and the Government spends all the money simply to furnish light for its own buildings and power to run elevators in its own buildings there will still be an enormous amount of power left that can not be used and, therefore, it will be a very expensive proposition. As I remember the letter of the great progressive Secretary, he said that electricity was already supplied to the people of Washington at a very reasonable cost, and it would not be a good thing for the Government to go into competition with a great philanthropic institution that was already doing such noble work in giving the people of Washington cheap electricity.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. NORRIS. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator is, I know, very familiar with the previous investigations which have been made. In view of what he has stated to us, what in his judgment is the necessity for this additional legislation?

Mr. NORRIS. I do not think there ought to be any such legislation.

Mr. McKELLAR. Mr. President——

Mr. NORRIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. If there is need for it, would it be wise just to insert, before the word "supply," in line 21, page 100, and again in line 2, on page 101, the words "and power," and the department would have to report on power as well as water? I think that would be a very proper thing to do.

Mr. NORRIS. I think that ought to be included if there is anything to go in. Of course, while I realize that estimates made 15 or 10 or 12 years ago are not accurate now, to me it seems like a foolish proposition to keep on appointing commissions to do the same thing over again, and when their report comes in, let the report go into a pigeonhole to die.

The District is just the same now, so far as streams are concerned, as it was 50 years ago. I do not believe that one can start out and obtain any new information—information that is not already a matter of record—so far as the flow of any stream in the District of Columbia is concerned. Neither will you get any more information as to the necessary dams, filtration plants, pumps, and similar apparatus which it would be necessary to supply. You can get such information in all degrees. Every alternative, every possible divergence that could be made in this broad investigation, has been run down to the end, and there is a record of it somewhere.

I think we need more water here. Since the war has occurred there have been engineers here—so far as I know, moved entirely by patriotic motives—some of whom have made expensive outlines, charts, and maps showing other methods of development of the Great Falls, some of them connected with the water supply and some of them not.

I should not want to do anything, Mr. President, which would interfere with the necessary supply of water for this city; but so far as making any more surveys or examinations are concerned, I do not believe there is any necessity whatever for them. If there were a proposition to utilize any of the various methods which the records now describe, it would be a different matter. Therefore, Mr. President, I make the point of order against the amendment.

Mr. CURTIS. Mr. President, the amendment is clearly subject to the point of order, but I desire to state, on behalf of the committee and for myself, that this is the first time I have had charge of this measure. Neither the attention of the subcommittee nor the attention of the full committee was called to the report which has been referred to by the Senator from Nebraska.

Mr. McKELLAR. Mr. President——

Mr. CURTIS. Just one moment, if the Senator please. Such a report, if it were made, would go to the Committee on

the District of Columbia and not to the Committee on Appropriations. When this matter was first presented last January or February, at the time the item was added to the bill, on the floor of the Senate, if I remember correctly, the Senator from North Carolina [Mr. OVERMAN] offered an amendment including the words "hydraulic power." When that amendment was presented to the committee the engineer stated that he thought it would make the amendment objectionable, and asked that it be left out, and the committee left it out.

The District Commissioners advised the committee that they desire to investigate three projects. The Great Falls is one, and there are two others. I think perhaps since the Senator from Nebraska has made his speech—and I gather it from what he says—that perhaps they refer to the same project; I do not know. Anyway, the commissioners say they desire to investigate as to the three projects, and they requested this amount of money in order to secure the information so as to determine which of the three would be the best for the District of Columbia.

Mr. NORRIS. Mr. President, will the Senator allow me to interrupt him?

Mr. CURTIS. Certainly.

Mr. NORRIS. While I think it is unnecessary to make another investigation, for I think it would be an almost useless expenditure of public funds, I will withdraw the point of order if the Senator from Kansas will include an amendment which will provide for an investigation of the power possibilities of Great Falls as well as its possibilities as a source of water supply.

Mr. CURTIS. I should very gladly, on the part of the committee, accept an amendment of that kind.

Mr. SMOOT. Mr. President——

Mr. CURTIS. Let me first suggest——

The PRESIDENT pro tempore. The Chair will remind Senators that the point of order has not yet been decided, and it is not debatable.

Mr. CURTIS. I have nothing more to say.

Mr. SMOOT. I understood the Senator from Nebraska [Mr. NORRIS] to say that he would withdraw the point of order, provided there was a modification made of the amendment.

Mr. NORRIS. I am willing to withdraw the point of order if the amendment shall be so modified as to include an investigation as to the water power possibilities of the Great Falls. I think a large portion of the appropriation should also be stricken out, for there is not any necessity of using so much money.

The PRESIDENT pro tempore. Does the Senator from Nebraska withdraw the point of order?

Mr. NORRIS. For the time being I withdraw the point of order.

The PRESIDENT pro tempore. The point or order is withdrawn. The question is upon the——

Mr. McKELLAR. I wish to say——

The PRESIDENT pro tempore. Just a moment. The Chair was about to——

Mr. McKELLAR. Mr. President, let me ask——

The PRESIDENT pro tempore. Will the Senator from Tennessee suspend for just a moment?

Mr. McKELLAR. Certainly.

The PRESIDENT pro tempore. The Chair had not finished the announcement. The point of order made by the Senator from Nebraska [Mr. NORRIS] is withdrawn and the question is upon agreeing to the amendment proposed by the committee.

Mr. NORRIS. No; Mr. President——

Mr. McKELLAR and Mr. SMOOT addressed the Chair.

The PRESIDENT pro tempore. The Senator from Tennessee.

Mr. McKELLAR. Mr. President, I desire to ask the Senator in charge of the bill by whom was this matter brought before the committee?

Mr. CURTIS. It was brought before the committee by the District Commissioners, and the statement was made to the committee by Col. Kutz, the Engineer Commissioner.

Mr. McKELLAR. Will this appropriation include additional compensation to the five commissioners?

Mr. CURTIS. There would not be any extra pay to the commissioners who are now drawing salaries from the Government.

Mr. McKELLAR. Why, then, is the amount of $15,000 appropriated?

Mr. CURTIS. That is to pay for extra help which they naturally would have to employ. They could not take men away from the War Department to do this smaller work.

Mr. McKELLAR. In view of the very minute examinations which have been referred to by the Senator from Nebraska [Mr. NORRIS], it seems to me that the greater part of the work has already been done, and that it will merely need going over that to a large extent to ascertain the present condition.

Mr. CURTIS. I will say to the Senator from Tennessee that I know nothing about that. This is the first time I ever heard of the report.

Mr. McKELLAR. Under these circumstances, and in view of the fact that no such minute report has been given to the committee, and was not given to the committee when the request was made, does not the Senator in charge of the bill feel that it ought to have been done in fairness to the committee and to the public, and that this appropriation ought not to be made until a fuller examination is had by the committee?

Mr. CURTIS. I think that the committee should have had its attention called to the fact that there was another report. I desire to say in this connection, however, that the Senator from Utah [Mr. SMOOT] tells me that he knows something about this report, and should like to say something regarding it; and I trust the Senator will do so.

Mr. McKELLAR. I shall be very glad to hear the Senator from Utah.

Mr. SMOOT. Mr. President, I hope the Senator from Nebraska will give me his attention for a moment. I am fully aware of the report which was made—and it was a most exhaustive one—as referred to by the Senator from Nebraska. That report is in existence to-day, and no doubt if this examination and survey are made as provided for by this amendment, the information in that report will be made use of.

I call the attention of the Senate, however, to the fact that that report was made for the purpose of ascertaining the amount of water in the Potomac River and how it could be utilized for the purpose of creating hydroelectric power. I think it is one of the most exhaustive reports that could possibly have been made of the Potomac River for that purpose; but the investigation provided for by this amendment and the survey authorized by it are not for that purpose at all. The question of the quantity of water which we have in the vicinity of the District for utilization for the purpose of increasing the water supply of the District of Columbia is a very small part of this proposed work.

It is stated that, in order to increase the water supply of the District of Columbia, there must be an expenditure of at least $3,000,000. The object of this appropriation is not only to ascertain which one of these three sources of water is the best, but it is to make a complete report as to what it is going to cost to put in a plant for the distribution of the water, to make the water available for the people of the District, and to ascertain where and how that can best be brought about.

Mr. SMITH of Arizona. Mr. President, will the Senator permit an interruption?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Arizona?

Mr. SMOOT. Yes.

Mr. SMITH of Arizona. If I understood the Senator from Nebraska [Mr. NORRIS], he was speaking of a survey for hydroelectric power, and he referred to a dam 150 feet high so far below Great Falls as not to interfere with the beauty of the falls. What was the estimated cost according to that report of building that dam for hydraulic power? What it is hoped to get under a proper survey is information as to the water supply, to ascertain if a sufficient quantity can be obtained for the city. If at the same time that additional water supply is provided the dam referred to by the Senator could be built, that would be all well and good; but this is an emergency question having to do with the necessity of supplying the city of Washington with water. The other project is so expensive that I should say it would be impossible to consider it now.

Mr. SMOOT. And not only that, but I call attention to the wording of the amendment. It provides not only for a survey as to where the water supply is—because it is admitted now that there are three sources from which water can be drawn—but it is further provided, "together with estimates of the probable cost of a project or projects for the transmission of water sufficient to augment the present water supply of the District of Columbia commensurate with present and future needs."

That is where the great work will have to be done, and this money is to be expended in ascertaining how that may be accomplished. It is for that purpose that the committee thought that the amendment ought to be incorporated in the bill.

Mr. McKELLAR. Why not include also hydraulic power, so that we may know about that, too?

Mr. SMOOT. I do not believe any report can be made today that would be any more perfect or exhaustive than the report already made, which has been referred to by the Senator from Nebraska [Mr. NORRIS].

Mr. NORRIS. That report applies to the water supply as well as to hydraulic power.

Mr. SMOOT. I say that that report will no doubt be utilized if this amendment is agreed to, but this amendment is to make provision for an examination as to the probable cost of a project or projects for the transmission of water. That is what we have to find out.

Mr. NORRIS. That is all in the report to which I have referred. The transmission of the water is included in that report.

Mr. SMOOT. Does the Senator mean for the District of Columbia?

Mr. NORRIS. Yes; there is not any question about that. That report deals with the transmission of the water from the places where it may be obtained.

Mr. McKELLAR. I will say that if an amendment is permitted to include an investigation into the question of hydraulic power as well as the water supply, I shall make no point of order against the amendment.

Mr. NORRIS. I intend to offer such an amendment. I have the amendment now ready to propose as soon as I can get the floor.

Mr. McKELLAR. If that point is covered, I shall not make the point of order; but if it is not covered I shall make the point of order.

Mr. NORRIS. I intend to offer such an amendment.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Nebraska.

Mr. NORRIS. Mr. President, I believe that the amendment which I am going to suggest will meet the situation. I wish Senators who are interested would follow me. I have drafted it here at my desk, and it may need some correction. After the word "supply," in line 19, page 100, I move to insert the words "and hydraulic power," so as to read "full investigation of the sources of water supply and hydraulic power from rivers," and so forth; then, after the word "to," in line 21, on the same page, to insert the words "developing hydraulic power and," so as to read "with the view to developing hydraulic power and increasing the water supply of the District of Columbia"; and on page 101, in line 1, after the word "for," to insert the words "the development of hydraulic power and," so as to read "of the probable cost of a project or projects for the development of hydraulic power and the transmission of water sufficient," and so forth.

Mr. CURTIS. I hope the amendment will be agreed to.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from Nebraska.

The SECRETARY. On page 100, line 19, after the word "supply," it is proposed to insert "and hydraulic power"; in line 21, after the word "to" and before the word "increasing," to insert "developing hydraulic power and"; and on page 101, line 1, after the word "for," to insert the words "the development of hydraulic power and."

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Nebraska [Mr. NORRIS] to the amendment reported by the committee.

Mr. SHERMAN. Mr. President, the report referred to by the Senator from Nebraska I have had the pleasure of reading in years past. I think I also have a copy in some place where it is convenient of access. The Senate appears to have forgotten the difficulties inherent in that investigation. The report did have reference to the sources of water supply in the District of Columbia and vicinity. That, however, was merely an incidental part of the report. The main part of that report, and the larger part of the investigation which engrossed the efforts of the engineers in charge, was to find a method of developing the hydraulic power. That, to all intents and purposes, is a report on power, not a report on water supply. What the city of Washington needs at this time is water, and not power.

There is no very long-sustained complaint about the use of power, except in the transmission of power to the street car companies engaged in surface transportation here. There is an adequate supply of power for what little manufacturing there is in this District and for the running of elevators and incidental needs of that kind. Outside of the traction lines there is no particular request for more power. There is some complaint, as there is in every city of the United States, about the prices for the light and power furnished by the local company, but the emergency that faces the city of Washington now, Mr. President, is one of water.

There is an existing emergency, and has been for some time, here in Washington. In the event of a breaking down of the water supply or its exhaustion there would not be enough water in case of a fire of any considerable extent in Washington at certain times during the spring—and this is true even of periods during last winter in the midst of some of the severe weather—to extinguish a conflagration if one should break out in this city during a high wind. That is the existing trouble, and that is the trouble that led the Commissioners of the District to ask for this small item.

I do not know whether a report by the most learned engineers or hydraulic experts in the country would add anything to the water-supply information that already exists in the report referred to by the Senator from Nebraska. It might not; but it would serve probably one useful purpose, namely, to give some departmental officer an opportunity to appoint another one of the numerous commissions, boards of river engineers, or some similar body with which the whole country is literally loaded down. It would tend to sustain and keep departmental officers in their normal health. That is the only useful purpose, apart from the emergency I have mentioned.

The weakness I see in the whole scheme is that when it gets into the hands of an officer at the head of some department it will slumber for years. Why, the Secretary of the Treasury can not get action himself short of six months now. If there has been a governmental operation by a Cabinet officer of any kind short of 90 days to a year and a half on the most trivial subject, I do not know what it is. The only objection I have to it is that it ought not to be in any department at all. Instead of being in the hands of the Secretary of War, it ought to be in the hands of the police magistrates, or the police judges, or the police department, or the Commissioners of the District of Columbia, or Maj. Pullman, or somebody who has arrived at the perfected principle of at some time making up his mind what to do. No Cabinet officer knows. I am sure that this will lodge just where the rest of them have lodged if it is burdened with these amendments. I know exactly what will happen.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. SHERMAN. Certainly.

Mr. NORRIS. I should like to suggest another amendment to the Senator. Instead of the Secretary of War, suppose it were provided that the Commissioners of the District of Columbia should be the persons named?

Mr. SHERMAN. That would improve it.

Mr. NORRIS. I think so myself.

Mr. SHERMAN. Just as far as you can get it away from a Cabinet officer, that much better it grows toward some final practical result.

I am not in charge of the matter, but I will not raise any objection if the Senator will offer the amendment. I am sure the commissioners will get something out of it by going and getting some engineer who has some knowledge of the matter, and will get a "move on" themselves much quicker than some of these gentlemen who are loaded down with matters of state so that they can not give any attention to it.

Mr. NORRIS. We have at least one commissioner now who is very well posted on the subject, and who is one of the best engineers, I think, that there has been in the Army.

Mr. SHERMAN. I quite agree with the Senator on that, but let me make this further suggestion: Just as certainly as you hook up a hydraulic-power controversy with the effort to find more water for Washington to meet the emergency I have mentioned just that certainly you will not get a water supply. The instant you start out on that kind of a double-headed investigation you will run up against the local power company. I am not complaining about it. I am not trying to settle the question here. Maybe the local power company has a right to complain. Maybe it has not. I shall be glad to discuss that question when we get to it. It is not a part of this controversy. What I wish, though, is to get water, and so certainly as we invite by a $15,000 appropriation a controversy with the local power company of this city and with its affiliated concerns we will get delay and not water. We will have investigations piled upon investigations. We will have constitutional scruples of various kinds. We will have bales of information. Reports that will raise the price of print paper on the open market will be the normal result of that investigation, but we will not get any water.

Primarily, the commissioners here had no thought of raising that ancient controversy, and I wish to say that it is 25 years old. I say to the Senator from Nebraska that when we were practicing law and appealing to our constituents for various local offices and haranguing juries in Nebraska and Illinois this was an ancient question in Washington about developing power at Great Falls. Why, I heard of it down in the Mississippi Valley before I ever had any ambition to come to Washington.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. SHERMAN. I do.

Mr. NORRIS. Right along that line I want to say that one of the first surveys that was ever made here was made by George Washington, and he was the engineer that started to

construct a canal and started in then to develop power at Great Falls.

Mr. SHERMAN. And the most out-of-date authority in Washington to-day is George Washington himself. Nobody has paid any attention to him around the administration, or not many of us, for a long time. I know there is a wall out here along the river that I have investigated and found, and the remains of an old mill race, where he developed or sought to develop in the early times water power. That was before the days of steam or electricity. He had an idea then that it could be profitably done. But I wish the Senators here would remember that this hydraulic question is older than the official terms of most of us in this body. I believe there is hardly a Senator whose memory will go back to the time when this actual controversy started that is before us now on the question of power development.

What I am interested in for the city of Washington is getting some water. We are much more interested in having an adequate water supply for sanitation, for fire protection, or if it should happen to be a dry summer, for actually good drinking water, healthful and fit for four or five hundred thousand people in Washington to drink, than we are in developing power.

I hold no brief for any power company in this country, in Washington or elsewhere. I have no interest in them. What I am interested in is seeing that the power companies and their affiliated interests—and I do not blame them for looking after their own affairs—do not come in and check the development of the water sources that we may possibly develop by the $15,000 appropriated here. What I want is solely an investigation for water, and not to have it hampered or tied up with a controversy about developing power from Great Falls, with the local company here opposing it. If we put it in this form it is useless, and I say right now that if it goes in the bill in this form I propose to raise the point of order against the amendment myself, and I should like to see somebody compromise me out of it. You can either take that out or I will raise the point of order; I serve notice now.

Mr. CURTIS. Mr. President——

Mr. SHERMAN. I raise the point of order, Mr. President, against the amended amendment.

Mr. CURTIS. It is subject to a point of order, and I hope the Chair will sustain it without argument.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. NORRIS. Mr. President, it seems to me that the Senator from Illinois has very properly and very forcefully stated what appears from the history of this proposed development to be absolutely true. So far it has been impossible ever to get anywhere with the development of a water-power proposition to which the Potomac Power Co. of the city of Washington is opposed, and it may be that that is the silent influence, in indirect and various ways, that prevents it; but it seems to me that we are making an admission that is not very creditable to the Senate or to the Government when we say that we can not develop water power in the city of Washington because a local corporation and its affiliated connections are opposed to it.

Mr. DIAL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraksa yield to the Senator from South Carolina?

Mr. NORRIS. In just a moment.

Another statement that the Senator from Illinois made, which I think he is mistaken about—I am speaking from memory, however, just like he is—is that this Langfitt report did not go into the water supply of Washington. I am just as satisfied from my memory that it went into the details of that subject as I am that it went into the details of the development of hydroelectricity.

Mr. SHERMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. NORRIS. I do.

Mr. SHERMAN. The Senator probably did not get the trend of my remarks. It was not that this commission did not investigate fully the water supply, but I said the paramount and principal purpose of that investigation was to develop power, and not to discover water. That was the chief motive of the investigation.

Mr. NORRIS. My recollection is that there were two propositions contained in the resolution appropriating the money. I do not know; some Senators and Representatives might have thought more of one, and some more of the other; but there was not any difference, as far as an observer could see, as to which one was the paramount or the more important. The fact is that they were both fully investigated, and just as much attention was given to the water supply as to the development of power.

I yield now to the Senator from South Carolina.

Mr. DIAL. I wanted to ask if it would not be well for us to have the former report revised? Could not that be done at very small expense? It would not be necessary, would it, to have an entirely new investigation?

Mr. NORRIS. I think that is true. I did not want by any possible means to interfere with the water supply, of course, and I was willing even to spend some more of the public funds, if it were absolutely necessary, although I do not believe it is at all necessary, although, since the Senator from Illinois has made the point of order to the amendment in the amended form, it has to go out of the bill anyway.

Mr. DIAL. It would cut down the expense very much if we could simply ascertain, through a revision of the report, the difference in cost of material and labor necessary to bring it down to date.

Mr. NORRIS. I think that is all that is necessary.

Mr. DIAL. That could be done at very small expense, and it would be worth a great deal in this country to have that power developed, because of the example it would set to the whole United States.

The PRESIDENT pro tempore. The Chair desires to be understood with regard to the ruling he has just made. The Chair understands that the Senator from Illinois raised the point of order against the amendment proposed by the Senator from Nebraska.

Mr. NORRIS. No, Mr. President.

The PRESIDENT pro tempore. The Chair announces that there can be no point of order raised at this moment except against the amendment offered by the Senator from Nebraska.

Mr. NORRIS. I was going to suggest to the Chair, as a parliamentary proposition, that if the Senator from Illinois makes a point of order against the amendment which I have offered, it must be overruled, of course, because it is like a demurrer in a pleading; it is taken back to the petition if it is made against the answer; and a proposition that is itself subject to a point of order can be amended by any germane or material amendment, even though it, standing alone, would be subject to a point of order. But I understood the Senator from Illinois to make his point of order against the committee amendment as amended by my amendment.

Mr. SHERMAN. It was against the entire amendment as it now stands, as amended by the amendment of the Senator from Nebraska.

Mr. CURTIS. And it is all subject to a point of order.

The PRESIDENT pro tempore. The amendment has not been amended as yet.

Mr. NORRIS. The Senator from Illinois understood that the question had been put; but, as the Chair says, there has been no vote taken on it yet.

The PRESIDENT pro tempore. In order that the parliamentary situation may be entirely clear, the question is upon the amendment proposed by the Senator from Nebraska to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now recurs upon the amendment proposed by the committee as amended; and to that, the Chair understands, the Senator from Illinois presents a point of order.

Mr. SHERMAN. Yes, sir; I raise the point of order against it.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. SHERMAN. Probably I was premature before, but I thought it had been adopted.

The PRESIDENT pro tempore. The secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 101, after line 14, to insert as a new section the following:

SEC. 11. That all of the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," are hereby extended to employees of the government of the District of Columbia so far as they may be applicable, except to those members of the police and fire departments of the District of Columbia who are pensioned or pensionable under the provisions of the District of Columbia appropriation act approved September 1, 1916; and there is hereby appropriated the sum of $5,000, said amount to be set aside as a separate fund in the Treasury to be known as the District of Columbia employees' compensation fund, which fund, including all additions that may be made to it, is hereby permanently appropriated for the payment of such compensation under the terms of said act of Congress approved September 7, 1916, that the commission provided for in said act shall award to employees of the government of the District of Columbia, which awards shall be paid in the manner now provided by law for the payment of the general expenses of the government of the District of Columbia.

And the Commissioners of the District of Columbia shall submit annually to Congress, through the Secretary of the Treasury, estimates of appropriations necessary for the maintenance of this fund.

The amendment was agreed to.

The reading of the bill was concluded.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. ROBINSON. Mr. President, I offer the amendment which I send to the desk, and call the matter to the attention of the Senator in charge of the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 24, after line 10, it is proposed to insert the following:

Damages and payment for ground on account of condemnation proceedings: To pay Thomas W. and Alice N. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838 in the city of Washington, $3,820.

Mr. CURTIS. Mr. President, that item has been put in the bill a number of times on the floor of the Senate, and I am perfectly willing that it shall go to conference.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 24, line 23, it is proposed to strike out "$40,000," and to insert in lieu thereof the following: "there is appropriated such sum as is necessary for said purpose."

Mr. McKELLAR. Mr. President, I desire to make this statement about that particular amendment: It merely restores the language which has been in the bill for a good many years. It seems that the appropriation which is to be used does not apply to street improvements, as was contemplated by the committee, but it is for the purpose of acquiring land to carry out the highway plan that was arranged some time ago.

Mr. CURTIS. I have no objection to the amendment going to conference.

Mr. KING. Mr. President, I do not like to object to that course, but it does seem to me it is a very dangerous precedent to make an appropriation without limiting the amount, merely stating whatever may be necessary.

Mr. McKELLAR. I had already taken it up with the chairman of the committee, and he had no objection to it. I will state to the Senator that this has been in the appropriation bill since 1914. I have a memorandum here, and I ask unanimous consent to print it as a part of my remarks.

The PRESIDENT pro tempore. Without objection, leave will be granted.

The memorandum is as follows:

This amendment merely restores the language that has been carried in every District of Columbia appropriation bill since 1914, and is offered that the orderly development of the city may not be interrupted.

This appropriation does not apply to street improvements, but merely to the acquisition of land necessary to open, extend, and widen streets and highways to conform to the highway plan adopted years ago for the District of Columbia.

Every cent expended under this appropriation is reimbursed from benefits assessed upon land which will be advantaged by the proposed opening. The procedure is that the commissioners institute condemnation proceedings for the necessary opening or extension of a street. The jury, under the law, must find damages to the extent of the value of the land taken for highway purposes, and must also, under the law, assess benefits against lands found to be benefited which will total the amount of the damages found plus the costs of the proceeding. The benefits collected may be paid in installments over a term of three years, but in that event the deferred payments bear interest. Not a dollar of money is expended except that which will be reimbursed.

On the other hand, the commissioners must show affirmatively to the court that they have the funds wherewith to pay damages for property taken, else the court is compelled, under the law, to throw out the proceeding. At the present time the total damages that will be found under pending proceedings may possibly aggregate over $250,000. The limitation in the bill as reported, of $40,000, will mean that these cases will be thrown out of court, and the expenses already incurred will then in fact become a charge on the revenues of the District of Columbia, since the reimbursement contemplated by existing law will have been made impossible.

In nearly every case a large amount of the benefits are assessed against the same land for which damages are found. For instance, in the recent case of the widening of Wisconsin Avenue the total damages were about $107,000, all of which sum had to be available to validate the condemnation proceeding, but of the benefits assessed about $65,000 was against this same land; so that the net amount paid out of the appropriation will be only about $52,000. And that $52,000 will be reimbursed by the assessments upon land which was found to be benefited but which was awarded no damages.

The Treasury can not suffer by reason of this indefinite appropriation; but, on the other hand, the limitation of $40,000 practically will tie up all proceedings now in court, will for the first time make a net charge on the revenues on account of these street extensions, and will tie the hands of the commissioners with respect to the future provision of highways for the growing city.

Mr. McKELLAR. Briefly, according to the plan that was arranged some years ago, the city acquires the land and then it assesses the damages and assesses the benefits to the adjoining property. It does not cost the city anything at all. It does not cost the Government anything at all. The plan arranged by the commission provides for making the property owners along these streets pay more than the cost of acquiring the land. It has never cost the city anything since it has been in the appropriation bill, and I am assured by the commissioner that it will not do so now; and it actually saves the $40,000 proposed to be appropriated here.

Mr. SMOOT. Mr. President, this question was thoroughly discussed in the Committee on Appropriations, and the committee as a whole decided that it is a very unsafe plan to put into the law a provision with no limitation whatever to the amount of money that is to be expended. For that reason I sincerely hope the Senate will not support the amendment offered by the Senator from Tennessee.

Mr. McKELLAR. Mr. President——

Mr. SMOOT. In just a moment. All that the committee thought it was possible to expend for this purpose profitably or justly is $40,000, and so we included the amount of $40,000 for that reason. I think the Senate ought to consider for a long time before they make an appropriation of an unlimited amount.

Mr. KING. Will the Senator from Tennessee permit an inquiry?

Mr. McKELLAR. I will in just a moment, in so far as I can.

The PRESIDENT pro tempore. To whom, if to anyone, does the Senator from Utah yield?

Mr. SMOOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I understand from the commissioners that this provision has been in every appropriation bill since 1914. Is that correct?

Mr. SMOOT. The first act providing for a change in the payments of benefits was passed in 1914.

Mr. McKELLAR. Then I will ask this further question——

Mr. SMOOT. I want to state the reason why it was then put in the appropriation bill. At that time there had been no estimate made as to the amount of work that would be done the coming year on the new basis of work, and the commissioners assured the committee there would not be more than a certain amount of money expended. That assurance was given, and I think was lived up to. But now the city has extended in all directions and are we prepared to say here there shall be no limit? I think we ought to hesitate a long time before doing that.

Mr. McKELLAR. I wish to ask the Senator this question——

Mr. KING. If the Senator from Tennessee will permit an inquiry I think we can settle this matter in a moment.

The PRESIDENT pro tempore. To whom does the Senator from Utah yield?

Mr. SMOOT. I had yielded to the Senator from Tennessee.

Mr. McKELLAR. Mr. President——

Mr. KING. If the Senator from Tennessee would add this amendment, would it not obviate the objection made by the Senator from Utah and meet the desire of the Senator from Tennessee? Add to the amendment of the Senator from Tennessee:

Such amount, however, not to exceed the sum of $40,000.

Mr. McKELLAR. I understand sometimes they have to pay a great deal more than that to acquire the land, and that is immediately taxed up to the adjoining lot owners. I understand they made a report showing that it had never cost the city anything at all, but that the entire cost and expense is charged up and collected. That is the assurance given to me by Mr. Brownlow, one of the commissioners.

Mr. SMOOT. Under the existing law, the law that has been in force for years in the District, though I will state it was amended three or four years ago, for the assessment on the abutting property we specifically provided for the percentage that shall be paid not only by the District but by the property owners benefited by the improvement. This does not change that law at all.

Mr. McKELLAR. But it allows them to operate under this law so as not to cost the city or the Government anything.

Mr. SMOOT. The District of Columbia has to pay finally whatever percentage the law provides on every improvement made on every street.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. That is all I have to say.

Mr. McKELLAR. I yield the floor.

The PRESIDENT pro tempore. The Senator from Kansas.

Mr. CURTIS. When this question was up before the subcommittee a showing was made conclusively that there were two or three streets improved that could not have been improved with this limit of $40,000. Wisconsin Avenue is one of them. The District Commissioners say it is utterly impossible for them to get along with $40,000. Here is the language of the commissioners:

There is really no drain on the Treasury, because the entire cost, including the cost of the proceedings, is assessed against the property benefited, and even in the deferred payments, so far as the assessments are concerned, the deferred payments bear interest at from 5 to 6 per cent.

It seems to me, in view of the fact that this cost is assessed against the property holders and the extensions are made at their request, the commissioners ought to be given authority to do the work that is required to be done upon the streets.

Mr. NORRIS. Mr. President, I should like to make an inquiry of the Senator from Kansas.

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. CURTIS. Certainly.

Mr. NORRIS. Under the law the owners along the street must pay all the damages?

Mr. CURTIS. That is what the commissioners say.

Mr. NORRIS. I understand that is the law, but it has always seemed to me that that very often would bring us to a place where it would be an utter impossibility to enforce the law. Take Wisconsin Avenue, for instance, where the street must be widened. A man's house may be standing within 4 or 5 feet of the street and the improvement will cut off a part of his house. It may take so much of his lot that he has not enough left to put the house on. Does the Senator say that any court would require him after he had lost his lot to pay damages in addition? Even though that is the law, it seems to me that in very many cases it would be impossible to enforce it. Wisconsin Avenue is too narrow and they want to widen it. It is not for the benefit of the man who lives on Wisconsin Avenue any more than the benefit of the man who lives on East Capitol Street. In fact, it may be a damage to the man on Wisconsin Avenue if it would take a portion of his house and cost him a whole lot of money. He ought to be paid something from some source, and I should think that ought to come out of all the taxpayers rather than out of any individual, and as a matter of constitutional law it would have to come from there or we could not get it, because you can not take a man's property without giving him compensation for it.

Mr. CURTIS. I wish to state in answer to the Senator that I know of no case ever having gone to court. There was one man whose property was taken, and it was supposed that he was greatly damaged, but instead of that they assessed benefits. They took some property he had just purchased. The man did not go to court. The proposition has been brought in here and gone to conference half a dozen times and the House has never yielded to the Senate on the question that the man should have some compensation for the damage because his property was taken from him and he was damaged instead of benefited by the windening of the street.

Mr. NORRIS. That might very often happen; but, of course, many times it might be a benefit, and if he gets a benefit he ought to pay for it. But it does not follow that when you are going out and taking property a man ought to pay or could be required to pay all of the damages. You might take all the property he had.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Tennessee.

Mr. GRONNA. May we have the amendment of the Senator from Tennessee stated?

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 24, line 23, strike out "$40,000" and insert in lieu thereof "there is appropriated such sum as is necessary for said purpose," so that the paragraph will read:

To carry out the provisions contained in the District of Columbia appropriation act for the fiscal year 1914, which authorizes the commissioners to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and Georgetown, there is appropriated such sum as is necessary for said purpose, to be paid wholly out of the revenues of the District of Columbia.

Mr. KING. Mr. President, I offer an amendment to the amendment.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. Add at the end of the proposed amendment the following words:

Such amount, however, not to exceed the sum of $40,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SMITH of Arizona. Mr. President, I offer the following amendment to be added at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add at the end of the bill the following as an additional section:

SEC. 12. That the loitering of public cabs and hacks or vehicles of all descriptions around or in front of the hotels, theaters, or public buildings in the District of Columbia, either by stopping, except to take on or discharge a passenger, or unnecessarily slow driving is hereby prohibited, and any driver of any such cab or hack who willfully causes the same to loiter either by stopping or slow driving as aforesaid shall be deemed guilty of a misdemeanor and punished in the Police Court of the District of Columbia by a fine of not less than $10 nor more than $40 for such offense. The Commissioners of the District of Columbia are hereby authorized and empowered to make any regulations that may be necessary in furtherance of the purpose of this act, and are hereby given authority to revoke the license of the driver of any public hack or cab who is convicted of a violation of this act.

Any driving at a rate of less than seven miles an hour is loitering or unnecessarily slow driving within the meaning of this provision. A third conviction under this provision shall work a permanent revocation of the license of the offending driver.

Mr. CURTIS. I ask for a vote on the amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Arizona. [Putting the question.] The noes seem to have it. The noes have it.

Mr. SMITH of Arizona. I would like to have the yeas and nays if I can get them.

The PRESIDENT pro tempore. The Senator from Arizona asks for the yeas and nays.

Mr. CURTIS. I hope the Senator will not do that. The amendment is subject to a point of order.

Mr. SMITH of Arizona. If the Senator will listen to me——

Mr. CURTIS. I assure the Senator I shall make no objection to his proposed amendment, and I will be very glad to take it up in conference. I hope the Senate will let it go in.

Mr. SMITH of Arizona. That is not satisfactory to me, Mr. President. I think those Senators who voted against it are not acquainted with the situation. If the Senate is advised of the purpose, and I will take not over five minutes to tell it, then if the judgment of the Senate is against it, I have no objection. That is all I ask.

The PRESIDENT pro tempore. The Senator from Arizona has demanded the yeas and nays.

Mr. SMITH of Arizona. No; I withdraw the demand, with the understanding that I may make a brief statement.

The PRESIDENT pro tempore. The demand for the yeas and nays is withdrawn.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. SMITH of Arizona. Wait; I have not yielded the floor. I have said I withdrew the demand for the yeas and nays, and I had already stated that, with an explanation to the Senate of what the amendment is, if the Senate's judgment is against the amendment, I have no objection to the Senate rejecting the amendment. I have an explanation to make, and that is all I want to do.

The PRESIDENT pro tempore. Does the Senator from Arizona desire a yea and nay vote?

Mr. SMITH of Arizona. I have withdrawn that request.

Mr. CURTIS. May I ask a question? Has the Chair passed upon the amendment?

The PRESIDENT pro tempore. The Chair has ruled upon it, but will reconsider its own ruling and will put the question again.

Mr. SMITH of Arizona. Pending that I want to explain the amendment to the Senate. As I understand the present parliamentary situation, the question is at this time on the adoption of the amendment.

The PRESIDENT pro tempore. The Chair so stated a moment ago. The Chair will put the question again.

Mr. SMITH of Arizona. Before the question is put, in support of the amendment I would like to speak of a little experience about the hack drivers in the city of Washington. Any man who lives in the downtown part of this city, who is so unfortunate as to have to live in a hotel, has seen around it, and especially around Fourteenth and Fifteenth Streets, and Pennsylvania Avenue and F Street one continual almost solid procession going at the slowest possible rate, and on every one of them a sign "For hire." If you try to drive in with your own machine, if you are so fortunate as to have one, you have to wait until that funeral procession passes, and if you speak a

little roughly to any of them the chances are you will get run into. They block the streets and stop the passengers.

I have seen the street railway cars blocked in front of the hotel, and I have gone down the street and seen other hotels in the same condition. They have had the same difficulty at the Union Station. I have seen the commissioners on the subject. They want the matter put in their hands so that this nuisance may be stopped or in some measure be abated. When those drivers are called before the court, the court can fine them from $1 up to $40 I believe, and the court will fine for offense after offense, one man $5, another $1, and the result is that they go right back to the same business again on the streets without the least regard for other people who are trying to drive on the streets of Washington.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Nebraska?

Mr. SMITH of Arizona. Certainly.

Mr. NORRIS. I understand the Senator to say that under present conditions they are fined by the court?

Mr. SMITH of Arizona. They are fined a dollar or two dollars, and sometimes they are not fined, until they have about quit arresting them at all.

Mr. NORRIS. Why are they not fined heavier, at least for the second or third offense?

Mr. SMITH of Arizona. I can not understand why they are not.

Mr. NORRIS. The point I am trying to get at is that we must have some kind of a law that permits fining them now.

Mr. SMITH of Arizona. There is a law that permits fining them, and the court usually puts the fine at so insignificant an amount that no attention whatever is paid to it.

Mr. NORRIS. Then why would not the proper procedure be to amend the existing law by increasing the penalty, instead of passing a new law, and thus having two laws?

Mr. SMITH of Arizona. Because I have designated the places in the amendment where this practice is worst, and I offer it at the suggestion of the commissioners and the superintendent of police.

Mr. NORRIS. I am in entire sympathy with the Senator in trying to bring relief. I understand somewhat the situation; but I was afraid if we now have a law on the statute books, we will not get any relief by simply putting another on and providing another penalty for the same offense. If the penalty is not sufficient in the existing law, I think we might reach the proposition by increasing the penalty.

Mr. SMITH of Arizona. I have failed to make the Senator understand that the amendment carries more than a mere increase in the fine.

Mr. NORRIS. It is not an amendment of the existing law?

Mr. SMITH of Arizona. It is not an amendment, except where it changes the amount of the fine, and it designates the particular places.

Mr. NORRIS. Let me ask the Senator whether the language of the amendment follows the existing law or simply changes the amount of the fine?

Mr. SMITH of Arizona. If it did, I should have done nothing more, and the commissioners would have asked nothing more, than to have changed the amount of the fine.

Mr. NORRIS. I am asking the Senator if, in the amendment he offers, he uses the same language as that in the existing law, except as to the penalty?

Mr. SMITH of Arizona. I have answered the Senator as plainly as I could. If it were nothing more than merely changing the existing law, the commissioners and the superintendent of police would not have asked for some relief. The suggestion of this matter came from them.

Mr. NORRIS. It may be that it is my fault—I presume it is—but I confess I do not believe that the Senator from Arizona has answered my question, and I am asking it in perfect good faith to get at the facts. I desire to know whether the Senator's amendment follows existing law, with the exception of the penalty? I think we ought to know that.

Mr. SMITH of Arizona. It does not.

Mr. NORRIS. Then the amendment at least ought to contain a provision repealing existing law, if there is already a law on the subject, before we enact another law.

Mr. SMITH of Arizona. Oh, no; not unless this would be in conflict with it. The Senator from Nebraska is too good a lawyer not to know that.

Mr. NORRIS. Does the Senator understand, if it is not in conflict, that there are going to be two trials, two judgments, and two fines for the same offense?

Mr. SMITH of Arizona. I should not offer the amendment if it were in conflict with another law. If it were so, there would be no necessity for it. I am trying to show to the Senator—and it is rather my fault than his that our minds do not meet probably—that there is no existing law covering the particular cases here attempted to be covered, except, perhaps, on parade days or some occasion of that kind. The amendment is designed to stop the practice complained of every day in the year in front of hotels, public buildings, the railroad depot, theaters, and similar public places.

The practice referred to has become so notorious that complaint has become general. I myself went to the Commissioners and also to the Superintendent of Police in regard to it, and it is at their suggestion that I have offered the amendment which is now before the Senate. I know the condition is one which ought to be relieved.

Mr. McCORMICK. Mr. President, will the Senator from Arizona yield for a question?

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Illinois?

Mr. SMITH of Arizona. I do.

Mr. McCORMICK. Do the commissioners suggest that 7 miles an hour is to constitute loitering?

Mr. SMITH of Arizona. No.

Mr. McCORMICK. I was going to ask what would constitute scorching?

Mr. SMITH of Arizona. If the Senator from Illinois slows his machine down and runs it at a rate of 7 miles an hour in the streets of Washington, he will be the only man in the city who does not think he is loitering. If the Senator will imagine 10 automobiles in a line, the driver of each calling to a prospective passenger, "Don't take that machine; take this one," and all the while moving at 6 miles an hour in a solid procession around and around, he will realize the nuisance of which we complain. That is all I have to say.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Arizona.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I send to the desk an amendment, which I offer as a separate section to the bill, to come in at the end thereof.

The PRESIDENT pro tempore. The amendment offered by the Senator from Ohio will be stated.

The SECRETARY. It is proposed to add at the end of the bill a new section, to be known as section 13, as follows:

SEC. 13. That no judicial order, decree, or judgment for the recovery of possession of real estate in the District of Columbia, or any room, suite of rooms, or apartments in any apartment or other house in the District of Columbia now or hereafter held or acquired by oral or written agreement of lease or by operation of law, or for the ejectment or dispossession of a tenant therefrom, when the tenant has paid or tendered the agreed rent and performed the other conditions of the tenancy not inconsistent herewith, shall be made, unless the tenant shall have had at least 90 days' notice in writing from the landlord or purchaser thereof to quit the said premises, notwithstanding any waivers of statutory notice heretofore made by any tenant. All laws and parts of laws inconsistent herewith are hereby repealed.

Mr. POMERENE. Mr. President, I recognize the fact that this amendment is subject to a point of order, but I hope it will not be made, and that the amendment may go to conference for investigation. In a word, the purpose of the amendment is this: Senators are familiar with the so-called Saulsbury joint resolution. I have been reliably advised that a good many of the real estate owners, particularly the apartment-house owners, have gotten together, and have already entered into some sort of an agreement whereby the tenants are going to be ejected at the earliest moment possible, and the junior Senator from Utah [Mr. KING] tells me that 80 ejectment suits were begun on yesterday. The day will soon be here, we all hope, when the proclamation of peace will be issued, but these tenants ought to have a reasonable time in which to turn around.

Mr. CURTIS. Mr. President, it is getting late, and I want to get this bill through to-night. In order to avoid discussion, I am willing to accept the amendment and let it go to conference.

Mr. POMERENE. Very well; I will consent to that.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. SPENCER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the junior Senator from Missouri will be stated.

The SECRETARY. On page 54, after line 13, it is proposed to insert the following:

For allowances to be applied only toward uniforms actually purchased by uniformed employees of the Metropolitan Police department, $67,490, to be expended under rules and regulations to be prescribed by the Commissioners of the District of Columbia: *Provided*, That all payments for uniforms shall be on itemized vouchers and paid in the same manner as are other District of Columbia government expenses.

Mr. CURTIS. That amendment was not submitted to the committee; it is not estimated for; we have had no time to consider it; and I make the point of order against it.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. JONES of Washington. Mr. President, on page 47, line 7, after the words "special schools," I offered an amendment which I think was simply over looked by the subcommittee. It does not at all increase the appropriation. I think the Senator in charge of the bill will have no objection to it.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 47, line 7, after the words "white special schools," it is proposed to insert "the chief medical and sanitary inspector of schools."

Mr. CURTIS. I think that amendment should be added. It was in the last bill. It is to take care of an officer who, I understand, was in the Army and has returned. The item was left out because it was not called to the attention of the committee.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Washington.

The amendment was agreed to.

Mr. KING. I move to strike out, on page 48, lines 24 and 25, and on page 49, lines 1, 2, 3, 4, and 5. I invited the attention of the Senator in charge of the bill to this provision some time ago and stated that if the explanation which he offered was the only one that could be made I should move to strike it out after the committee amendments had been passed upon.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. On page 48, after line 23, it is proposed to strike out:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, and employees of the day schools may also be employees of the community forums and civic centers, $30,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Utah.

Mr. CURTIS. If that provision goes out, it will go to conference, and then we can make the inquiry the Senator desires and secure more information.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. KENYON. At the request of the Senator from New York [Mr. CALDER], who is detained from the Senate by important official business, I submit the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 54, line 4, it is proposed to strike out "$2,000" and insert "$9,498.66: *Provided*, That hereafter all privates of class 1 who have served as such for a period of two years shall be promoted to be privates of class 2, if the conduct and intelligent attention to duty of such privates shall justify such promotion. Privates in said force who have served as in class 2 for a period of three years shall be promoted to be privates of class 3, if the conduct and intelligent attention to duty of such privates shall justify such promotion."

Mr. KENYON. Mr. President, I desire to explain the amendment in a word. As I understand, at the present time in the case of privates in the police force it requires eight years to pass from class 1 to class 3. This is the only city in the United States requiring such a long period of time. The amendment will reduce to five years the period in which policemen may pass to class 3, which will mean to them a slight additional compensation. I think the amendment will right a manifest wrong that exists now in the law.

Mr. GRONNA. Mr. President, I am compelled to make a point of order against this amendment. In the first place, it is not estimated for; it has not been reported by a standing committee of the Senate; and, further than that, the word "hereafter" is used, making it a permanent law. I make the point of order.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. OVERMAN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. At the proper place in the bill it is proposed to insert the following:

To the Georgetown University and to the George Washington University each the sum of $25,000 toward the maintenance of the Schools of Medicine and Dentistry and the hospitals of said universities: *Provided*, That an amount equal to this appropriation shall be expended by each of the said universities out of its own funds for the said purpose.

Mr. OVERMAN. Mr. President, the two universities mentioned in the amendment have been in existence in the neighborhood of a hundred years. They have never received any support from the Government, although they have taken care of the sick and the indigent in their hospitals. They are educating young men; they are class A colleges, so classified by the great collegiate association of the country, and they absolutely need help now. If these institutions were in any State of the Union they would receive help from the State, as similar institutions located elsewhere have received help from the respective State governments.

I hope that no Senator will make a point of order against this amendment, because these institutions absolutely need this money if they are to exist. The District is proud of them; they have been in existence for a century or more; they are doing a great work, and are, as I have said, taking care of the sick and afflicted. I know something of the work their hospitals have done in the District.

I know the amendment is subject to a point of order, but I ask the Senator in charge of the bill not to make the point of order, but to allow the amendment to go to conference and investigate the matter there as to whether this money ought not to be appropriated for these two great institutions of which, I repeat, the District is so proud.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from North Carolina.

The amendment was agreed to.

Mr. HALE. Mr. President, I move to reconsider the vote whereby the amendment on page 98, line 22, was agreed to. There is a typographical error in line 25. The word "sources" there should be "services."

Mr. CURTIS. I hope that the suggestion of the Senator from Maine will be complied with, and that the amendment suggested by him will be adopted.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine to reconsider the vote whereby the amendment on page 98, line 22, was agreed to.

The motion was agreed to.

Mr. HALE. I move that the word "sources" be stricken out and that the word "services" be inserted.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 98, line 25, it is proposed to strike out the word "sources" and insert in lieu thereof the word "services."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

Mr. KING. Mr. President, I merely wish to make one remark before this bill is passed. It perpetuates the system known as the half-and-half. I very much disapprove of that system. I think it is unfair, and if it were not so imperative that this bill be passed speedily I should make some effort to secure a change in the method of taxation. I think it very unfair to perpetuate a system that does not, in my opinion, fairly tax the property of the District. I believe that the system ought to be to tax the property of the District in a fair and just manner, and that whatever deficit may be involved in conducting the municipal affairs of the city should be met by the General Government. I do not feel, in view of the present emergency, like raising the question upon this bill; but I wish to give notice now to the Senator in charge of the bill and to the members of the committee that the next time they bring in a District of Columbia appropriation bill, if the system is still perpetuated, they may look for some discussion.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. CURTIS. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. CURTIS, Mr. JONES of Washington, and Mr. SMITH of Maryland conferees on the part of the Senate.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 19, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 18, 1919.*

The House met at 12 o'clock noon.

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

Father of light and life and love, dispenser of all good gifts, let Thy blessing descend upon us, to clarify our minds, purify our hearts and make us strong for the work before us; that we control our passions, giving no offense to our brethren; striving to do unto others as we would be done by; possessing our souls in patience and peace. In the spirit of the Master. Amen.

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

MESSAGE FROM THE SENATE.

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

An act (S. 1028) to amend section 8 of an act entitled "An act to amend the laws for preventing collision of vessels, and to regulate the equipment of certain motor boats on navigable waters of the United States," approved June 9, 1910.

An act (S. 409) to consent to the proposed compact or agreement between the States of New Jersey and New York for the construction, operation, repair, and maintenance of a tunnel or tunnels under the Hudson River between the cities of Jersey City and New York.

CORRECTION.

Mr. CLARK of Missouri. Mr. Speaker, the other day in the debate on the resolution to furnish the investigating committee with lawyers, stenographers, and so forth, and about our universal unpreparedness when the war began, I stated that Gen. SHERWOOD was the only man in Congress who ever set a squadron in the field. Col. LITTLE called my attention to the fact that he set several squadrons in the field in the Philippines, being a lieutenant colonel in command of a regiment; and our good friend Maj. STEDMAN, one of the best loved men in the House, rose to the rank of major in the Civil War, and Col. CRAGO had a large experience in the Philippines. I simply wanted to set that matter straight. [Applause.]

EXTENSION OF REMARKS.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on military intelligence.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD on military intelligence. Is there objection?

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of aviation in the Navy.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on aviation in the Navy. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. GOULD. Mr. Speaker, I offer for consideration a privileged resolution, No. 14, and I move that the Committee on Appropriations be discharged.

The SPEAKER. To-day being Calendar Wednesday, that is not in order.

Mr. GOOD. This being Calendar Wednesday, will the action on the conference report which was under consideration when the House adjourned yesterday come up the first thing this morning?

The SPEAKER. It will not be in order until to-morrow.

Mr. GOOD. I understand that it will take but a few minutes to dispose of the conference report. It is a conference report on the deficiency bill, and it ought to go to conference again immediately, and I ask unanimous consent for the present consideration of the conference report on H. R. 3417.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the conference report under consideration at the adjournment yesterday be taken up and finished to-day. Is there objection?

Mr. KING. I object.

Mr. BANKHEAD. Reserving the right to object, the only question remaining is the decision of the Speaker, and possibly a roll call on the proposition?

Mr. GOOD. I hardly think there will be a roll call.

Mr. BEE. Will the gentleman from Iowa yield?

Mr. GOOD. I have not the floor.

Mr. BEE. I want to ask the gentleman from Illinois [Mr. MADDEN] a question. On page 1304 of the RECORD of yesterday he is credited with this statement:

> If we have more facilities than we need, as the Secretary of the Treasury says, why did he buy, at a cost of $1,500,000, a new building at Corpus Christi, Tex., on the 7th day of June?

I direct the attention of the gentleman from Illinois to the fact that the item was $150,000, and on final settlement $140,000 for the purchase of that land.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the RECORD be corrected to show the correct figures. In the meantime, I would like to say that the Secretary of the Treasury has already sent a communication to the House calling attention to the necessity for the construction of a hospital here in the District of Columbia and some other places, asking legislation upon the subject, in the face of the fact that the letter from the Secretary read by the gentleman from Iowa yesterday indicated that there was no necessity for any hospital facilities.

Mr. BEE. Did the Secretary of the Treasury include Corpus Christi?

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for the regular order.

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a Memorial Day speech by Gen. John J. Pershing.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, did I understand the Chair to hold that on a call for the regular order the conference report on which the previous question has been ordered is not the regular order, in spite of its being Calendar Wednesday?

The SPEAKER. That was the ruling of the Chair. The Chair thinks that that will come up to-morrow.

The Clerk began the call of committees.

Mr. CALDWELL. Mr. Speaker, I rise for a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Was not a unanimous-consent agreement entered into some days ago to the effect that the clerk-hire proposition would come up this morning after we finished the regular business, or something of that kind?

The SPEAKER. The calendar so states, but, according to the statement of the calendar, that comes up after the business of the calendar is disposed of, although the Chair's recollection was that the unanimous consent was to be considered on that day, on Monday or Tuesday, but the Chair shall abide, of course, by the Journal. It comes up immediately after the calendar is considered.

Mr. CALDWELL. If a committee is called and the committee gets started on something, the unanimous consent does not amount to anything.

The SPEAKER. It depends upon how long the consideration of other business is in the House. It says that on Wednesday, immediately after the consideration of the calendar, it is in order to take this business up immediately after consideration of the calendar, and the calendar has not yet been considered.

Mr. CALDWELL. Mr. Speaker, I move that the further call of Calendar Wednesday be dispensed with. Can not we do that; would it be in order to move now to dispense with the further call of the calendar?

The SPEAKER. It would be in order to move to dispense with the business of Calendar Wednesday.

Mr. MONDELL. But the gentleman would have to be recognized for that purpose.

Mr. CALDWELL. If the Speaker will recognize me for that purpose——

The SPEAKER. The Chair thinks he ought to recognize any gentleman for that purpose.

Mr. CALDWELL. Mr. Speaker, I make that motion.

The SPEAKER. The gentleman from New York moves that the business of Calendar Wednesday be dispensed with.

Mr. BANKHEAD. Mr. Speaker, I desire to be heard on that motion. Does the gentleman from New York desire to speak to his motion?

Mr. CALDWELL. Only to say, it seems to me, that this little matter of clerk hire ought to be taken care of, and taken care of now, or otherwise it would not be taken care of before the 1st of July, and we will find ourselves in an unfortunate position, and I think it ought to be disposed of; that is all.

Mr. RAYBURN. Mr. Speaker——

The SPEAKER. Does the gentleman yield? [Cries of "Vote!"]

Mr. BANKHEAD. Mr. Speaker, I withdraw my request to be heard in opposition and ask for a vote.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will proceed with the call of the calendar.

The Clerk proceeded with the call of the calendar.

REPEAL OF DAYLIGHT-SAVING LAW.

Mr. ESCH (when the Committee on Interstate and Foreign Commerce was called). Mr. Speaker, I am directed by the Committee on Interstate and Foreign Commerce to call up the bill H. R. 3854, a bill for the repeal of the daylight-saving law.

The SPEAKER. The gentleman from Wisconsin calls up the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 3854) for the repeal of the daylight-saving law.

Mr. WALSH. Mr. Speaker, I raise the question of consideration upon the measure.

The SPEAKER. The gentleman from Massachusetts raises the question of consideration upon the measure.

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

On a division (demanded by Mr. WALSH) there were—ayes 104, noes 34.

Mr. CALDWELL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order there is no quorum present, and evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 259, nays 96, answered "present" 1, not voting 74, as follows:

YEAS—259.

Alexander	Dominick	Jones, Tex.	Rhodes
Almon	Doremus	Kearns	Ricketts
Anderson	Doughton	Kendall	Riddick
Andrews, Md.	Dowell	Kennedy, Iowa	Robinson, N. C.
Andrews, Nebr.	Drane	Kincheloe	Robsion, Ky.
Ashbrook	Dunbar	King	Rodenberg
Aswell	Echols	Kinkaid	Romjue
Ayres	Elliott	Kitchin	Sanders, Ind.
Babka	Ellsworth	Kleczka	Sanders, La.
Bacharach	Esch	Knutson	Sanders, N. Y.
Baer	Evans, Nebr.	Kraus	Saunders, Va.
Bankhead	Evans, Nev.	Lampert	Schall
Barkley	Fairfield	Langley	Shreve
Bee	Ferris	Lanham	Sims
Begg	Fields	Lankford	Sinnott
Bell	Fisher	Larsen	Sisson
Benham	Flood	Layton	Slemp
Benson	Focht	Lazaro	Small
Black	Fordney	Lea, Calif.	Smith, Idaho
Bland, Ind.	Frear	Lesher	Smithwick
Bland, Va.	French	Lever	Steagall
Blanton	Fuller, Ill.	Little	Stedman
Boies	Gandy	Luhring	Stevenson
Booher	Gard	McCulloch	Stiness
Bowers	Garner	McFadden	Strong, Kans.
Box	Garrett	McKenzie	Sweet
Brand	Godwin, N. C.	McKeown	Taylor, Ark.
Brinson	Good	McLaughlin, Nebr.	Taylor, Colo.
Brooks, Ill.	Goodwin, Ark.	McPherson	Taylor, Tenn.
Brooks, Pa.	Goodykoontz	Magee	Temple
Browne	Gould	Major	Thomas
Browning	Graham, Ill.	Martin	Thompson, Ohio
Brumbaugh	Green, Iowa	Mason	Thompson, Okla.
Buchanan	Greene, Mass.	Mead	Tillman
Burroughs	Greene, Vt.	Merritt	Timberlake
Byrnes, S. C.	Hadley	Michener	Tincher
Byrns, Tenn.	Hamilton	Miller	Towner
Campbell, Kans.	Hardy, Tex.	Monahan, Wis.	Treadway
Campbell, Pa.	Hastings	Mondell	Venable
Candler	Haugen	Montague	Vestal
Cannon	Hawley	Mooney	Vinson
Cantrill	Hayden	Moore, Ohio	Voigt
Caraway	Hays	Moore, Va.	Volstead
Carss	Hernandez	Morgan	Wason
Carter	Hersey	Mott	Watkins
Christopherson	Hickey	Neely	Watson, Pa.
Clark, Mo.	Hill	Nelson, Mo.	Watson, Va.
Classon	Hoch	Nelson, Wis.	Weaver
Cole	Holland	Nicholls, S. C.	Webb
Collier	Houghton	O'Conner	Webster
Connally	Howard	Overstreet	Welling
Cooper	Huddleston	Padgett	Wheeler
Copley	Hudspeth	Park	White, Kans.
Cramton	Hulings	Parrish	White, Me.
Crisp	Hull, Iowa	Porter	Williams
Curry, Calif.	Hull, Tenn.	Pou	Wilson, La.
Dale	Hutchinson	Quin	Wingo
Davey	Igoe	Ragsdale	Winslow
Davis, Minn.	Ireland	Rainey, H. T.	Wood, Ind.
Davis, Tenn.	Jacoway	Raker	Woodyard
Dempsey	Jefferis	Ramseyer	Wright
Denison	Johnson, Ky.	Randall, Wis.	Yates
Dent	Johnson, Miss.	Rayburn	Young, Tex.
Dickinson, Mo.	Johnson, S. Dak.	Reed, N. Y.	Zihlman
Dickinson, Iowa	Johnson, Wash.	Reed, W. Va.	

NAYS—96.

Barbour	Ganly	McGlennon	Phelan
Bland, Mo.	Garland	McKiniry	Radcliffe
Briggs	Glynn	McLane	Rainey, J. W.
Britten	Goldfogle	McLaughlin, Mich.	Ramsey
Burdick	Griffin	MacCrate	Randall, Calif.
Burke	Hardy, Colo.	Madden	Reber
Caldwell	Haskell	Maher	Riordan
Carew	Hicks	Mapes	Rose
Casey	Humphreys	Mays	Rouse
Chindblom	James	Minahan, N. J.	Rowe
Cleary	Johnston, N. Y.	Moon	Sabath
Coady	Juul	Moore, Pa.	Scott
Crowther	Kahn	Moores, Ind.	Siegel
Cullen	Kelly, Pa.	Morin	Smith, Mich.
Currie, Mich.	Kettner	Newton, Minn.	Smith, N. Y.
Dallinger	Kreider	Newton, Mo.	Snyder
Darrow	LaGuardia	Nichols, Mich.	Stephens, Ohio
Dunn	Lehlbach	Nolan	Sumners, Tex.
Dupré	Lonergan	O'Connell	Tinkham
Elston	Longworth	Ogden	Vaile
Fitzgerald	Lufkin	Oldfield	Vare
Freeman	McAndrews	Osborne	Walsh
Gallagher	McArthur	Pell	Welty
Gallivan	McDuffie	Peters	Wilson, Ill.

ANSWERED "PRESENT"—1.

Emerson

NOT VOTING—73.

Ackerman	Graham, Pa.	Mudd	Smith, Ill.
Anthony	Griest	Murphy	Snell
Blackmon	Hamill	Oliver	Steele
Butler	Harrison	Olney	Steenerson
Clark, Fla.	Heflin	Paige	Stephens, Miss.
Costello	Hersman	Parker	Strong, Pa.
Crago	Husted	Platt	Sullivan
Dewalt	Jones, Pa.	Purnell	Summers, Wash.
Donovan	Kelley, Mich.	Reavis	Tilson
Dooling	Kennedy, R. I.	Rogers	Upshaw
Dyer	Kiess	Rowan	Walters
Eagan	Lee, Ga.	Rubey	Ward
Eagle	Linthicum	Rucker	Whaley
Edmonds	Luce	Sanford	Wilson, Pa.
Evans, Mont.	McClintic	Scully	Wise
Fess	McKinley	Sears	Woods, Va.
Foster	MacGregor	Sells	Young, N. Dak.
Fuller, Mass.	Mann	Sherwood	
Goodall	Mansfield	Sinclair	

So the House decided to consider the bill.

The Clerk announced the following pairs:

On this vote:

Mr. BUTLER (for consideration) with Mr. STEELE (against).

Mr. FOSTER (for consideration) with Mr. KENNEDY of Rhode Island (against).

Mr. LEE of Georgia (for consideration) with Mr. FULLER of Massachusetts (against).

Mr. TILSON (for consideration) with Mr. GRAHAM of Pennsylvania (against).

Mr. MURPHY (for consideration) with Mr. LINTHICUM (against).

Mr. WARD (for consideration) with Mr. COSTELLO (against).

Mr. HARRISON (for consideration) with Mr. SANFORD (against).

Mr. WOODS of Virginia (for consideration) with Mr. ROGERS (against).

Mr. SNELL (for consideration) with Mr. PAIGE (against).

Mr. RUBEY (for consideration) with Mr. HASKELL (against).

Until June 20:

Mr. ANTHONY with Mr. OLNEY.

Until further notice:

Mr. DYER with Mr. WHALEY.

Mr. EMERSON with Mr. EAGAN.

Mr. MANN with Mr. BLACKMON.

Mr. CRAGO with Mr. WISE.

Mr. EDMONDS with Mr. WILSON of Pennsylvania.

Mr. GOODALL with Mr. UPSHAW.

Mr. HUSTED with Mr. SULLIVAN.

Mr. KELLEY of Michigan with Mr. OLIVER.

Mr. LUCE with Mr. STEPHENS of Mississippi.

Mr. MCKINLEY with Mr. HEFLIN.

Mr. MACGREGOR with Mr. SEARS.

Mr. MUDD with Mr. SCULLY.

Mr. PLATT with Mr. RUCKER.

Mr. PURNELL with Mr. ROWAN.

Mr. REAVIS with Mr. MANSFIELD.

Mr. SELLS with Mr. HERSMAN.

Mr. STEENERSON with Mr. DOOLING.

Mr. STRONG of Pennsylvania with Mr. DEWALT.

Mr. WALTERS with Mr. EVANS.

Mr. YOUNG of North Dakota with Mr. DONOVAN.

Mr. JONES of Pennsylvania with Mr. EAGLE.

The result of the vote was announced as above recorded.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the hour allotted to each side under the rule on Calendar Wednesday be controlled on this side by myself and the other side by the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. Is the gentleman from Tennessee opposed to the bill?

Mr. SIMS. Yes, sir.

The SPEAKER. The gentleman from Wisconsin [Mr. ESCH] asks unanimous consent that the hour on each side be controlled, one hour by himself and one hour by the gentleman opposed to the bill, the gentleman from Tennessee [Mr. SIMS]. Is there objection?

Mr. SIMS. Mr. Speaker, I want to ask further unanimous consent, that the time for general debate be extended one hour, the extension to be equally divided. There are so many requests that it seems impossible to accommodate all the gentlemen unless the time be extended one hour, to be equally divided by 30 minutes on a side.

The SPEAKER. The gentleman from Tennessee asks unanimous consent——

Mr. SIMS. I ask unanimous consent that the time for general debate be extended one additional hour, the time to be equally divided. As there is only one amendment to the bill, there will be but little debate under the five-minute rule. There are so many gentlemen who have asked to express themselves that I ask for this extension.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the time for general debate be extended one hour, to be equally divided between the gentleman from Wisconsin [Mr. ESCH] and himself.

Mr. ESCH. I reserve the right to object, for the reason that when we get through with this bill I want to call up the bill for the return of wire lines.

I believe if we hold to the rules we can get full expression from the Members of the House, and those who desire to speak and can not get time can extend their remarks in the RECORD.

The SPEAKER. The gentleman from Wisconsin objects. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 3854) for the repeal of the daylight-saving law.

Be it enacted, etc., That section 3 of the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, is hereby repealed, effective at 2 o'clock a. m. of the third Sunday after the approval of this act, when by the retarding of one hour the standard time of each zone shall be returned to and thereafter be the mean astronomical time of the degree of longitude governing each zone as defined in section 1 of said act approved March 19, 1918.

Also the following committee amendment was read:

In lines 5 and 6, strike out the words "at 2 o'clock a. m. of the third Sunday" and insert in lieu thereof "on the last Sunday of October, 1919."

Mr. ESCH. Mr. Speaker, I only wish to occupy 10 minutes, and I prefer to use that time without interruption.

The act approved March 19, 1918, provided for saving daylight and for standard time for the United States. The proposed bill seeks only to affect section 3 of that act, which provides for the pushing ahead of the clock for one hour on the last Sunday of March and retarding it one hour on the last Sunday of October of each year. The remaining provisions of the original act remain intact. These provide the fixing of zones based upon meridian lines indicating mean astronomical time. We do not seek to change those sections, but we do believe that section 3, which provides the pushing ahead of the clock on the last Sunday of March should be repealed, and the repeal should become effective on the last Sunday of October this year. The reasons we believe in the repeal are these: When the Interstate Commerce Commission, under the original act, divided the country into five zones, based upon meridians 75, 90, 105, and 120, and 150, it made sections of this country on the outer margins of each one of these zones where the discrepancy between the mean astronomical time of that zone and the true time was at least 30 minutes. That is to say, on the western and eastern margins of each one of these five zones the clock time would be 30 minutes different from the mean astronomical time of the zone. Now, then, when section 3 became operative the clock was advanced one hour in addition to the discrepancy of the 30 minutes created by these zones. That makes a total discrepancy of 1 hour and 30 minutes on the eastern and western limits of each of the five zones. That discrepancy was so marked in the regions affected as to cause great inconvenience and great dissatisfaction.

That is not all. When the Interstate Commerce Commission fixed these zones it changed the limits, in some respects, of the zones that for 10 or 15 years had been observed by the railroad companies. A marked illustration of such a change occurred in the division line between eastern and central time. As the railroads have created this line, it ran practically parallel or near to the Ohio-Pennsylvania line. The commission shoved it westward, so that it began at Toledo, Ohio, passed through Columbus, down to Huntington, W. Va., Nashville, Tenn., Atlanta, Ga., and Apalachicola, Fla. That shoved the western line of the eastern zone 125 to 150 miles farther west and embraced, therefore, over half the State of Ohio. Now, then, that change caused the clocks to be advanced one hour in that territory beyond what the time was before. Then comes section 3 and adds another hour by pushing ahead the clock, making practically two hours, a discrepancy in time which necessarily resulted in great inconvenience and loss to the millions of people living between what was the former western limit of the eastern zone and the new limit of the eastern zone.

Now, this same difficulty has occurred in other parts of the United States where there were changes made by the commission over the zones used by the railroad companies. But owing to a less density of population in those sections there has been less of complaint. For instance, in eastern Ohio, where the clock has been shoved ahead one hour and two hours, there have been many complaints coming from the truck farmers and gardeners of that region.

There has also been complaint coming to the committee from the miners of Indiana and Ohio and other regions. The fact is that these miners do not live at the mine mouth; they live miles away. They must come to the mine to work on train or trolley or other conveyance. That means that they have got to get up so much earlier in order to get their breakfast and take their train and reach the mine in time for their work. That means that the housewife must get up so much earlier in order to prepare breakfast for her husband in order that he may get to the mine in time to begin work. The complaints from the mining regions in the Middle West is universal, and the miners ask that we should restore the time to the normal.

But that is not all. The man most affected is the farmer. I will not have time to go into that, because there are other speakers who will deal with it. But suffice it to say that the farmer is largely inconvenienced because he is put out of joint with the situation in his market town. He must get up earlier in order to do his chores, to milk his cows, if he is a dairy farmer, and to take that milk to the station in order that it may get to the city in time for your breakfast table. Some States require that the milk, before being sent to market, must be cooled to 60°. Some States require that this milk must also be pasteurized before it is sent to market. All these processes take time, and that time is simply robbing the farmer of that much rest and sleep. These are the incidents in connection with the operation of this law which none of us, possibly, contemplated when we voted for it.

I know it will be said on this floor, "Why can not the farmer adjust himself to this new situation, instead of making us, the dwellers in the cities, adjust ourselves to the situation?" The reason is plain. Adjustment on the part of the farmers requires a greater sacrifice than adjustment on the part of the citizen in the towns to the new situation.

The farmer must deal with weather conditions. He must deal with other contingencies. He is not the master of his own destiny. He can not get into relationship with the people in his market town. The citizens in the town, the people working in the great stores and factories and mills, could adjust themselves to this new situation even if we did not push the clock ahead. Why can not the thousand or two thousand employees of Macy & Co., New York, by agreement set their clock ahead an hour, notwithstanding the repeal of the law? Why could not men in the large factories do the same thing, and thus by voluntary action get all the advantages they claim are due to this daylight-saving law?

Then there is a serious question on the farm as to hired labor. The hired man on the farm, gentlemen, is assimilating some of the doctrines of organized labor in the cities; in many parts of the United States the hired man has been feeling the influence and the effects of an eight-hour day, and he is claiming an eight-hour day in many sections. He is called to work; he goes to the farm. Supposing he reports to the farm at 6 o'clock in the morning, clock time. The dew is yet on the grass and on the fields. He can not work until the dew has been dissipated, or he engages in some unimportant work until he can get to the fields. That is really lost time to his employer. But when the whistle in the nearby town sounds 5 o'clock, he stops. His eight hours are accomplished.

The result of it is there has been an increase in the cost of production. Food is costing more by reason of this situation, and as Mr. Atkeson, who is the representative of the Grange, the Patrons of Husbandry, stated to our committee, that the daylight-saving law has practically added from 12 to 20 per cent to the cost of production. If this is true generally, we must realize that the inevitable result of the law will be an

increase in the cost of food instead of a saving in the cost of food. If the dwellers in the city, therefore, want to pay an increased price for food, due to the operation of daylight saving, let them do so knowingly, because an increase in the cost of labor on the farms is inevitably bound to follow.

Mr. RANDALL of California. Mr. Speaker, will the gentleman yield?

Mr. ESCH. I regret I can not. I have but a limited time.

Who are those favoring the repeal of this law? Briefly these: Over 300 farmers' papers, magazines, and organs; every farmers' organization in the United States; the Grange, the Patrons of Husbandry, who through their representatives came to us urging us to repeal the law. This organization claims to have 750,000 paying members, and a total membership of over a million. Various town, village, and county organizations, through their respective officials, have appealed to us to repeal the law. Four State legislatures have memorialized this Congress to repeal the law—Arizona, South Dakota, Wisconsin, and Illinois—States which in the aggregate have a population of over ten millions of people. Who else?

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

Mr. ESCH. One minute more, Mr. Speaker.

The SPEAKER. Without objection, the gentleman will proceed for one minute more.

Mr. ESCH. Over at Atlantic City the other day the American Federation of Labor protested against a resolution opposing the repeal of the law by a vote of 480 to 150, indicating that that organization in strongly for the repeal. The Labor Federation of the State of Illinois adopted a resolution against the daylight saving. These then are some of the people who are opposed to the law, and I offer these as an answer to those who say nobody favors the repeal of daylight saving.

Mr. Speaker, I wanted to speak further as to the effect of daylight saving on health, but I will not use further time, and will now yield to the gentleman from Tennessee [Mr. SIMS]. [Applause.] I herewith add as a part of my remarks the report I presented to the House in support of this bill:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 3854) for the repeal of the daylight-saving law, having considered the same, report thereon with a recommendation that it pass, with the following amendment:

Strike out the last two words of line 5 and up to the word "after" in line 6 and insert in lieu thereof the following: "on the last Sunday of October, 1919."

The act approved March 19, 1918, entitled "An act to save daylight and to provide standard time for the United States" was enacted as a war measure. A leading argument made in its support was to increase war production. That as France, England, Italy, and other warring nations of Europe had followed Germany's lead in this matter, we, too, must follow. With the signing of the armistice the war practically ended, and our people believe that normal conditions of living and also of production should be restored as speedily as possible.

The above act, besides providing for pushing ahead the clock one hour on the last Sunday in March and retarding it one hour on the last Sunday in October, established five zones, the standard time of the first zone being based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich; that of the second zone on the ninetieth degree; that of the third zone on the one hundred and fifth degree; that of the fourth zone on the one hundred and twentieth degree; and that of the fifth zone on the one hundred and fiftieth degree, which only includes Alaska.

The Interstate Commerce Commission has fixed the limits of these zones, and the standard time of the zone governs the movements of all common carriers engaged in interstate commerce. The seventy-fifth, ninetieth, one hundred and fifth, and one hundred and twentieth meridians pass approximately through the centers of their respective zone; there is, therefore, a discrepancy of at least one-half hour from the mean astronomical time along each meridian at the eastern and western boundaries of each zone. When, therefore, under the act clocks are advanced one hour, this discrepancy is increased to one and one-half hours. It is this wide and unnatural discrepancy which has given rise to much of the opposition to daylight saving.

For years the railroads of the country had arbitrarily divided the country into zones largely corresponding to the zones fixed by the commission in its order dated October 24, 1918. The commission made many radical changes in the limits of the several zones. This was particularly true as between the eastern (seventy-fifth degree) and central (nineteenth degree) time zones. Under the older railroad-zone system the division line ran close to the Ohio-Pennsylvania boundary line. It now starts at Toledo, Ohio, and passes through Columbus, Huntington, W. Va., Nashville, Tenn., Atlanta, Ga., and Apalachicola, Fla. It will thus be seen that over one-half of the State of Ohio is now in the eastern-time zone. The millions of people living in this territory had their clocks advanced one hour by action of the Interstate Commerce Commission taken pursuant to the above act. This in itself would have created sufficient confusion and inconvenience, but when in addition to this one hour the clocks were advanced another hour under section 3 of the act, widespread discontent and resistance have resulted. Other like conditions have been created in other parts of the country, but owing to a lesser density of population fewer complaints have been heard.

The hearings disclose that there is almost universal complaint from the coal miners, truck gardeners, and farmers in eastern Ohio, Indiana, and Illinois. The coal miner, as a rule, does not live at the mine mouth, but in a town or city some miles distant. He must get up before sunrise to get his breakfast, make his train or car for the mine to start the day's toil at one hour ahead of sun time. His wife must get up even earlier than he does to prepare his breakfast. He finishes his work while the sun is still high and returns home, but must go to bed while it is still light in order that he may secure sufficient sleep for his next day's work. For men engaged in such dangerous and arduous work as coal mining Congress should legislate to lighten their burdens, and their comfort and necessities should more strongly appeal to us than the pleasure and convenience of others.

DAYLIGHT SAVING AND THE FARMER.

The most numerous class opposing the present law is the farmers. Their objections are well founded. As they must maintain their relationship to the public school, the church, the store, and the bank, they feel compelled to observe the law, notwithstanding the fact that the law is not mandatory. They find it difficult and often impossible, if they observe clock time, to get assistance from their children in doing the customary farm chores if the children are to reach school at the advanced hour each morning. Village and city stores observing the present law close at 5 o'clock sun time—the very best hour in the whole day for harvest work. The movies and other places of amusement begin while he is still in the midst of his work. Churches close their evening services while it is yet daylight. As to all this, proponents of daylight saving urge that the farmers ought to be willing to adjust themselves to the new conditions notwithstanding the inconvenience and loss such conditions may entail. The farmer with greater reason might ask that the dwellers in cities should do this adjusting; that as his labor produces the food for both urban and rural populations and during this war for the armies and people of Europe, he is entitled, now that the war is over, to enjoy the normal conditions which existed since the birth of the Republic.

The present law works a hardship upon the dairy farmers and truck gardeners, in that they must get up early enough to get their milk and vegetables to the depot for shipment to the cities in a sanitary condition, and, as to milk, early enough for the breakfast table. This means early rising for the housewife and for all members of the family. It disturbs nature's plan for both man and beast. Under the statutes of some States milk, after milking, must be cooled to 60° and even pasteurized before being put aboard milk trains for the market. All this takes time and compels early rising.

A most frequent cause of complaint arises from the inability of farmers and their hired help starting early in the morning because of the dew. From one to two hours are lost waiting for the sun to dry the fields. Under sun time at least one hour would be saved and could be added to the latter part of the afternoon. This hour, as every farmer knows, is the best for harvest work of the 24. Under the present law hired farm labor in many parts of the country, and in rapidly increasing extent, quits with the blowing of the whistle in the near-by town. With stated hours of labor, time lost or unprofitably employed for the first hour or two of a clock-time day means loss to the farmers and will inevitably result in an increase in the cost of food.

The disparity between present time and that observed before the enactment of the daylight-saving law in the eastern half of Ohio, as above set forth, and in other sections like circumstanced, places the farmers living therein under a severe and unfortunate handicap.

That hired labor on the farm is rapidly assimilating the hours and methods of labor in the industries was brought to the attention of the committee by Thomas C. Atkeson, representative of the National Grange, Patrons of Husbandry, the largest organization of farmers in the United States, with State organizations in 33 States and with 750,000 dues-paying members. Mr. Atkeson said:

"We are adopting rapidly the eight-hour day on the farm. On my own farm it was done to some extent last summer. If that eight-hour day was the standard time, and we are about halfway between these two standard times, between the eastern and the central standard time, a large percentage of the farm operations can not be carried on successfully and profitably in the early morning. We can not begin cutting wheat with our binders because it is too wet, first, as a mechanical proposition, to be successfully handled; it is too wet to be put away, and so we loaf around an hour in the morning waiting for the dew to dry off, and then we go to work, or maybe two hours, if it is a damp morning. But our men quit at 5 o'clock in the afternoon, and they have done maybe six hours' work when they ought to have done eight. There are certain crops, like beans and potatoes, and some others, that every farmer with a grain of horse sense knows ought not to be cultivated when the dew is on, and so if it is the time for cultivating those crops he loafs or does some chores that are unprofitable, and at 5 o'clock in the afternoon, which is 4 o'clock by the standard time, as you move up, and then the sun is at an angle of 45° or more, and you have the productive energy that the farmers curtailed anywhere from 12½ to 25 per cent. It would not be so bad if we could continue to begin in the morning at 4 o'clock and work until 8 or 9 o'clock at night, as was the universal practice some 40 or 50 years ago on the farm. But our labor-union people have taught us a lesson, and we have come to a place now where the farmers of this country are going to advocate that no farmer's boy shall strike a lick until he is 16 years of age, and that no farmer's wife shall cook a meal except she gets credit on an eight-hour basis."

"If you want to cut off 25 per cent of the productiveness of the American farmer, just keep this law on the statute books, and we have not any fear if it does cut off our food productivity 25 per cent, because our Agricultural Department is authority for showing that the smaller the crop the larger the pay we get. We are not going to pay if this is cut off. I want to serve notice on everybody to that effect, and we will make it a six-hour day, if you want it, and this is what this does in many farm operations. We will stand just as much of that as anyone, and we have reached that place in this country where we may say this with every assurance.

"You can pass laws for the soldiers going back on the farm, but they are not going to go there without it is more profitable than some place else.

"If my theory is right, that this law will decrease the productivity of the country 12½ to 25 per cent—and there is not a single farmer in the country who will not agree that that is true—somebody will have to pay for that 12½ per cent, and we will sit around for the dew to dry off while that bill is paid. That is just as demonstrable as mathematics can demonstrate it."

HEALTH AND DAYLIGHT SAVING.

A chief argument for daylight saving is that it promotes health, especially that of the dwellers in cities, by affording a larger portion of daylight for outdoor work and sport. This may readily be conceded to a certain extent, but not to the extent claimed. Work in war gardens, if continued now that peace has come, is healthful and in a way productive to those who are able to own or lease the necessary land, but means nothing to the teeming thousands in the crowded

tenements who are the very ones who would be most benefited. They, in the heated season, after their day's toil, find little relief in the hour of added daylight. What they want is relief and an opportunity to sleep.

We live in a fast age; we can not crowd enough into the ordinary day so we by law rob night, or the normal period of rest, of an hour. Our soldiers grew healthy and strong because a sufficient time was prescribed for sleep. With twilight as late as 9 o'clock, by clock time, "sitting up late" is becoming a habit with thousands of children as well as of grown-ups. Some writers and teachers have called attention to the growing irritability of children and to a reduced efficiency in school work, due to a marked shortening of the hours of sleep. What children, as well as older people, need in these days of tension and excitement is not so much an increase of the hours of daylight as of sleep—"sleep that knits up the raveled sleeve of care."

SAVING OF COAL.

Much stress has been laid by proponents of daylight saving upon the fact that about 1,250,000 tons of coal were saved last year. The claim is not capable of demonstration. When it is remembered that our total coal consumption last year amounted to about 600,000,000 tons, this alleged saving is quite inconsequential. The shortage of coal last year, due to congestion of traffic and inclemency of weather and to the need of strictest economy on the part of the people in all sections, renders any claims of coal saving based on the present daylight law very questionable.

WHO OPPOSE THE LAW?

Practically every farmers' organization in the United States.

Over 300 farm papers and magazines.

The Legislatures of Arizona, South Dakota, Illinois, and Wisconsin, which have sent memorials to Congress. These States have a population of over 10,000,000. Many village, township, and county organizations through resolutions adopted by their respective officials.

The Illinois State Labor Federation.

The Federation of Labor on the 10th of this month, at its annual convention now being held at Atlantic City, N. J., by a vote of 450 to 180 voted down a resolution protesting against the repeal by Congress of the daylight-saving law.

Canada after enforcing daylight saving as a war measure has, since the signing of the armistice, repealed it.

THE AMENDMENT.

The committee recommended an amendment of the bill by making the repeal of the third section effective "on the last Sunday of October, 1919," instead of the third Sunday after the approval of the act. It was persuaded to do this because the legislatures of the States of New York and Pennsylvania had enacted laws in conformity with the Federal act. If Federal repeal became effective on the third Sunday after approval, it would result in great confusion and conflicts which would result in litigation. This, it was asserted, would be true with reference to contracts of insurance, negotiable instruments, contracts of deliveries, service of legal papers, etc.

AMENDMENT OF TITLE.

The title of the bill should be amended so as to read:

"A bill providing for the repeal of section 3 of an act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918."

The SPEAKER. The gentleman from Tennessee is recognized for one hour.

Mr. SIMS. Mr. Speaker and gentlemen of the House, this act was passed, as stated by the gentleman from Wisconsin [Mr. ESCH], and approved on the 19th of March, 1918. It has been in operation only one season, and that was last year, from the last Sunday in March to the last Sunday in October.

In every arbitrary disturbance of existing conditions somebody is inconvenienced, some few, at least. That few will always demand a repeal of the law which produces the change. The daylight-saving bill was considered by the Senate and House together for more than one year, and my recollection is that when it passed the House there were only 40 votes against it on a yea-and-nay roll call.

Simply as chairman of the committee I had charge of the bill. It was not my personal bill. It was a Senate bill, introduced by a Republican Senator, Mr. CALDER, from New York. We amended the bill in the House committee by adding two months' additional time called summer time, so that the law should apply from the last Sunday in March instead of the last Sunday in April and the clock be retarded on the last Sunday in October instead of the last Sunday in September, as provided in the Senate bill.

That amendment was made upon the argument of an existing war condition requiring the application of the law for the additional month to save coal. Some have said this was a war measure, presented and advocated alone as a war measure. Nothing is further from the fact. The fact that a war existed was used as an argument in favor of passing the law, in order to save fuel and the expense of one hour's additional lighting at night by electric and gas light; but there was not a word in this law from beginning to end providing that it should terminate upon the termination of the war or at any other time. Every strictly war bill that was passed provided on the face of it when it should cease to operate, the railroad bill in 21 months, the wire-control bill upon the proclamation of peace, war prohibition upon the demobilization of the Army, and so every war measure provided on the face of it a limitation when it should automatically cease to exist.

There was absolutely no limitation in that bill. It was not strictly a war measure. The fact that war conditions then existed was one of the arguments urged for its passage. The results of those same war conditions still exist, in the high cost of living. One object in passing this bill was to encourage village and city gardening, the planting of gardens to produce vegetables that otherwise would not be produced, to reduce the cost of living to that extent; and moving the clock forward one hour, with the month when the days and nights became equal, and retaining it for a month after the days were shorter than the nights, was done alone with a view to encouraging the increased production and gathering of food vegetables. Now, food is just as high as it ever was. Why should we repeal this law until conditions resulting from the war cease to operate, if at all?

Now, the amendment put on by the committee, that the repeal shall not take effect until the last Sunday in October, is a very proper amendment, and if the bill passes, that amendment, of course, ought to remain in it; but I have a surmise that that amendment may not be agreed to. In that case the bill would go into effect immediately upon its approval, and every city and village gardener who has planted his garden, with a view of having this extra hour in the afternoon to cultivate his garden, will have his garden destroyed. No wonder the truck gardeners are in favor of this bill, because it removes one element of competition; that is, the gardens of the people who live in cities and villages. One-half the population of the United States live in towns and cities of 2,500 and over. The last census showed 46 per cent of the population living in towns and cities of that size, and the towns are all the time on the increase over and above the increase in the country.

I have always been taught that legislation was proper which provided for the greatest good to the greatest number. Every county in my district is an agricultural county. In every county in my district agriculture predominates, and I have received only one letter, and that since the bill was reported, in opposition to the daylight-saving law. Not a letter from the State of Tennessee have I received in favor of the repeal, not a letter have I received from any State in the South in favor of the repeal. Not a letter have I received from anywhere, except where adverse propaganda seems to have been carefully fostered and public sentiment built up by it.

Now, how does it affect the farmer? The farmer who cultivates his land with his own labor and that of his family is not affected at all. There are no hours of service on the farm. Seasonal and weather conditions control work on the farm. Farmers plow from sunup until sundown when the land will do to plow and the weather is clear. When it is too wet to plow, they do not plow at all. So no hours of service law can possibly apply to farmers as a class and to farming as a business, as they apply to industrial, manufacturing, commercial, and professional occupations.

Again, a very small per cent of the labor on farms is performed by hired labor. There are no service hours and there is no service law in effect in any State in the Union touching agricultural labor that I am aware of. There is no compulsory education law that I know of in any State in the Union that prevents the farmers' sons working upon the farm before they become 16 years of age, as there are in many cities. Now, who does it affect, except as a mere matter of convenience? Remember, we had arbitrary standard time zones when this law was passed. In 1883 the railroads determined for themselves, without warrant of law or authorization of Federal or State laws, that they would divide the country into operating zones, having arbitrary clock time in each zone. The zones were about 1,000 miles wide, from east to west, and it was 12 o'clock at the same time in every portion of each zone by all the clocks, while by meridian or sun time it was not. The people at the start complained of these things. Many cities had both railroad time and sun time. In a little while those people who had complained voluntarily abandoned their old sun time and adopted the new railroad standard time. And even now some gentlemen on the floor of this House talk about repealing this law and going back to sun time. They are so young that they do not know that we have not had any sun time in the United States since 1883. Every farmer in the United States to-day can operate his farm without any reference to this law.

Where is the great trouble? It is in the great wheat-growing States of the Union, especially in the State of Kansas, where they are growing the largest crop of wheat that was ever grown by any State since it was a State, with a Government guaranteed price of $2.26 a bushel at the primary markets, to be paid for by the taxpayers of the United States, unless the world's

market for wheat during this and next year continues above that price.

Now, really it takes only about two or three weeks to harvest the wheat crop. The harvesting is nearly all done by machinery. It is true that during the harvesting period the wheat-growing States have to hire extra labor for these two or three weeks, but they can hire labor by the hour as well as by the day. It is just as easy to pay a man 50 cents an hour and let him work 8 hours or 10 hours as it is to pay him a per diem wage, for $4 or $5.

Now, as to the inconvenience caused by changing the boundary of some of the zones, and I have only heard of much complaint as to one zone. The eastern boundary of that zone was moved west about 100 miles and it did bring inconvenience in the eastern part of the old zone. But that cause of complaint can be obviated when the railroads return to private operation. If in eastern Ohio the central time zone works a hardship, rather than repeal a law applying to 110,000,000 people, why not let Congress exercise the power that it has and reestablish the eastern boundary of that zone?

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. MOORE of Pennsylvania. The gentleman was speaking a moment ago about the opposition that comes from the farmers to this daylight-saving law. I want to ask the gentleman whether he has given consideration to the very great interest in the repeal of this measure by the electric light and gas companies who have been deprived of an hour of service throughout the land since the daylight law has been in operation.

Mr. SIMS. Oh, that is so clear that it hardly needs to be referred to. When midnight comes an hour earlier than it otherwise would, every gas company and every electric light company and the public-service companies that operate them lost revenue for one hour that they would otherwise have received, and the picture-show people are affected to some extent.

Mr. TINCHER. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. TINCHER. Did I understand the gentleman correctly in saying that it takes the Kansas farmer three weeks to produce a wheat crop?

Mr. SIMS. Oh, no; I said the cutting and harvesting the wheat took two or three weeks; that it does not take more than three weeks to cut the wheat.

Mr. TINCHER. Does the gentleman know that the dew affects alfalfa and other crops as well as wheat, and does he know that the Government has never been out a dollar for the guaranteed price of wheat in Kansas?

Mr. SIMS. If the Kansas wheat grower and the Kansas hay producer can not work on account of the dew, then many millions of people can not cultivate their gardens in the morning on account of the dew, and you want to deprive them of the hour that they could use in the afternoon for the benefit of these gentlemen in the great wheat-growing States, who want to get 10 hours' work for 8 hours' pay and who are not willing to pay for overtime work in the wheat fields. There has not been an acre of wheat or of alfalfa or an acre of oats lost by reason of this law during the last year, and there will not be one acre lost on account of the law this season.

Mr. TINCHER. Is it not a fact that there was but one person that had a garden who protested against the repeal of this law?

Mr. SIMS. Not one, but thousands of them.

Mr. TINCHER. The chairman says that there was but one.

Mr. SIMS. Perhaps he did not get all the protests.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SIMS. If I have time.

Mr. MOORE of Pennsylvania. Does the gentleman know that no gentleman on the floor who opposes this repeal can obtain time from the chairman of the committee to discuss this matter?

Mr. SIMS. No; I did not know it.

Mr. MOORE of Pennsylvania. A Member opposed to the repeal of this law can not get a minute's time from the chairman of the committee. In view of the unanimity expressed for the bill, I thought——

Mr. ALMON. We who are in favor of the bill can get no time from the gentleman from Tennessee [Mr. SIMS]. [Laughter.]

Mr. SIMS. The reason of that is that I have to yield to everybody on the other side who opposes the bill as well as on this side.

Mr. FITZGERALD. And additional time which was asked for was objected to on that side of the House.

Mr. SIMS. It was objected to by the chairman of the committee.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. MOORE of Pennsylvania. If I could get the time to read the speech of the gentleman from Wisconsin [Mr. ESCH] when he was in favor of this bill, I would be satisfied to let my argument rest on his speech.

Mr. SIMS. Mr. Speaker, there is no Member of this House who is more anxious to foster and promote the interests of the farmers than I am. I was brought up on the farm, but unfortunately while my father was a farmer he was a tenant and not a farm owner. As the son of a poor land renter I had an opportunity by sad experience to know what a hard lot falls to all those in a like situation. During my boyhood life, year in and year out, I had to help in cutting bushes and briers and digging up grubs and roots on fields that had grown up with briers and brushes while lying uncultivated during the War between the States, and it often happened that after I had by slavish labor prepared a field for easy cultivation the landowner would not let us have that field for the following year, but would take it for himself and offer us another overgrown field for like treatment or else get off his land and go elsewhere. It was often impossible to get land at all except upon such hard terms.

It was not a question of "dew upon the grass" or "hours of service" with the tenant class. It was work from daylight until dark or starve. My hope and my only hope was that at some time in life I might be able to own land enough for one man to cultivate, so that I would not have to move every season or else clear up a new briar patch every year.

Little wonder that the land renter grew weary of such a life for himself and family, left the farm, and went to town and city and sought employment in industrial and mechanical pursuits. For such reasons, in part, the trend for the last decade or two has been from the country to the cities, and will continue so to be until the life of a tenant farmer has been made at least more tolerable than it has been heretofore.

Mr. Speaker, the true policy for this country is to adopt such a course as will increase the number of farm owners and decrease the number of farm tenants and farm wage earners. But, I regret to say, the opposite tendency has been in evidence for the last 20 years. While the average size of farms is on the increase, the number of farm owners is on the decrease, with the natural result of an increase in tenancy. I know of but one thing that can or may be done to change this tendency, and that is by both Federal and State legislation to put a graduated land tax upon farm holdings, so adjusted as to discourage large holdings of agricultural lands and to correspondingly encourage small holdings. In this way only, in my judgment, can we build up and increase rural population and increase by several fold the per acre yield of our farms.

But, getting back to the practical questions involved in the repeal of this law, I beg to call attention to the very serious effect it will have upon the smallest of all farmers and of all persons those least able to bear the loss that will come to them. Multiplied millions of people and a large per cent of them from the country who live in towns and cities and in nearby farms and suburbs depend for a considerable part of their food supplies upon gardens. The food supplies thus secured are almost without cost, as they are produced in back yards and gardens without additional payment of rent or taxes and without labor cost as they are cultivated late in the afternoon after the day's work in the city or town has been done. These garden vegetables can not be cultivated in the early morning hours, as it is very injurious to cultivate them while the dew is on them, but they can be cultivated in the late afternoon when no dew is on them. During the long summer days by advancing the clock one hour either on the last Sunday in March or April and retarding it one hour on the last Sunday in September we enable these millions of people to put in one hour of each working day during the five or six months, as the case may be, of each year in producing valuable food vegetables without any additional cost to them and without any loss of time from their daily occupations. No freight, interest, or distribution charges are to be paid on the food products so produced.

These farm products are a clear net reduction in the cost of living to every family producing them, and the repeal of the daylight-saving law will in effect add to the cost of living to each family who will be deprived of these farm products so produced by depriving them of one additional hour in the afternoon in which to produce them.

The farmers in the country where no hours-of-service laws, customs, or regulations exist can so adjust their hours of work upon their farms as not to lose any time suitable for work, but the city and town garden farmers can not so adjust the hours they have to work in stores, factories, and shops as to give

them the one additional hour in the afternoon without the benefit of the daylight-saving law.

Mr. Speaker, I firmly believe that if it was generally known by the farmers throughout the country what a great saving the daylight-saving law has been and will continue to be to the millions of people who live in the cities, who by their daily labor can barely earn enough to keep soul and body together, would not demand the repeal of this law until the cost of food products are materially less than they are now.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Chairman and gentlemen of the House, at the proper time I propose to offer an amendment to the pending bill to make it go into effect immediately upon the approval of this act. [Applause.] In my district I have 8,500 coal miners of voting age. There are many other coal miners too young to vote. I have heard from most of these men, directly or indirectly, about this daylight-saving legislation. They are entirely out of patience with this character of war legislation hanging over and regulating their affairs after hostilities have ceased.

The SPEAKER. Does the Chair understand that the gentleman offers an amendment If so, he should send it to the Clerk's desk.

Mr. BLAND of Indiana. I want to introduce the amendment before the time closes, but I have not the amendment prepared, but will do so. These 8,500 men in Indiana did not complain at turning up the clocks an hour when it was regarded as essential to whipping the Kaiser. Coal miners of my district did all they could do to help the allied cause, but a peculiar condition applies to them in connection with the daylight-saving regulation. They have a right to complain that we are not getting back to a peace basis in this and other matters.

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

Mr. BLAND of Indiana. No; in the short time that I have I regret that I can not yield to my good friend, Maj. LAGUARDIA. The miners of my district refused to begin work at 7 o'clock under the new time, and either struck or were going to strike, but it was agreed finally between operators and miners that they could go to work at 8 o'clock in the morning. Well, some of the advocates of retaining daylight-saving will say, "Why isn't this satisfactory with them." I will tell you why. When they get back home in the evening, after they have come in from the coal mine and have their suppers, they find the stores closed and everything they desire to attend to in the city has been regulated by the new time, and therefore they are greatly inconvenienced.

They can not go to work at 7 o'clock in the morning because many of them go out on miners' trains many miles, ofttimes as far as 15 miles, or they drive a half dozen miles, or they walk 3 or 4 miles. They must get up early even under the old time, and their families are dragged out at an early hour in order that the breakfast may be prepared and the bucket for the miners filled for their noonday meal. I think our coal miners rightfully refused to further obey the daylight-saving act, and anyone who studies their side of the case is going to agree with them; but it is a hardship to have this law still in effect, as I have just explained, and it should be repealed—not repealed, gentlemen, to go in effect next October, when the clock, under the law, is turned back anyway, but it should go into effect immediately upon approval, and if you adopt my amendment this is exactly what will happen.

The farmers of my district are almost unanimously opposed to it, and their reasons are good. They have been enumerated here this afternoon, and I am not going to take the time to go over that subject matter again.

I am told that the chief objectors to the repeal of this law are the golf players and the men who work short hours and want long afternoons for their pleasure and amusement. [Applause.] We do not play much golf down in our section of the country. Playing mumblety-peg and pitching horseshoes are among our finest sports. However, that does not require very much time or any special part of the day.

If New York and Pennsylvania by special legislation have unwisely advanced clocks, their lack of foresight should not be permitted to be the occasion for the punishment of the balance of the great United States, who have had the good sense to get away from the artificial time arrangement as soon as they could.

I know of a town in Georgia where the noon whistle blows at 9.30. I am told that under sun time and the establishment of the meridian lines they are 30 minutes earlier than the sun. The daylight-saving act moved their meridian an hour and the clock was moved up an hour by section 3 of the act, which section we seek now to repeal. It often occurred that fellows would start from an adjoining town lying to the east, 10 miles away, at 7 o'clock and arrive in this Georgia town that is so afflicted and have their breakfast by 5 o'clock in the morning.

In common sense how can anyone advocate the continuance of such absurd conditions. Were we not getting along well enough before this change was made. Hostilities have ceased. Why continue to carry the reminders of this bloody nightmare. Let us take care of those who suffered by reason of the conflict and restore the Nation back to its grand old position of greatness and power, unhampered by unnatural, unwholesome, and unpleasant regulations, occasioned ofttimes of necessity, but no longer essential.

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

Mr. BLAND of Indiana. Not now. The sentiment in the Middle West is almost unanimous for the repeal of this law, and I hope, gentlemen, that such action will be taken here to-day as will result in immediately putting into effect the old time.

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

By unanimous consent, Mr. BLAND of Indiana was granted leave to extend and revise his remarks in the RECORD.

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Speaker, in view of the statement made by the gentleman from Indiana [Mr. BLAND] that he intends to offer an amendment making the repeal of this act go into effect immediately, I want to say just a word about the committee amendment. The bill as introduced provided that it should go into effect at 2 o'clock antemeridian on the third Sunday after the repeal of the act, and the committee amended the bill so as to make it go into effect upon the last Sunday of October, 1919. In other words, the repeal will not go into effect until the hour when the clock would under the law be set back to the mean astronomical time. The purpose of that amendment ought to be known to the Members of the House before the bill is voted on.

Shortly after the act was passed by Congress providing for the advancement of the clock between the 1st of March and the last day of October the State of New York passed a daylight-saving law corresponding exactly with the act of Congress, and providing that the clocks should be advanced under the State law just the same as under the Federal law. In other words, the State of New York passed a law providing for standard time and for daylight saving just the same as Congress did, and I think since then, and quite recently, the State of Pennsylvania has done the same thing. The State of New York can not repeal its law before next winter, as I understand it, because the legislature of that State will not meet or be in session, unless it is called in extra session for that purpose; and if Congress should repeal this law and make it effective immediately it would leave two standard times in the State of New York and perhaps in the State of Pennsylvania, which would result in great hardship and confusion.

Mr. ROSE. Mr. Speaker, will the gentleman permit me to make the suggestion that the Legislature of the State of Pennsylvania will not meet again until 1921?

Mr. DENISON. I understand that the Legislature of Pennsylvania, as the gentleman says, will not meet until 1921. But the legislature of that State passed their law late in May, after the sentiment of the country in favor of the repeal of the law was quite pronounced and was being widely agitated. At any rate, the Legislature of the State of New York will not meet until next winter. It will, no doubt, result in great confusion and possibly a great deal of litigation if there should be a Federal standard time law and a different State standard time law in force at the same time. Therefore the committee amended the bill so that it will go into effect the last day in October, when the clocks will be retarded under the law as it now is.

Personally I would like to see the law repealed now, but the committee thought we should try to avoid confusion and injury and litigation that might result from an earlier repeal if we could do so.

Mr. Speaker, the so-called daylight-saving law, part of which this bill seeks to repeal, was considered in the House on the 15th of March, 1918, and, after one hour's discussion, was passed. It was approved and became a law on March 19, 1918. It dealt with two separate and distinct subjects.

First, it authorized the Interstate Commerce Commission to divide the United States into five time zones, each 15 degrees in width; and it established standard time for each of the five zones, to be know as Eastern, Central, Mountain, Pacific, and Alaska time.

In the second place, it provided for advancing the clocks in each of these zones one hour between the 1st day of March and the last day of October each year, and this is the part of

the law that gave it the name of the daylight-saving law. It will be remembered that before 1883 there was no standard time in the United States; each city or community, generally speaking, followed the time of the particular railroad, or some particular railroad, that entered that city or community. A great inconvenience resulted from the lack of uniformity or standardization of the time, and in order to improve this condition as much as possible the American Association of Railroad Managers divided the continental United States, excluding Alaska, into four zones, each 15 degrees in width. Geographers have drawn 360 longitudinal lines from the North Pole to the South Pole, each 1 degree from the other, because there are 360 degrees in the earth's circle or circumference; and these longitudinal lines are numbered east and west from the one running through Greenwich, England. Since the earth revolves from west to east on its axis once in 24 hours, or, as we commonly would express it, since the sunlight travels completely around the earth in 24 hours, it, of course, would travel over 15 degrees on the earth's surface in one hour. As the continental United States, excluding Alaska, is about 60 degrees in width and the sun would travel over it in about four hours, therefore the railroads in 1883 divided the country into four zones of 15 degrees each and established a standard time in each of the zones, the time in each zone being one hour earlier than in the zone adjoining it on the east. Gradually the people became accustomed to this standardization of the time by the railroads until it received general recognition by the courts, the Government, and the people. But this fixing of standard time by the railroads had no legal sanction until the so-called daylight-saving law was passed on March 19, 1918.

The first section adopts the standard time generally in use and established by the railroads as the standard time of the United States, provides a fifth zone for Alaska, and authorizes the Interstate Commerce Commission to fix the boundaries of the zones.

The second section provides that within the various zones created by the act the standard time of the zones shall be the official time of the United States, regulating its courts, administrative offices, and all legal proceedings done under the laws of the United States, and shall govern the movement of all common carriers engaged in interstate commerce.

The fourth section names the standard time in each zone.

The third section deals with an entirely different subject, and provides that on the last Sunday in March each year the standard time of each zone shall be advanced one hour and on the last Sunday of October in each year the standard time of each zone shall, by the retarding of one hour, be returned to the mean astronomical time of the degree of longitude governing said zone.

It is this third section of the law that has given cause for complaint and that has resulted in a great deal of agitation in different parts of the country, both for the repeal and the retention of the law.

There has been no complaint, and there could be none, about the other sections of the law. Such legislation as that should have been enacted years ago.

The law has come to be known as the daylight-saving law, although the daylight-saving feature of the law is only found in the third section, and the bill now before the House is for the repeal of the third section of the law only.

There was no fundamental principle of political economy or political policy involved in that section of the act which provides for daylight saving, nor is there any involved in its repeal. No personal or political or property rights are involved. The law was passed by Congress after we entered the war and under the stress of war necessities, in pursuance of what seemed to be a general public sentiment in favor of conservation legislation. The European countries—particularly the northern ones—that had for several years been directly or indirectly involved in or seriously affected by the war, had passed daylight-saving laws to conserve their supply of fuel and, as it was thought, to promote the welfare of the great numbers of workmen and workwomen who had been diverted from ordinary pursuits and placed to work, because of military necessity, in the factories where the strain was intensive and the hours of labor long. The thought that a great deal of fuel could be saved by advancing the clock one hour during the summer months, and an extra hour of daylight for rest or recreation or outdoor work could be given to the people living in the cities and those working in the factories, resulted in the enactment of daylight-saving laws in some 12 or 14 countries in Europe; and Congress, following the example of those countries, put a daylight-saving provision in the law which this bill is intended to repeal.

The daylight-saving law was passed as a war measure. I have reread the discussions, both in the House and the Senate, when the law was considered and passed. While there were several Members who advocated the law as wise legislation for the country even in time of peace, most, if not all, of them also sought to justify it as a conservation measure made important, if not necessary, by reason of the fact that the country was at war.

Mr. Borland, who drew the bill and introduced it in the House, and who was, perhaps, more influential than any other Member in securing its passage, said in his presentation of the bill:

> We have also the result of the experience of the European countries, where it has had a practical test for the last two seasons. In both France and England it goes into operation by virtue of executive order, and if it had not fully demonstrated its usefulness as a war measure it would not have been continued through the third season of its trial. It is, in fact, a very important war measure at this time.

Mr. ESCH, the present chairman of the committee that has reported the bill, said in the House at that time:

> It will save time; it will save light; it will save fuel; it will increase the comforts of thousands of people. It will aid in the prosecution of the war, and all these are factors which justify Congress in adopting this act.

Congress was at that time engaged in the consideration of war legislation. We were impressed from every source with the necessity of conserving every national resource. We were willing to enact legislation that would encourage speeding up and conserving any resources that were so necessary as fuel in the prosecution of the war. So I think it can be said without the fear of being questioned that if the country had not been at war, if there had not been an urgent necessity of saving the fuel supply of the country, as well as making the cost of living as light as possible, this daylight-saving law would not have been passed by Congress.

It was an untried experiment in this country, and it has not proven satisfactory. It has, no doubt, been beneficial to some, but it has been an inconvenience and caused discontent to others. I think it should be repealed, like a great deal of other legislation that Congress passed under the stress of war.

As I have said, there is no fundamental principle of political economy or political policy involved. It is a question largely of convenience to certain classes of people. Those who favor the law claim that by advancing the clock an hour each year during the summer months we thereby add greatly to the convenience of the people living in large cities, and especially those working in the factories, by permitting them to leave their work an hour earlier in the afternoon, thereby giving them more daylight time for gardening, for sports, for rest, or recreation, and that you also add to the convenience of the professional men and of the men engaged in various lines of business by permitting them to close their offices or places of business an hour earlier in the afternoon, thereby giving them more daylight time for golf or other sports or for rest with their families, and that it adds to the convenience of certain classes of working people living in the large cities or in the vicinity of large cities by giving them an extra hour of daylight time in the afternoon to do home gardening.

So every argument that has been advanced in favor of the so-called daylight-saving law amounts in its last analysis to a plea for a contribution by legislation to the convenience of certain classes of people in certain restricted localities in the country. The only possible way in which such a law can be said to contribute to the welfare of the people is that by adding to their convenience you contribute to their happiness, and by compelling them to take an hour of daylight time from their work and to use it, if they choose, for rest or recreation or for such other purposes as they may desire you thereby contribute to their health or happiness.

I think it is undoubtedly true that the daylight-saving law has been of some real benefit to certain classes of people in the large cities who work in factories or in other employments that deprive them of outdoor exercise and living.

But the value of such legislation is largely psychological. It is a good illustration of one way we can benefit some people by fooling them. And it goes to prove what a well-known man once said, that the American people like to be fooled. If Congress had enacted a law compelling the people during any part of the year to get up an hour earlier in the morning, go to work an hour earlier, quit work an hour earlier, and go to bed an hour earlier each day than they were accustomed to doing, such a law would have been unconstitutional, and we would have been denounced as usurpers and despoilers of the people; and we might have been run out of the country by an enraged people for such an outrage on democratic government, such an offensive meddling with their personal habits and liberties.

And yet Congress did exactly the same thing indirectly by legislating the clock one hour ahead of the sun; and for doing

so we are from some quarters acclaimed as most wise and able legislators. One enthusiastic witness even told the committee that the daylight-saving law was a law in the interest of true democracy. By setting the clock an hour ahead of the sun we did by indirection what we could not have legally done nor would have dared to do directly.

But the trouble with the law is that its beneficial results have been largely local. While it may have added to the pleasure and the convenience of those living in some localities or engaged in some occupations it certainly resulted in great inconvenience and even injury to those millions who live and work upon the farms and in other outdoor occupations, and to the hundreds of thousands of men who work in coal mines. The evidence heard by the committee almost without exception shows that the farming interests all over the United States are very much opposed to the daylight-saving law and are earnestly urging Congress to repeal it.

Generally speaking, work on the farm, especially during summer harvest, can not begin at an early hour in the morning on account of the dew, and where farm labor is not controlled by labor regulations it continues until sundown of evenings; so that when the farmers and the farm laborers finish their work and go to town the stores have closed; it is too late to attend lectures or places of amusement, and they are thrown behind the rest of the community and are thereby greatly inconvenienced. On the other hand, if it should happen that farm labor is controlled by labor regulations, so that those working on the farms have to quit work at certain hours in the afternoon, it is claimed they can not get in a day's work, because of the necessity of delaying the beginning of work in the morning.

At any rate, the State farmers' organizations in 33 different States, local farmers' organizations in the other States, the farm journals without exception, and the farmers themselves all over the country are protesting against the further continuance of the daylight-saving law and are asking for its repeal. They acquiesced in it during the war for patriotic reasons, but they see no further necessity for it now and ask for its repeal.

The State federations of labor of Illinois, my own State, and of Iowa, and I think of other States, have passed resolutions favoring the repeal of this law, and the local miners' organizations all over the State of Illinois, and Indiana, and Ohio, as I am informed, and even of other States, are almost unanimously asking for the repeal of this law. Coal miners have to live a pretty hard life under the most favorable conditions. Their work begins at 7 or 7.30 o'clock in the morning. Coal mines are never located inside of city limits. They are generally several miles from the towns where the miners live, and very often, if not always, miners have to walk from their homes to the mines. In order to do so they must arise quite early in the morning, and their families must arise even earlier in order to prepare their breakfasts and their lunches which they must take with them into the mines. By advancing the clock an hour during the summer months coal miners and their families are compelled to arise long before daylight to begin their day's work, and this results in a hardship and an inconvenience which they prefer not to suffer simply in order that they may get out of the mines an hour earlier in the afternoon.

After all, it is apparent that the customs and manner of living among those who dwell in the tenements and crowded homes of the great cities and those who work in factories can not, in the very nature of things, be harmonized and made uniform with the customs and manner of living of those who work in coal mines and those who live and work on farms and in the open. A regulation of the hours of beginning and ending work and of arising in the morning or retiring at night that might contribute to the convenience or to the economy or even the health of the one might not do so for the other, and vice versa. This always has been so and always will be so.

And this difference in the habits and the manner of living must be especially so in a country that is so large in extent and so diversified in occupations as the United States. A daylight-saving law that might prove satisfactory and even wholesome for a small, thickly populated country like England or other European countries would not prove so satisfactory or so wholesome to a great country like the United States, where a part of the population who work in factories are thickly congested in the large cities and another great part of the population is engaged in outdoor work, and maybe sparsely scattered all over our extensive domain.

At any rate, Mr. Speaker, there is, in my judgment, and always will be a material difference between the manner of living and the manner of working of those who work in the factories and those who work on the farms that can not be reconciled; and when that is true, my own theory is that the Federal Government should not undertake to enact legislation that will have the effect merely of contributing to the convenience or regulating the manner of living of either the one class or the other. Our legislation must be general and must be for the benefit and welfare of all the people, and where the habits of living and of working of one part of the people are so different from the habits of living and of working of another part of the people that legislation enacted for the alleged benefit or convenience of one will result in injury or inconvenience to the other, Congress should refuse to act at all and should leave the people to adjust themselves to the natural conditions which surround them as best they can. If legislation should become necessary it should be by the State or other local authority where the necessity arises.

Therefore, while the daylight-saving law may have been entirely justified when we were engaged in war and when it seemed to be necessary to conserve fuel in every possible way, I think that Congress should now repeal the law and leave the people where they were before the law was enacted. Personally I do not doubt that whenever the community custom of living or of working under standard time, as it was before this law was passed, shall become so inconvenient or inimical to the health or the welfare of any considerable portion of the people engaged in any particular industry or living in any particular locality, some remedy will be found by which the inconvenience or the injury can be overcome. This is an age of developing and increasing interest in social and industrial welfare. Men of means and of brains are giving more and more time and study to the problems of promoting the health and the welfare of workers every year. There is not a factory or a community or even a State in which some method, some regulation, even though it may be voluntary and local, can not or will not be found to change or overcome any condition that may exist that unduly inconveniences or burdens or injures any considerable number of the people. It is not only not necessary, but I think it is unwise for Congress to undertake to regulate the habits of living or of working, especially when the habits of living and of working are and of necessity must be so different among the people in different parts of the country. Let us repeal this law and let the people regulate their own manner of living and working as they choose.

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, the State of Pennsylvania passed an act approving the daylight-saving law, and it was signed by the governor, according to a telegram received by my colleague [Mr. REBER] on the 23d ultimo, so that the statement made by the gentleman from Illinois [Mr. DENISON] is correct.

Mr. KEARNS. What date was it that the State of Pennsylvania passed that law?

Mr. MOORE of Pennsylvania. The act was approved on the 23d of May. The Legislature in the State of Pennsylvania will not meet again for two years, and we will probably have some confusion and conflict with the national law upon this subject.

I am not in favor of passing laws one year and throwing the whole country into confusion by repealing them the next year. That is exactly what is proposed to be done here. We are now asked to repeal the daylight-saving law in order to satisfy certain people. The total number referred to by the gentleman from Wisconsin [Mr. ESCH] is 10,000,000. That is one-tenth or one-twelfth of the entire population. If he speaks for 10,000,000, then I venture to speak for the other ninety or one hundred million who prefer to have this law stand as it is. [Applause.] The gentleman from Wisconsin, in charge of the bill, and who is very anxious that it shall pass, does not tell you what attitude he took on the bill last year, on March 15, 1918. The gentleman then said he was in favor of the passage of a daylight-saving law. Now he is in favor of its repeal. He said then:

> It is not an untried experiment.

To-day it appears he has discovered that it was an untried experiment.

"Twelve or thirteen nations have adopted it," said the gentleman from Wisconsin then. "Every European nation at war has adopted it, and not one of them has seen fit to go back to the old system."

That was in 1918. Now we are to back track and run behind those other allied nations. But the gentleman then further said:

> The fact that it has proven a success in every country that has tried it is a sufficient justification for this country to adopt it.

Now, ye farmers, rise and applaud——

Mr. ESCH. Will the gentleman permit a question?

Mr. MOORE of Pennsylvania. I will yield to the gentleman.

Mr. ESCH. It was offered as a war measure and I supported it as a war measure and the House adopted it as a war measure,

Mr. MOORE of Pennsylvania. I have a very high regard for the gentleman from Wisconsin and am willing to accept his statement that he accepted it as a war measure. But I continue to quote from the gentleman from Wisconsin under date of March 15, 1918.

Therefore their days covered by the daylight act are very much longer than they would be in the southern latitude.

And then:

However, in the United States there is scarcely a section that will not be benefited by this act.

Was that due to the war? Let me read on:

It will save time; it will save light; it will save fuel; it will increase the comfort of thousands of people. It will aid in the prosecution of the war, and all of these are factors which justify Congress in adopting this act.

Thus spoke the eloquent and forceful gentleman from Wisconsin in 1918.

Mr. BLANTON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not.

Mr. BLANTON. For just one question?

Mr. MOORE of Pennsylvania. Because I have not the time.

Mr. BLANTON. One short question?

Mr. MOORE of Pennsylvania. I have not the time. I am afraid I will get into a discussion and then lose my place. Now, those opposing the daylight-saving law, which was working magnificently for 90,000,000 of people for whom I think I have the right to speak as one of them——

Mr. WILLIAMS rose.

Mr. MOORE of Pennsylvania. Which has enabled the workmen who labor in factories and furnaces during daylight to have an hour of recreation or an hour for what they would, or to work in their own gardens, is being opposed by those who object to having a little dew on their boots in the morning.

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

Mr. MOORE of Pennsylvania. May I have two minutes?

Mr. SIMS. If the gentleman will use it himself.

Mr. MOORE of Pennsylvania. I will not yield to anyone.

Mr. SIMS. I yield the gentleman two additional minutes.

Mr. MOORE of Pennsylvania. I thank the gentleman. I got up this morning at 6 o'clock [cries of "Oh"], and having bathed and had a good shave and a breakfast I proceeded down the street at 7 o'clock and enjoyed the experience and entertained the same thought with respect to daylight that Benjamin Franklin did in London very many years ago. I saw this morning in Washington what Benjamin Franklin saw while walking down the Strand—daylight, but stores closed; sunlight and glorious weather, but nobody on the street. Why? Why, because they had stayed up the night before burning gas and electric light, using up their eyesight and nervous energy. They were wasting the beautiful morning hour in bed. [Laughter and applause.] Yes, in one of the best working hours, they were staying in bed. But that is only one side of it.

The use of gas and electric light and the eyestrain resulting from too much artificial light have much to do with it. If the law is repealed, probably the gas and electric light and coal companies will rejoice as much as the farmers. I have not time to go into that, but it is estimated—and I put those figures in the RECORD when this bill was up before—it is estimated by men who are able to estimate on the subject as to the 85,500,000 incandescent lights reported by the census to be in use in 1915, that it requires to keep those lights going for one hour 6,126 tons of coal. For one hour per day from the end of April till the end of September it requires to keep those lights going 937,000 tons of coal. It is believed that 1,000,000 tons of coal per annum is being saved by the daylight-saving law. The eyes of the children and of the men and women who raise them should also be considered before this law is repealed.

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

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Iowa [Mr. SWEET].

Mr. SWEET. Mr. Speaker, I have listened with considerable interest to my friend from Pennsylvania [Mr. MOORE], and it seems to me that when he claims to represent 90 per cent of the people of this country that he has spread himself over considerable territory and therefore very thin. I will say to the gentleman that this bill as originally passed was a war measure and that I am in favor of its immediate repeal. [Applause.] I am therefore opposed to the committee amendment, and when the bill is presented I trust there will be a majority of this House opposed to that amendment and that the bill will pass as originally presented, notwithstanding the action of the committee. As far as the farmers of this country are concerned, gentlemen, the so-called daylight-saving law should be stigmatized as a daylight-wasting law. And why is that so? Why is it so in connection with the farmer? As a result of this law the farmers of this country lose one hour in each afternoon of the summer months, the best part of the day to plow corn, to kill weeds, to dry hay and put up the hay, to harvest grain and put it in the best condition for bundling, shocking, and stacking.

Mr. ROSE. Will the gentleman yield?

Mr. SWEET. I have not the time. The farmer is in partnership with nature, and his working hours are governed by the unchanged and changeless laws of the universe. His clock should be in harmony with the sun.

If you rob the farmers of this country of one hour of time or any fraction thereof during the summer months, you lessen perceptibly the productive power of the country.

One of the troubles that confront the Nation to-day is that we are short on producers. The high cost of living and the scarcity of food products are positive evidence of that fact. We have too many consumers and not enough producers.

It appears to many of us that the fellows from the large cities are endeavoring to bunko themselves. In a measure they are placing themselves in the position of the dog that bites the hand that feeds it.

The farms of this country are the foundation and source of all wealth. You can not make this country prosperous by passing resolutions in a political convention, or by passing the so-called daylight-saving law, or kindred laws. The wealth of the country must be dug out of the soil. It takes time to do it, and when you take from the farmer an hour in the afternoon you lessen his productive power.

Some have asserted that the productive power of the farmer under the operation of the so-called daylight-saving law has been diminished from 5 to 12 per cent throughout the entire country. If this is true it would materially diminish the surplus that the farmer has to sell. The surplus determines largely the market price of products. The surplus of food products enters directly into the price to be paid by the consumer for the necessities of life. The present high cost of living is largely attributable to the shortage in this country of ordinary food products, such as the farmer has to sell. Let the farmers of this country cease producing for one year and the grass would grow green on the streets of our towns and cities and the railways would stop operating and the whole country would go back to the wilderness from which it sprang.

The producers of this country must be encouraged and not discouraged. A few theorists are continually prating about the saving of coal and gas. There is nothing to this argument as applied to the daylight-saving law. They go on the theory that the people will absolutely follow the clock in rising in the morning and going to bed at night. They also assert that the people of the large cities will have one hour for recreation and play. Is it not plain that if they use that extra hour for those purposes the people will not go to bed any sooner? The coal and gas argument has no foundation in fact. It is a figment of the mind. It is founded solely upon theory. Assertions are easily made.

The farmers are not the only persons interested in the repeal of the so-called daylight-saving law. The dairymen of the country want it repealed. The coal miners in Indiana and Illinois want it repealed. The truck growers want it repealed. The representatives of the American Federation of Labor at a recent meeting held at Atlantic City, N. J., by a vote of 180 to 154 expressed themselves as opposed to the daylight-saving law.

The people of the large cities seem to be for it, for they contend that it gives them an hour of recreation and play—to engage in playing golf and lawn tennis, in going swimming and fishing, and to participate in other sports. It is really too bad that we can not pass a law that will be satisfactory to the people of the large cities and the rest of the country. It seems to be a contest between the people of the large cities of the East and the inhabitants and farmers of the great prairies of the West. The people of the cities are crying out for more air, sunlight, and recreation. The agriculturists are asking that their business interests be not interfered with, and that they be given a chance to produce as large an amount of food as possible, in order that they may feed the people of the cities. The farmers want more time to work. The people in the cities want more time to play. One is asking for man-made conditions and the other is asking to work in harmony with the laws of the universe. The position of one is artificial. The position of the other is in accord with nature.

The great corn and grain fields of Iowa are more eloquent than brick buildings and crowded thoroughfares. The vast expanse of the prairies is more inspiring and health invigorating than stately mansions and crowded tenement houses.

I do not blame the people of the cities for begging to be relieved from the prison walls of the great cities, from their oppressive, stifling air, from their sweat shops, from their homelessness and hopelessness.

What the country needs is more producers. We have too many consumers. Why do not the people of the cities come out to Iowa and become producers? Why do not they move out to the great Mississippi Valley, where there is plenty of land to till; where there is plenty of fresh air and sunlight; where there is plenty of room for toil and recreation; where every person has an equal chance in life; where "a man's a man for a' that"?

If the people of the cities would move out there they would not now be contending for the so-called daylight-saving law, for they would soon find there is no need for it. Seeing is believing, and this very day I want to extend to you gentlemen of the great cities of New York, Philadelphia, and Boston an invitation to come to Iowa—the New England of the West. We welcome you to the greatest agricultural State in the Union—the State with the least percentage of illiteracy. Come out to Iowa and for the first time really feel that you are out of doors and free men. Come out there and behold our cattle grazing on a thousand hilltops; behold our fields of waving golden grain and cornfields extending as far as the eye can reach. Come out to Iowa and enjoy our institutions of learning and receive the blessings and inspiration that naturally flow from keeping in close contact with the soil and near to the heart of nature. Come out there where the sun shines, children play, and men battle for the right.

Come out there where we do not produce millionaires, mendicants, and anarchists; where wealth is equitably distributed and everyone is prosperous, contented, and happy; where the people are thoroughly in sympathy with the institutions and government under which we live.

Come out there and you will not be continually abusing the Iowa farmer, for your hate will turn to love. Come out there and behold the real Garden of Eden. Come out there and really live as you should live and you will not be endeavoring to work against the mandates and decrees of the Eternal God.

Mr. ESCH. Mr. Speaker, I yield to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, the proposed bill to repeal the daylight-saving law offers the best illustration of a situation where a Member of Congress should vote in strict accordance with the wishes of the majority of his constituents. There is no governmental policy involved, and I think on a question of this kind the convenience of a majority of the people in this district should govern. We can get the will of the majority of the people by a vote from this Congress, and while there will be votes—in my opinion, a number of them—to retain the daylight-saving law, I think the votes of the majority of this Congress will show that a majority of the people of this country are not in favor of the daylight-saving legislation.

In the district which I have the honor to represent there are some eight or nine thousand coal miners, and a large part of the district is agricultural; and then there are some manufacturing interests. The farmers and the coal miners are in favor of this repeal, and the cogent reasons urged by them appeal very strongly to me. I find that those engaged in the manufacturing business are in favor of retaining this daylight-saving bill. However, the daylight may be saved by those employees by commencing work an hour earlier. And that was illustrated by a gentleman from New York, who testified before our committee, Mr. Sidney Colgate. They had a daylight-saving plan there, where a number of employees commenced work an hour later, and they inaugurated it for two years. And he testified as follows:

> We started this daylight-saving plan in the summer of 1915. We tried it, beginning with the middle of July, and we thought we would try it until the 1st of September. Toward the end of August we took a vote as to whether we should continue it to the 1st of October, and we got a vote of 94 per cent to continue it to the 1st of October.

The summer of 1915 was before we had any legislation on the subject, and therefore this illustrates the fact that in the cities, where the employees are close to their work, they really need no legislation in order to permit them to put into effect a daylight-saving plan. And I think, Mr. Speaker, that with the repeal of this bill the great majority of the people of the United States will find that the plan works better with the legislation providing for ordinary sun time, or standard time measured near sun time, and then, with the permission of the employees of these large cities, there may be inaugurated the daylight-saving plan by their own arrangement. [Applause.]

Mr. SIMS. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. VARE].

Mr. VARE. Mr. Speaker, I have listened with much interest to the speeches made upon this bill, especially that of the distinguished chairman of the committee, the gentleman from Wisconsin [Mr. ESCH] in which he said that the great mining interests of the country and the great body of miners were in favor of the repeal of this law.

I want the Members of this House to know that I keep in exceedingly close touch with the people of Eastern Pennsylvania. I have consulted with the Members of Congress representing great mining sections of that State, and up to the present time I have the first owner of a mine or the first employee of a mine to ask for a change of this law. I have received a great many communications against the repeal, and one in particular is of especial interest. I send it to the Clerk to have it read in my time.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

PHILADELPHIA, PA., *June 4, 1919.*

Hon. WILLIAM S. VARE,
House of Representatives, Washington, D. C.

MY DEAR MR. VARE: As one of your constituents, I wish to protest against any change in the daylight-saving law. Under the present law, during the extreme hot weather, a man working in the factory, mill, or any kind of mechanical trade or office work gets the opportunity of working earlier in the day, enabling him to give better service and to complete his day's work without fatigue. He has more daylight to give to his wife and children for recreation.

In the winter it is quite different. It is cold and dark in the morning, making it much better to go to work one hour later. I think my objections are best covered by the chorus of Mr. Harry Lauder's song, which I hereby inclose.

Very truly, yours, JOHN J. JACKSON.

Mr. VARE. I would also like to have the Clerk read the part of the song which I have marked.

The Clerk read as follows:

> O it's nice to get up in the mornin'
> When the sun begins to shine,
> At 4 or 5 or 6 o'clock in the good old summer time;
> When the snow is snowin'
> And it's murky overhead,
> O it's nice to get up in the mornin'
> But it's nicer to lie in bed.

Mr. VARE. Mr. Speaker, in addition the State of Pennsylvania has enacted laws legalizing and harmonizing State standards of time with the Federal time standards, and if the daylight-saving law is repealed it will bring confusion and conflict in that State which can not be remedied except by acts of the legislature, which will not meet again before the time this repeal would take effect. Such a condition will bring about confusion and litigation in Pennsylvania without any corresponding benefits.

I have spent my entire lifetime in close touch with the workingmen of Philadelphia and I am in full sympathy with their aims and ambitions. I am convinced that they are not only more efficient in the work performed under the hours of the daylight-saving law, but there is less injury to their physical systems. In the name of humanity I hope that this repealer will not pass. [Applause.]

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Speaker, I am in favor of the repeal of this law, and I am in favor of repealing it now. Therefore, I am against the committee amendment. Ninety per cent of the people of my district are opposed to this law. I represent an industrial district. The farmers in the district are unanimously opposed to it, and I estimate that 95 per cent of the men who work in the shops and in the mills are opposed to it. That probably would be sufficient reason for me to vote for its repeal, but I have another reason. My friend from Indiana [Mr. SANDERS] would probably call it a governmental reason, but whether it is a governmental reason or what kind of a reason it is, I regard it as a good one, and that is that this law by its operation is an artificial interference with the natural order of things. It is a pretense pure and simple. When it is 6 o'clock according to mean astronomical time, we pretend it is 7 o'clock. It is not 7 o'clock at all. It is 6 o'clock.

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

The SPEAKER pro tempore. Does the gentleman yield?

Mr. MCCULLOCH. I do not. Now, I submit, where the natural order of things is interfered with, if any considerable number of people are inconvenienced or disturbed, and a hardship is worked, that is strong argument in favor of a return to the natural order of things.

It has been admitted on the floor here to-day by the gentleman from Pennsylvania who is opposed to the repeal that 10,000,000 people have been interfered with and disturbed, and that this

law has caused hardship upon a very considerable number of people throughout the United States.

Now, if that is true—and I think it is true, without a doubt, but I think the number is much greater than ten millions—that is strong argument in favor of a return to the natural order of things; of getting back to normal.

This Sixty-sixth Congress was charged with the responsibility by the American people of getting back to normal and getting rid of these artificial interferences with the liberties of the people, and I believe this is a very good way to begin by eliminating this pretense and making it unnecessary, if you please, for the American people by act of Congress to be compelled to continue to perpetrate a fraud upon themselves, because that is just what this law requires them to do. It forces the people to pretend that something is that is not, and because of the fact that hundreds of thousands and even millions of people are disturbed by it and a hardship worked upon them, I think it ought to be repealed, and I believe it ought to be repealed at once. Therefore, I shall vote against the committee amendment and in favor of the immediate repeal of this law. [Applause.]

To call this a daylight-saving law is a misnomer. It may help some people to save daylight who are unwilling to take the trouble to adjust their own affairs. Those who are unwilling to get up an hour earlier may be benefited by the shifting of an hour of daylight from the early morning to the late evening, but they could save an hour of daylight by getting up the hour earlier in the morning. In other words, the operation of this law does not increase by the fraction of a second the amount of daylight in any 24 hours, but, by the working of the pretense, some people may be able to save. On the other hand, there are millions who can not possibly adjust themselves and their work to the new arrangement without loss and hardship. So that we are in a position of forcing upon these unwilling millions this pretense to enable the few who are unwilling to adjust themselves to be benefited. I do not believe that as national legislators we are justified in continuing a law that has such a result. And the doubt should be resolved in favor of those who are really injured and the law repealed.

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

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. MERRITT].

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

Mr. MERRITT. Mr. Speaker, the questions arising under the so-called daylight-saving law—although, perhaps, it might better be called a daylight-using law—are not, as some have suggested, questions of interfering with the law of God or the order of nature, but simply questions of expediency, of the greatest good for the greatest number, and, where there is any conflict as to convenience, the question of mutual accommodation. The questions can not—or, at least, should not—be considered on a basis of selfish interest or of sectional interest. This bill will affect primarily the public health, the production of the necessities of life, and, as underlying both these results, the convenience and happiness of a large proportion of the population of the United States. All these interests and effects are common and interrelated. It is perfectly obvious that it is to the interest of all dwellers in cities, whatever may be their occupation, that food and cotton and all the products of the farms should be produced in as great quantities as possible and at as little cost as possible. Anything that would interfere with this production would injure the farmers and the city dwellers alike. But it is equally true that it is for the interest of the farmers and all dwellers in the city that the necessities of life, which are mainly produced in the cities, such as iron, steel, clothing, shoes, flour, prepared meats, and so forth, should be produced as cheaply as possible. It may be admitted that in some sections of the country and for some crops the farmers, particularly in connection with such labor as they hire by the day, may be put by the present law to some inconvenience. But the story of the crops of 1918–19 seems to show conclusively that it has not resulted in any diminution of crops, which are of record volume. If we come to consider the question of relative inconvenience, it is obvious that we must consider the relative number engaged in farming operations and other productive operations.

The last available official figures are of the Census of 1910, in which the total number employed in all kinds of industry, including farming, is given at 38,000,000, of which number those employed in farming and forestry together are only 12,000,000, while those employed in other occupations which presumably would call for their working indoors are 26,000,000, something over two for one. In a democracy, when it comes to a matter of accommodation, it is at least usual that the minority must accommodate itself to the convenience of the majority, and in this case it would seem obviously easier for the minority thus to accommodate itself, because each farm is an entity, and its work goes on without special regard or dependence on others. It is perfectly clear that the many hundreds of small farms worked by the farmer and his family can choose their own hours of work according to their own profit and convenience. But when it comes to city workers and factory workers it is clear that in any large community the interests are so complex and so interrelated that it is not possible for any particular factory or any particular group to work on hours different from those of the entire community.

As to the benefits to city workers and factory workers from this law, the testimony in favor of the law is simply overwhelming. There are no dissenting voices. Employers, health officials, city officials, all testify to the great benefit to the health and to the morale of the employees. I speak with personal knowledge of the modern factory system, which is absolutely essential to production in these times, and I know that in nearly all modern factories there must be an amount of simple repetition work which has not the interest or variety and which therefore becomes mere drudgery. Where a man or woman does the same piecework hour after hour and day after day it is obvious that the effect on the mind and the nerves is very trying. This means that an effort should be made to give these operatives all the opportunity for leisure and for change of scene and for play which it is possible to give. The testimony before the committee was very strong on this point, and I think it is obvious to everybody without argument. The farmers of this country are intelligent and patriotic men, and if they could know from observation the tremendous benefits which the working class of this country obtain from this daylight-saving law I do not believe that very many of them would ask for its repeal. There is no doubt in my mind that, if the continuance of this law could be assured for a reasonable time, the farming and other communities which are somewhat inconvenienced now could readily accommodate their ways so that the inconveniences could be minimized and the advantages to the great majority of citizens could be saved. I think, therefore, that with so little experience as we have had it is at least premature to repeal this law now. Let us try it for a reasonable time, and I am sure we shall not even be asked to repeal it. To me it seems little less than a national misfortune to take away from the millions of workers in this country this great boon which can be given to them by a simple piece of legislation which produces untold good to the health and happiness of the United States and practical harm to no one.

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

Mr. MERRITT. I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. ESCH. Mr. Speaker, I yield two and one-half minutes to the gentleman from Oklahoma [Mr. FERRIS].

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for two and one-half minutes.

Mr. FERRIS. Mr. Speaker, on March 19, 1918, the House of Representatives, by a vote of 253 to 40, passed the so-called daylight-saving law. It was urged then as a great war measure. Philosophers, philanthropists, laboring interests, all in one acclaim, pleaded for its passage. Congress passed it practically by unanimous consent, as the above vote will show. There was little opposition to it; the Congress was in a frame of mind to grant any legislation that would help in carrying forward the war. This law passed as a war measure. The armistice is signed and the war is over; the necessity for this and other war measures like it has passed.

FARMERS AGAINST IT.

I am convinced that the six and a half million farmers of the Republic are practically a unit against this legislation. They want it repealed. They want it repealed now. It is confusing to them. It does not work well with them. They want to get rid of it. They want no more of it. I am in favor of giving them what they want.

ATLANTIC CITY LABOR CONVENTION AGAINST IT.

Members representing labor districts have spoken here to-day both for and against this measure. Members from Pennsylvania have asserted with earnestness that the laboring men in their districts desire its retention. Members from Indiana and other sections of the country representing labor districts are equally zealous for its repeal. The best and most direct information that we have on the subject is the convention of the

American Federation of Labor, which was held in Atlantic City on June 10, 1919, only a few days ago. After spirited debate on the question of the proposed repeal of the daylight-saving law, a vote was taken. Four hundred and fifty delegates to that great convention voted for its repeal and only 183 against its repeal. This discloses that by a vote of more than 2 to 1 the American Federation of Labor, representing the labor interests of the country, has placed itself on record as in favor of the immediate repeal of this law.

CANADA REPEALS DAYLIGHT-SAVING LAW.

During the war our neighbor on the north, Canada, passed a daylight-saving law—passed it as a war measure; passed it believing it would do good—but since the armistice has been signed and the war has been closed Canada has repealed the law.

If there was necessity for it at the beginning the necessity has passed, and she has repealed it. In my opinion, it is proper for us to do to-day precisely as Canada did and repeal it. [Applause.]

TIME.

Time, after all, is such a mystery. Time appears short or long to us as we live the several intervals making it up. After all, its duration, in reality, depends somewhat on us. It is at best a mere measurement of space. It neither lengthens the day nor shortens the night. It is but a convenience, a medium, a guidepost. Some grow old under it before their day. Some remain young to the end. It is but mystery in all its make-up. St. Augustine in "Confessions" says:

> What then, is time? If no one asks me, I know. If I try to explain it to one who asks, I do not know. Yet I say with confidence that I know. But if nothing passes away, there would be no past time. If nothing were to come, there would be no future time. If nothing were, there would be no present time.
>
> Yet these two times, past and future, how can they be when the past is not now and the future is not yet?
>
> As for the present, if it were always present and did not pass over into the past, it would not be time but eternity.

It has been well said "that in the universe of eternity there is no rising and setting of the sun, no day, no night, no years, no centuries. Sun time is merely local time in its relation to eternity." That "human chronology belongs to this solar system alone and we measure time while the sun shines and throws shadows against a background which we call history." Men will come and men will go, but time goes on forever.

For me and mine, the unit of time has been well established. The Republic has grown and prospered under it. Men and women have grown accustomed to it. Business affairs have been adjusted to it. Men and women during these trying times have many things to disturb them. Their disturbances should be reduced to the minimum. This change of time should not longer prevail. The old time should be reestablished. The question should be put at rest. The American people should be given what they ask and what they ask is to sweep away this war-time legislation, which was of doubtful propriety in the beginning and wholly unnecessary of duration.

With this in mind, I introduced on the first day of this Congress House bill 395 providing for the immediate repeal of the daylight-saving law. I have advocated the repeal of the law before the committee. By the introduction of this bill on the first day of the session I am committed to the repeal of the law. I am confident the great bulk of my people favor its repeal. I shall vote for its repeal to-day. I shall vote for its repeal now. I am not in accord with those who desire its postponement.

The nation is best governed that is governed the least and laws which are manifestly unnecessary should not repose in peace on the statute books overnight. [Applause.]

Mr. ESCH. I yield three minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Speaker and gentlemen of the House, I was a member of the Committee on Interstate and Foreign Commerce last year when we considered the daylight-saving law, and I voted for that measure purely as a war-time measure.

During the hearings on the bill which we are now considering I listened very attentively to the men who appeared before the committee who were opposed to the repeal of this law, and I want to say to the Members of this House that there was not one person west of the Pennsylvania State line who appeared before our committee and advocated the retention of this law. Most of the men and the women who appeared before the committee in favor of the daylight-saving law came from the Atlantic coast, from New York. Mr. Marks, president of the National Daylight Saving Association, in mentioning the names of some of the prominent men in New York who were in favor of the law, gave the names of bank presidents, superintendents of insurance organizations, and other men of great wealth, who do not have to get up at 4 o'clock in the morning. They arise about 9 o'clock and go to their offices about 10.30. Then they go to the club at 12. They stay there until 2.30. They come back to the office for an hour and then the chauffeur calls for them and takes them to the golf links until dinner time. [Applause.] The district that I have the honor to represent is one of the greatest manufacturing districts in this country, and I can best express the sentiment of the people in my district when I say that the city council of the city of Youngstown, Ohio, a city with a population of 175,000, the city council of Cleveland, Ohio, and the city councils of the large cities of Canton, Massillon, and Alliance, those great industrial districts, have passed ordinances putting those cities back on eastern standard time. You can not send men to bed by the clock. They go to bed by the sun. We have a large number of steel workers in my district who have to get up at 3 o'clock in the morning in order to reach their places of work and go to work at 5 o'clock. They do not go to bed any earlier at night on account of this daylight-saving law. They will not go to bed while the daylight is on. And what does it do? It deprives them of that one hour's rest, that best hour of their rest, that one hour in the morning when it is cool and when they ought to be getting their rest for a hard day's work. The same is true of the school children. Why, the mothers in my own city complain to me every time I go home, telling me that they can not get their children to bed in time to get enough sleep during that critical growing time when they need all the sleep they can get.

Mr. SIMS. I yield three minutes to the gentleman from Maryland [Mr. COADY].

Mr. COADY. Mr. Speaker, there are two sides to this question—one presented by the farmers of the country, based entirely on their convenience, and convenience only. I listened to the arguments made before our committee by those advocating repeal, and convenience was the burden of their opposition. Members of Congress and others who appeared there did not claim that the farmers suffered any financial loss by reason of the law. We were told by them that the farmers were all prosperous—all were making money.

There was another objection to the law advanced by its opponents, and that was that the overworked hired man on the farm got off an hour earlier in the evening and went to the city for pleasure and recreation.

The other side presented showed conclusively that a great saving in fuel has been accomplished, large sums of money saved in consequence thereof, and tired, overworked people given an additional hour of daylight for their pleasure and their recreation.

We live in the richest country in the world. Our resources are boundless, and because of this we have been, and doubtless still are, the most extravagant and wasteful nation in the world. The great war through which we have just passed taught us many valuable lessons, one of which was the pressing need of economy. One of these economies was the saving of fuel, and it was to accomplish this, among other things, that the daylight-saving bill was passed. It may have been passed as a war measure, and the advocates of repeal say because the war is over let us repeal it and go back to the old time. Now, that the war is over we should calmly sit down and take stock of the emergency measures passed during the war, and which were designed to help us win that war, and repeal, and repeal quickly, such measures for the continuance of which no necessity now exists. But we should retain as permanent laws those measures which experience has proved to be of worth and benefit to our people. Such a law is the daylight-saving law. If it gives us an hour more daylight in the evening, it follows, does it not, that we save daily the gas and electric current that would be burned in that hour? This is beyond dispute. I am informed that a report issued by the United States Fuel Administration shows a saving of one and a quarter million tons of coal for the year 1918 effected by daylight saving. The other day I received a letter from the librarian of the Enoch Pratt Free Library, in Baltimore, showing a saving of $430.67 during the first six months this law was in operation.

I could cite you many other instances of saving due to this law.

The viewpoint of the workers in the cities was given to our committee by a bright young woman from Boston who represented an establishment employing about 2,800 people. She quoted statistics showing that only one-third of the people who pursue occupations are engaged in agricultural work, and of this one-third many of them work their own farms and do not employ outside help, and are consequently not materially affected, and she pertinently asked if we intended to make our laws according to the wishes of the majority.

It seems from what was said to the committee by the advocates of this measure, or some of them at least, that the burden of the farmer's complaint is that the overworked and tired hired

man who works early and late has an hour too much recreation in the evening. They want him to work longer down on the farm when the tendency in the cities is to shorten the workday of the workers in the mills and workshops.

The workers in the cities have not the green fields and wholesome atmosphere of the country. Many of them live in crowded tenements and small houses that are insufferably hot in the summer. These men and women, with their children, flock to the parks in the early evening. They patronize the playgrounds and the swimming pools. They now have an additional hour of this much-needed pleasure and recreation. Are you going to rob them of it? That is just what you will do if you pass this bill.

Now, I listened with a great deal of attention to the argument made by the gentleman from Indiana [Mr. BLAND]. I am sorry that in a great body like this any gentleman should make an argument of that kind, saying that this bill is designed for the golf players of this country, trying to array the masses against the classes, trying to bring class hatred into this body. Every man knows that the golf players of this country are men who are not vitally interested in the daylight-saving act, because they have sufficient and ample time for recreation.

Mr. COOPER. Will the gentleman yield?

Mr. COADY. Yes.

Mr. COOPER. Does the gentleman recall any representative of the laboring classes that appeared before our committee and asked them for a retention of this law?

Mr. COADY. My recollection is that one gentleman representing the laboring classes appeared before our committee asking for the retention of the law.

Mr. COOPER. And did not he state that he represented the American Federation of Labor, and did not a few days after the American Federation of Labor turn that proposition down?

Mr. COADY. The gentleman asked me if any representative of the laboring interests of the country appeared before our committee and I said yes. The gentleman who appeared before our committee does represent some of the laboring people in this country.

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

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. ROMJUE].

Mr. ROMJUE. Mr. Speaker and gentlemen of the House of Representatives, the daylight-saving law ought to be repealed, and repealed now. [Applause.] I have in my possession numbers of petitions coming from citizens throughout my district expressing their desire to have this law repealed. Farmers—hundreds of them—laborers—scores of them—join in their expression of good will toward me in my efforts taken toward having this law repealed.

Not only is it an inconvenience to the great majority of the laborers in my State when viewed from a proper viewpoint, but it is actually a hardship upon the farmer of this country.

I know, gentlemen appeal for the sustaining of this law from Boston and New York; but there is much territory in the United States outside these cities, and many people are there, indeed, who inhabit the great central and Western States whose most vital interests are affected by this law, which we now seek to have taken off the statute books.

I know much of the habits, customs, and experiences of the farmer and the common toiler and laborer; my life has been spent among them and with them; they constitute the most virile and vital part of our Nation's great reserve force and power from the standpoint of citizenship and development. Without our great farming industry, teeming with its millions of honest, toiling farmers, there could be no Boston; there could be no New York.

Under this law as it stands the farmer finds it necessary to lose much of the day in order to get to the town to do his trading, and the farmer does not blame the merchant or banker for complying with the law, but he does find it, now that the war is practically over, very inconvenient for him—the farmer—and let us now lift this burden and annul or repeal this law.

It should be the policy of this Government as peace comes into sight to adjust the great program of our future to a normal legislative status.

Some of our large cities, especially New York and Boston, seem to want to fix this law upon us permanently. Well, we lived a long time without such a law before the war, and I am sure we will succeed fairly well, at least after this repeal of the law takes effect and when we are once more on a peaceful basis.

Some one has said this law stimulates production and industry by the clock being turned one hour ahead. In answer to that, let me say that the farmer is overwhelmingly the chief producer of feeds and foodstuff throughout this country, and certainly his evidence should be given some consideration in weighing and deciding this question; and when he speaks, what does he tell you? He knows, as I know, and states it, as I now state it, that he desires the repeal of this law. His evidence is convincing; and if, as some state, this law is in his interest, we find him as a witness testifying against interest, which, by all rules of evidence, is an added reason for giving weight and credit to what he says.

He desires its repeal, and it ought to be repealed, and I shall vote to repeal it, and continue so until it is repealed.

Throughout the war which we have gone through we have found the farmer ever ready to meet the demands of the Government cheerfully in his production; let us not permit him now to be embarrassed by hazardous laws, but for him let us invite justice and do justice. Gentlemen, let us now repeal this law. There are those who state that no one desires this law repealed. Such statements come from those who are uninformed and not posted on this matter, I am sure. There is an overwhelming desire for its repeal, and independent of that, however, any thoughtful man under the present status of conditions in this country knows, without any advice or suggestions from any quarter, that this law should be promptly repealed.

And we surely are passing through a period in our country's history when quiet, sober thinking and honest, conscientious judgment needs to be exercised. Sound judgment must not be displaced by sentiment and excitement: We must consider the welfare of our Government, the great public good first before the personal wishes of any individual or residents of a few of the large cities who, indeed, do not know or understand the merit and mysteries of those who till the soil.

I again repeat, let us repeal this law.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin [Mr. NELSON].

Mr. NELSON of Wisconsin. Mr. Speaker, I am in favor of the repeal of the daylight-saving act, approved March 19, 1918, because I believe that it is very clearly shown that the law is detrimental to the very fundamental economics of our rural and commercial life. I am convinced that the fundamental interests of our Nation lie with the farmers and the tillers of the soil, and anything that interferes with the development of our farm life ultimately interferes with the highest and best development of all our national resources. I wish, however, to state that I believe most earnestly in the rights of our industrial institutions and in the welfare of our laborers in the large cities, and shall always insist that the standards of living of our American laborers must never be permitted to be lowered. Indeed, it ought to be our legislative policy in the period of reconstruction before us to insist that the policy of equal rights and complete justice shall be granted to both labor and capital, so that these great industrial giants may join hands with our great agricultural resources for the best interest of the entire Nation. The chasm between labor and capital must be bridged and a spirit of mutual cooperation and mutual consideration instituted for the economic and social well-being of our Nation's life.

This daylight-saving act was passed as a war measure, and the farmers of our country were glad and willing to accept it as a war measure and made no complaint as long as the war was in progress. The farmers responded most heroically and patriotically to the appeals made by Congress and the President of the United States, urging them to till more assiduously the soil and to produce larger crops in order that it might aid in the winning of the war. The appeal was put in a most urgent way that unless the country did produce more foodstuffs it would be impossible for us to win the war. These appeals go to prove that when the Nation is in peril and when the lack of food becomes acute it is to the farmer and the tiller of the soil to whom we must appeal. It is quite evident that the agricultural interests of our country are the foundation stones for the entire superstructure of our economic, social, and political life. Remove these foundation stones and you will have a collapse of the entire structure. Members from New York, Philadelphia, and Chicago, and from other large cities who have urged on the floor of the House in a most eloquent way the continuance of the daylight-saving law, and have pleaded for the interest of the city inhabitants (and we honor them for having done so, for we all believe in doing the right and the square thing by the inhabitants of the city as well as by the inhabitants of the country), have failed to perceive the fact that the laborers and the industrial plants in our large cities can easily arrange the hours of labor by mutual agreement between the employer and the employees, and that they can arrive at an understanding under which they can begin their work an hour earlier in the morning and quit an hour earlier in the evening, thus giving to the industrial classes and to the dwellers of the city the advantages which are claimed by the proponents of the day-

light-saving law. Indeed, even before our daylight-saving law was enacted, this was done in a great many centers of industry by the manufacturers, merchants, and industrial plants in order to give the larger freedom and the longer evenings to the urban laborer and city dweller. The industrial plants and the laboring people of New York, Philadelphia, and Chicago and the other large centers, must also remember that they would not be the great commercial centers that they are were it not for the support of the great agricultural regions of their own States and the Middle West, and it is up to Congress, to assist the farmer in every way possible consistent with our democratic form of government, without in any way making it class legislation.

The farmer is not always able to so fully represent his needs in legislation as are our splendid labor and commercial organizations, as he is not yet as thoroughly organized, but we believe that before long he will be, and he should be, not as is so often the case now simply, a political way led by political demagogues, but by a strong farmers' organization that knows the farmers' own peculiar needs and problems, and will present these for solution and adjustment to the legislatures and to Congress in the same manner and in the same way in which other large economic organizations, such as the chambers of commerce, bankers' associations, labor federations, do at the present time. Through such organizations as the grange the farmers have up to date received the largest part of the progressive legislation in their interest. The aim of the grange is a noble one: "In essentials, unity; in nonessentials, liberty; in all things, charity." May the farmers put aside the leadership of the mere political office seeker, and by organization concentrate their efforts to effect a hearing in our national and State legislative bodies; by so doing they will compel a hearing of their grievances and have their inequalities corrected.

One reason why I am in favor of the repeal of this act is that it adds an onerous burden upon the rural population, and is therefore against the interest of the great movement urged so strongly by ex-President Roosevelt and other great leaders, namely, the movement of the people from the city to the farm. There is no question in my mind that the greatest menace to our national interests to-day is the alarming rapidity of the concentration of our populations in urban centers and the constant stream from the country to the city. It is no question that the reason for this is that the pleasures and the general conditions of ease which prevail in the cities are more attractive to the young people and they leave the farm to go to the city because of the many onerous tasks which are to-day imposed in farm life. It is therefore, in my judgment, incumbent upon us not to add to the onerous conditions already existing in our country life by placing this artificial restriction on the hours of service, but to relieve the farmer of this condition and to help make the country life as easy and as attractive and pleasant as possible.

The rural depletion is a real problem in our country. To stop the ever-increasing flow from the farm to the city and to turn the tide the other way is one of the real questions of fundamental economics and of far-seeing statesmanship. The Thirteenth Census (1900) shows that the loss of the country to the cities is general all over the United States, except in the strictly newer sections. Indeed, it shows that the cities increased, from 1900 to 1910, three times as fast as the rural sections. It shows that while the rural communities have grown 11.2 per cent the cities and towns above 2,500 have grown at least 34.8 per cent. Even in such a wonderfully prosperous State agriculturally as Iowa—probably one of the greatest agricultural States in the Union—reports have it that the farming sections lost nearly 120,000 people from 1900 to 1910. Similar figures are given in many other great agricultural States. Wisconsin, one of the greatest, if not the greatest, dairy States in the Union, reports actual loss in the rural sections in many of its richest counties. I also find that in the census of 1890 the urban population was 22,720,223 and the rural 40,227,491; in 1900 the urban population was 30,797,185 and the rural 45,197,390; in 1910 the urban population was 42,623,383 and the rural 49,348,883. These figures show a consistently growing trend from the farm to the city; and it is up to the best brain and leadership of our statesmen and economists to change the trend if possible. In 1890 the city population was just a little over one-half of the rural, while 20 years later the urban population is only six and one-half millions less than the rural.

This condition is a factor that must be reckoned with in our economic and social welfare. We must plead as never before for a reconstruction program that will invigorate our rural life, for it is the saving salt of our national progress. We must remember what Prof. Gidding so well said:

> Genius is rarely born in the city. The city owes the great discoveries and immortal creations to those who lived with nature and with simple folk.

Some one has also said:

> The country produces the original ideas, the raw materials of social life, and the city combines ideas and forms the social mind.

The truth of this statement is easily realized by any student of the great questions of rural and urban readjustment to-day. It behooves our Government and our Congress, therefore, to address itself to these questions in a most sympathetic manner and provide all possible aid and development of our rural civilization. Of course, we must not forget the cities and their infinite needs.

I am told by the chairman of the Committee on Interstate and Foreign Commerce, Mr. ESCH, that one-third of all the telegrams asking for the repeal of the daylight-saving law came from lawn tennis and golf club associations and from city athletic associations. Now, I wish it distinctly understood that I have no quarrel with lawn tennis and golf club associations, nor with athletics generally. I am a believer in all of them, and I for one would do everything possible to encourage them rather than discourage them. I believe in wholesome recreation as absolutely important. But when we legislate provisions into our organic laws we must be careful that we distinguish between mere play and constructive work, and that we should not place upon the back of the farmer and the tiller of the soil an arbitrary condition of hardship just for the mere sake of making the athletic conditions a little easier for the people in the city. And, as I have already stated, it is my belief that the city people can make proper arrangements between employer and employee to obtain every advantage and every facility which they claim is to be derived under the daylight-saving law. In my own State of Wisconsin, the legislature unanimously passed a joint resolution pleading with Congress and its delegation in Congress to repeal the daylight-saving law. As a great dairy and agricultural State, the unnecessary hardship imposed upon the farmer by this law does much to retard the real progress of farm life. The farmer who produces the truck and dairy products to be shipped to the city centers must arise at 3 and 4 o'clock in the morning, and it is evident to anybody who has been on the farm that the farmer can not very well in the summer months go to rest at 8 and 9 o'clock in the evening because of the extreme heat. It is clear, therefore, that the farmer and his family are robbed of their night's rest, which is essential to efficiency. In the wheat and dairy area of the Middle West the contention is made that it is impossible to make hay and cut grain in the early morning hours because of the heavy dew, and anyone who has worked on the farm would know that it is equally true that the hour of 5 to 6 is the best hour of the day for harvest and haying. The farmer under the present law is thus robbed of the very best hour of the day for his work, and has imposed upon him an hour of idleness in the morning because of the dew and because in a great many of our districts the farmer is already up against what is known as the eight-hour labor law, which compels him to stop at 5 o'clock p. m. sun time. Wherever the farmers are close to large city centers the laborer leaves for the evening for pleasures in the city environments, and being handicapped to begin early in the morning because of the dew upon the grass and the grain, the loss to the farmers because of the change from sun time can be very much appreciated. What we must insist on is that Nature's own laws and not artificial standards of time must apply to our farm life.

Now, I realize full well that we should do everything possible for the comfort and advantage of the city folks, and no one wishes more than I do to make every condition of city life for the humble city dweller and laborer as pleasant and healthful as possible, and for the thousands of laborers in my own district I am willing to fight in every way possible for their greatest advantage, progress, and well-being. Mr. Speaker, it affords me keen delight to say to the Members of the House that in my own district, with its thousands of laboring people, I have not received a single petition or letter from any laborer or labor organization pleading for the continuation of the daylight-saving law. I want to speak of this as a distinct compliment to these laboring men and these labor organizations, as I believe that they have a fellow feeling for the farmers and the tillers of the soil who are struggling in the northern section of our State for the development of their farms, and thus indirectly support the industrial communities in which they are laboring. It is quite evident that these laborers are willing to forego some of the pleasures which they might enjoy under the continuation of this daylight-saving law in order that they may facilitate the greater interest of the farmer and the farm life. I think, too, that the majority of these industrial laborers in my district feel that they can easily arrange their matters in such a way that an equitable agreement can be made between them and their employers for such hours as will enable them to begin an hour earlier in the morning and be

out an hour earlier in the evening. It appeals to me that the contention made by some Members on the floor of the House that this is not possible is to deny one of the fundamentals of contracts and agreements between labor and capital and between employer and employee. Equitable agreements will take care of our city populations, but nature's laws are immutable, and the dews will fall in the morning in spite of all the legislation that we can do in Congress, and the products of the soil and dairy farms must be brought to the city in the early morning hours, and this enforced hour makes the day too long and the night too short for the laborer on the farm.

I am convinced that in the interest of sound economics, in the interest of our best agricultural development, in the interest of the best life in the cities which must ultimately depend upon the farms, in the interest of the great movement that we are trying to formulate, namely, the movement from the city to the farm, in the interest of fair play, and in the interest of the difficult labor situation which this law imposes upon the farmer, I think that the daylight-saving law should be repealed. I shall, therefore, vote for its repeal, feeling and believing that I am thereby in no way injuring the city populations, that I am in no way injuring the laboring classes in our big centers, but am aiding and helping one of the largest and most fundamental classes of our industrial life—the farmer. And I sincerely believe that the great labor elements of our country, to which we should give every due consideration and to whom we are indebted for a large part of the welfare and continued success of our country, should unite with the farmer in the repeal of the daylight-saving law, and thus make it possible for these two great armies of our industrial and productive life to work in perfect harmony in the development of our broader citizenship.

We are complaining concerning the high cost of living. Such laws as the daylight-saving law inevitably makes it more expensive for the farmer to raise his produce, and that, indirectly, makes the high cost of living still higher. We must so legislate as to lessen, if possible, the cost of production, for by lessening the cost of production we lessen the high cost of living. During the war we instituted many measures that we must now repeal. Many departments and organizations were instituted that in peace are unnecessary, and we must be wise enough to readjust and change all unnecessary and onerous laws and to so legislate as to bring about the greatest good to the greatest number.

I am ready to admit that there were some economic reasons for this law, that there are some savings through this law in the cities, but these are not sufficiently great to overcome the loss of efficiency and production which it entails upon the farm and the farmer. During the war the farmers made no protest. They accepted willingly the task imposed upon them by their great Government to increase the production of the soil in order that we might win the great war. The farmers accepted gladly the situation, made no protest, and said, "We will undergo any hardship, we will respond to any demand by our great Government, if we thereby can win the war." Indeed, Mr. Speaker, it was the combined effort of the farmer and the laborer, the capitalist and the various industries and commercial enterprises, as well as private citizens of our country, that backed up our brave soldiers, sailors, and marines and made our glorious victory possible in this war. The brave boys who pierced the Argonne Forest and Belleau Woods and drove the wedge into the St. Mihiel sector and forced the Hindenburg line at Chateau-Thierry expressed the spirit and devotion of all classes, farmer and laborer, commercial and industrial, of the united devotion and sacrifice of the American people.

The late Mr. James J. Hill, the great railroad and empire builder, and one of the keenest economists of his day, spoke of the farmer and the agricultural interests as follows:

> A prosperous agricultural interest is to a nation what digestion is to a man. The farm is the basis of all industry. The soil is the only resource that renews itself continually after having produced value. I do not wish to belittle the importance of manufacture or its relative value in general growth. But for many years the country has made the mistake of unduly assisting manufacture, commerce, and other activities that center in cities at the expense of the farm. The result is a neglected system of agriculture and a decline of the farming interest. But all of these other activities are founded upon agricultural growth of the Nation and must continue to depend upon it. Manufacturer, every merchant, every business man, every good citizen is deeply interested in maintaining the growth and development of our agricultural resources.

In our legislation, therefore, we must encourage, not discourage, the farmer; we must cooperate with him to the end that he may continue even in a larger and broader way to feed and clothe the hungry nations and continue to give our cities the brain and brawn necessary to sustain the awful strain of our modern industrial and commercial life. Our national weal and advancement rests for its foundation upon the farm and upon the man with the hoe. Let us legislate to ease his burdens and encourage his growth. Of course, our modern science and development have made all industries and commercial activities interdependent, and while we should remember the farmer let us not forget the laborer and the industrial concerns. What I plead for is, that an artificial rearrangement of nature's laws should not be resorted to in order to advance any class if by so doing we impede the progress of any other large group or groups. Indeed, I plead for the Golden Rule, which demands justice and friendly cooperation between all social and all industrial groups.

I think the statement of the old Chinese philosopher is still applicable when he says, "The well-being of a people is like a tree—agriculture is its root, manufacture and commerce are its branches and its life; but if the root be injured the leaves fall, the branches break away, and the tree dies." The farmer is the root of our great commercial and financial tree, and we must encourage and enlarge this class in order to enlarge our commercial, social, and economic supremacy. Not only have the luxury and ease and dissipations of the city become a national sin and a national danger, but the constant crowding into the cities of laborers and poor people, who should be on the farms tilling God's rolling and fertile acres, has become a vital reconstruction problem worthy of our deepest study.

Ex-President Roosevelt, one of America's greatest statesmen and one of the most constructive genii in all matters vital to nationalism and Americanism, appointed a Country Life Commission, whose voluminous and comprehensive report to the President and Congress becomes real interesting in connection with this legislation before us to-day, and I wish to quote the following from President Roosevelt's message to Congress:

> The farmers have hitherto had less than their full share of public attention along the lines of business and social life. There is too much belief among all our people that prizes of life lie away from the farms. I am therefore anxious to bring before the people of the United States the question of securing better business and better living on the farm, whether by cooperation among the farmers for buying, selling, and borrowing; by promoting social advantages and opportunities in the country life more gainful, more attractive, and fuller of opportunities, pleasures, and rewards for the men, women, and children of the farms. The farm grows the raw materials for the food and clothing of all our citizens; it supports directly almost half of them, and nearly half of the children of the United States are born and brought up on the farms. How can the life of the farm family be made less solitary, fuller of opportunities, free from drudgery, more comfortable, happier, and more attractive? Such results are most earnestly to be desired. How can life on the farm be kept on the highest level, and when it is not already on that level, be so improved, dignified, and brightened as to awaken and keep alive the pride and loyalty of the farmer's boys and girls, of the farmer's wife and of the farmer himself? How can a compelling desire to live on the farm be aroused in the children of the farmer? All of these questions are of vital importance, not only to the farmer but to the whole Nation.

Many of Roosevelt's constructive plans for the farmer and rural life have already been put into successful operation—the automobile, the telephone, the free rural mail delivery. The Federal farm-loan system, the rural health and sanitation plans, and the great work of the Government and of the States through agricultural colleges, county agricultural agents, and rural road construction have already contributed much to improve and to enhance farm life. In many districts the country homes have every modern convenience of the city home, and the social-center work and the improved rural and graded schools as well as township high schools are rapidly making country life bright and cheerful. Improved machinery has done away with much of the old-time mechanical drudgery. The extension work, such as the University of Wisconsin has given for years both through its agricultural extension work and through the extension division proper, has been a most powerful factor to improve rural life and farm conditions. Indeed, the welfare of the farm and rural community challenges our best attention. It must be worked out by encouraging better homes, better schools, better churches, and better physical, social, commercial, and religious opportunities.

When we turn our eyes from our people at home to the blood-stained battle fields of Flanders and France, where our heroic boys, true to the historical traditions of our glorious United States of America, carried the Stars and Stripes—the flag that has never been raised in dishonor or lowered in defeat—to a glorious victory by piercing the Hindenburg line at Belleau Woods, St. Mihiel sector, Chateau-Thierry, and Argonne Forest, and planting Old Glory in triumph on German soil, and forcing the armistice to be signed, and insuring the peace of the world, we are reminded that hundreds of thousands of these brave men who came from the farms we trust will go back to the farms to till our soil again. We owe to these brave boys a gratitude for their undying sacrifices that we can never repay; but let us not only provide for them homes such as are contemplated under the various land bills but let us also make every old homestead in the land an inviting place for his efforts as he returns to the works of peace. Indeed, let us help to make that kind of country life possible that is expressed in the country boy's creed:

I believe that the country which God made is more beautiful than the city which man made; that life out of doors and in touch with the earth is the natural life of man. I believe that work is work wherever I find it; but that work with nature is more inspiring than work with the most intricate machinery. I believe that the dignity of labor depends not on what you do but on how you do it; that opportunity comes to a boy on the farm as often as to the boy in the city; that life is larger and freer and happier on the farm than in the town; that my success depends not upon my location but upon myself, not upon my dreams but upon what I actually do, not upon luck but upon pluck. I believe in working when you work and playing when you play, and in giving and demanding a square deal in every act of life.

While to-day we are lead to plead for the farmer and the farmer's boys, let us not forget to plead also for the laborer and the artisan of the city. In our great reconstruction period, capital must become more generous, labor more faithful. We must utilize all our matchless resources as a Nation. The extremely radical element is destructive and has no promise of constructive achievements or of lasting benefits to the Nation and its people. The future belongs to the man who has vision to see and courage to fight for a square deal to all. There can be no permanent ground for the mere reactionary or destructionist. America has no place for anarchy, I. W. W.ism, or Bolshevism. Let us help to thought and action, we must always and everywhere lower the red flag of anarchy and forever and everywhere raise the Stars and Stripes, the glorious flag of hope and promise, the flag of unity, liberty, civilization, and Christianity. Let us help to make all the streams of our national life to flow swifter, purer, and more equitably for all the citizens of our glorious Union, to the end that all citizens under our benign Government shall always be accorded a free and unobstructed course in the pursuit of life, liberty, and happiness. [Applause.]

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker and gentlemen of the House, a good deal has been said on the floor of the House this afternoon as to the opposition of the labor element to the present law. I want to say that as far as the industrial people in the great centers of Massachusetts and New England are concerned they are practically unanimously opposed to the repeal of this law. The great question before the American people to-day is the high cost of living, and this hour, in Massachusetts and New England, generally speaking, has resulted in a large increase in the amount of food products, bringing health and happiness to a great many people.

We have heard a good deal this afternoon about the damage that has come to the farmer. That was very well answered by one member of the committee, who said there was no evidence produced at any of the hearings by anybody that the farmers had suffered any injury. In fact, everyone knows that the amount of money that has been reaped by the farmers within the last year, since this law went into effect, has been the most stupendous in the history of the world. There are some millions of farmers in this country, but not by any means do they represent all of the population of the United States, and I am one of those who believe that the farmer does not wish a law that benefits him alone. The great, big bulk of the people who are suffering in this country to-day is the medium class of people, whose wages have not been increased proportionately to the increased cost of living. The United States guarantees to every farmer $2.26 a bushel for his wheat, as against a world price of $1.50 a bushel reached within the past few months. The fact is that in Great Britain to-day, 4,000 miles removed from the wheat fields of the United States, flour is selling for $10 a barrel, while the average man in this country pays $16 a barrel because the United States subsidizes the farmer.

I am not against the farmer, but we are here to legislate for the best interests of 105,000,000 people. Millions of them go to bed hungry every night, and many of these same millions of men and women want this extra hour after work. Thousands and hundreds of thousands of men and women who work in shops in New England, in the factories, in the dry-goods stores, and in all the establishments that employ labor in our part of the country want this extra hour, and they have asked me, as one of their representatives, to fight against its repeal. I received but one letter from my district for the repeal of this law. Every merchant, every labor organization in my district, every person representing the labor interests, the middle-class men, the clergy, the clerks, the men who live on incomes from $1,000 to $3,000 a year, all want this law retained. The father who wishes to get acquainted with his children and spend some time in daylight hours with his family wants the law retained, and that is an important thing in American life to-day—the development of the home ties and family life. This bill allows a man to go home at a reasonable hour, have his supper at 6 o'clock, take his boys and girls and go out into the fields and play baseball and tennis and croquet and those innocent American games. It has cemented the family, and it helps us immeasurably in New England; and, speaking for the city of Boston in part, and I think expressing the sentiments, generally speaking, of New England, there is nobody in that section of the country who does not believe that the American people on the whole are benefited by this law and want it retained. [Applause.]

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

Mr. COOPER. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, it is nonsense for any Member of this House to talk about this daylight-saving law not being a war measure. Who ever heard of a daylight-saving law before the European war? Germany first attempted it, then England, Italy, France, and Canada followed. When it came up here for passage it was advocated as a war measure. The advocates of this bill said that it was a war measure; but even then it did not pass by a unanimous vote, as did other war measures in the last Congress. There were 40 Members of the House who were not convinced of the wisdom of this new-fashion time as a war measure. I was one of the 40 who voted against it. I believe it did more harm than good, even during the war, and when the war was over we should have repealed it. It ought to have been repealed before the first Sunday in March of this year, so that the last change would not have been made. [Applause.]

No one, as far as I know, expected this law to continue in force after the war. I believe everyone will concede that no such measure could have been passed in peace times. The people of the Nation, as far as I know, were satisfied with the old-fashioned time. It was argued that it would save fuel and light during the war, and perhaps it did, but I believe that the harm and inconvenience resulting to the people have more than overbalanced the advantages of the law.

All of the farmers of the Nation are in favor of repeal of this law. It works many hardships upon them, and their objection is well founded. They are forced to maintain their relations to churches, public schools, stores, and banks, and in that way are compelled to observe the law in some respects. It is their labor that produces foodstuff for both the city and country population. They are entitled to our consideration. Now that the war is over we should get back to normal conditions and use the same time which we had during the entire history of our Republic.

The American Federation of Labor, the representative of the labor unions of the country, at a recent convention in Atlantic City declared in favor of the repeal of the daylight-saving law. I do not believe that we can improve on nature in such things as this. I believe that this Congress will and should regard the expressions of the American people on this subject and repeal this law, which is so objectionable to a great majority of the people, and do it speedily. I believe that two-thirds of the people of the country are in favor of its repeal and that it will pass this House by a vote of 2 to 1. Such a law has already been repealed in Canada, and will, no doubt, be repealed in the European countries very soon after the ratification of the peace treaty. We got along all right with the old-time system. Let us get back to it. [Applause.]

Mr. ESCH. Mr. Speaker, I yield now to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Speaker, I shall vote in favor of this bill. Many of the reasons advanced in favor of the so-called daylight-saving law are fanciful. The reasons why farmers oppose that law are substantial. It has been very gratifying to observe the steady change of sentiment upon the part of Members in respect to the repeal of the law. It looks now as though this repeal bill will pass by a fair majority.

Mr. Speaker, the labor problem is one of the most difficult with which the farmer must wrestle at this time. The so-called daylight-saving law has greatly aggravated that problem. Mr. A. H. Hanson, president of the Benson County (N. Dak.) Federation of Farmers' Clubs, writes me as follows:

The labor problem in this community is a serious one and the change of time has aggravated the situation. You undoubtedly know, from your experience with farm work, that it is impossible in haying and harvest to get into the fields before the dew has dried from the grass or grain, as the case may be, and that even under the old time the afternoon was the longest half of the day. Under the new time this condition is made worse. The labor we get nowadays insists on quitting at 6 o'clock no matter what time they go to work in the morning. We have tried the expedient of working under the old time, but this is more or less of a nuisance, as it throws us out of joint with the business houses and railroads.

Mr. W. C. Allen, the wide-awake editor of the Dakota Farmer, hits the nail on the head in a letter written to me recently. He says:

After a very careful study of the matter, I am convinced that the so-called "daylight saving" works greatly to the disadvantage of farmers in "the Dakota farmer empire."

I fully realize the great advantages of "daylight saving" to city people and even to many in small towns, and until I had made a careful study of the proposition among farmers I was inclined to believe that their complaints in this connection were not justified, but I have changed my mind.

First, I wish to make it plain that the unsatisfactory labor situation has a great deal of bearing in this connection.

Right now we have here in our territory an illustration of how the present method is working to the disadvantage of our farmers. Labor is very scarce on the farms and the great majority of the men working on farms insist on quitting on the new time regardless of when they begin work. As it is generally impossible to begin work in haying, etc., until 8 or 9 o'clock in the morning, when there is any moisture on the grass, this makes a very short day and apparently is going to have its effect in the amount of hay produced in this section this year.

Farmers who produce milk, cream, etc., for town or city market can not go by the "old time" as has been stated by many who oppose the farmer's opposition to the new time, because they must get their produce to market according to the time in vogue in the town or cities.

There are many other minor reasons which I will not discuss at this time. On the whole, it appears to me that the farmers generally are being seriously handicapped by "daylight saving" and particularly so in this section, where we are considerably ahead of sun time on account of being so far west of the point where the time changes.

Mr. Speaker, the repeal of this law will not do any injustice to those living in the cities, and it will confer a great blessing upon those who live on the farms. This repeal bill should pass, and I feel confident that it will pass.

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, this law was passed as a war measure and should be repealed immediately.

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

Mr. CAMPBELL of Kansas. No. It has helped nobody, it has saved nothing, it has inconvenienced many people. Laboring men and farmers are in favor of the repeal of this law, because their houses are so hot in the early part of the evening that they can not sleep at the usual hour for going to bed. At 9 o'clock, when they should go to bed, the sun has just gone down, and their houses are still too hot to occupy.

The laborers and the farmers have to rise by the clock in the morning and go to their work. The farmer can not go into his fields in the early morning on account of the dew. And he must quit because his help quits, early in the afternoon. He loses the best time for an hour's work in the afternoon. If he goes into the fields in the morning when his clothes are saturated with the dew, if the dew works the same as it used to; when you get your clothes saturated with the dew and then have them dry out on your person it makes you feel like repealing almost any law.

That is the way it used to do and I think it still works that way. Those who are in favor of retaining the law, now the war is over, are simply deceiving themselves and attempting to deceive the public. It results in no saving of fuel. The lights that are turned on in the morning are turned off in the evening about the usual hour and the hour is not saved. Somebody said here this morning he walked down the street at 7 o'clock this morning and noted like Benjamin Franklin how time could be saved. Why, at 7 o'clock the sun is up and it is not necessary to have electric lights turned on, and if you go to bed at 9 o'clock it will be almost light enought to read by, so there is nothing saved, nothing good comes of it. Then, too, our contract with the old rooster is that he should begin crowing at 3 o'clock in the morning and it is unfair to him to have him start at 2 o'clock. [Laughter and applause.]

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

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

Mr. LAGUARDIA. Mr. Speaker, I think the logic of the supporters of this bill is summed up in the closing remarks of the distinguished gentleman from Kansas. I do not pretend to know much about farms, but I am quite certain that you are going to have the morning dew whether you repeal this law or not. I think there has been a great deal of camouflage used here to-day by the supporters of this bill. Let us be frank about it. You are not trying to repeal this law at the request of the farmers and laborers; you are trying to repeal this law at the request of the employers of farm help, of the absent landlords who live in our city and play golf, which was so grossly criticized a few moments ago. The gentlemen of this House who are expert farmers know, or should know, that the farm help reports for work at daybreak and quits at 6 o'clock. You are trying to get another hour out of him at the end of the day. If this is a war measure, and you are anxious to repeal all war measures, I ask how many of these gentlemen are ready to repeal war-time prohibition? [Applause.] Let us do that now; the country wants it. [Applause.] Now, I resent the statement that the laborers of New York City are not asking to continue this law. Working people all over the United States want that repeal defeated. The Calder daylight-saving act has been a blessing to the people of this country. Something was remarked about labor representatives. Let me read you this telegram:

ATLANTIC CITY, N. J., *May 30, 1919.*

Senator CALDER,
Senate Office Building, Washington, D. C.:

I understand that there is a bill to be introduced to repeal the daylight-saving law. If so, urge that arrangements be made for a hearing upon the bill, so that those who oppose the repeal of the law will have an opportunity to be heard.

FRANK MORRISON,
Secretary American Federation of Labor.

Mr. BLANTON. Will the gentleman yield? Does the gentleman know the convention——

Mr. LAGUARDIA. I refuse to yield. Now, gentlemen, I want to say, and I ask the attention of the House to this, that it will work a hardship, cause great loss, confusion, and innumerable litigation in the State of New York if the substitute to the committee amendment suggested is passed.

I call the attention of the House to the memorandum submitted by the attorney general of the State of New York. It is in the hearing, and it is your duty to look up the fact before you vote on the substitute to the committee's amendment. We were compelled under our law in New York to pass a State law to conform with the changed time fixed by the act of Congress. We were compelled to do that because the time was fixed by law in New York to conform to standard time. There is a decision in the Federal court in the case of Globe & Rutger Fire Insurance Co. *v.* David Moffat Co. (154 Fed., 13) holding that the time fixed in New York by the State law is the time to be considered on all contracts, and the attorney general pointed out that as that law was fixed by the decision it was necessary to change our State statute to conform with the change in time by the Federal act. And the State of Pennsylvania did the same. Now, then, our legislature not being in session we have not the opportunity again to amend our law, and, as the attorney general pointed out in his brief, this will affect negotiable instruments, insurance policies, bills of lading, legal papers, and all transactions between the State of New York and the residents of other States. Now, that is something that we can not fairly ignore nor can we upset business conditions in States like New York and Pennsylvania.

Mr. TINCHER. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Kansas?

Mr. LAGUARDIA. I do.

Mr. TINCHER. If we should adopt the committee amendment and wait until next October for the repeal of this law, that would accommodate New York?

Mr. LAGUARDIA. It will be at least the decent thing to do.

Mr. TINCHER. If we wait another year that will accommodate Pennsylvania. Does not the gentleman think it is about time New York and Pennsylvania came into the Union and lived under the Federal law? [Applause,]

Mr. LAGUARDIA. The States of New York and Pennsylvania were in the Union long before his State existed. I will say to the gentleman that he is not speaking for the real farmers of his State; he is speaking for the few owners of enormous estates that are exploiting the farmers and laborers, that is all.

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

Mr. ESCH. I yield two minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Speaker and gentlemen of the House, the difference between those who are demanding the repeal of the so-called "daylight-saving law" and those who wish to maintain it is the difference between those who must labor 8 and 10 hours a day and those who need work only 6 or 7 hours a day. In Kansas and many other States the farmers need full 10 hours each day to plant, cultivate, and harvest the crops; the afternoon is always the best part of the day, especially as often the dew prevents working in the fields in the early morning. They must often quit work at 6 o'clock in order to take into market their produce and cream and secure their groceries and purchase their supplies because the stores in the towns generally close at 7 or 7.30 o'clock. Hence when the clock is moved an hour ahead, it is a loss to the farmer of the best hour in his day, and the thousands of letters and petitions which these farmers are sending to us bespeak their protest against this law. They loyally accepted the burden this law put upon them during the war, just as they loyally surrendered their sons to our armies, just as they loyally sold their crops and bought Liberty bonds, but now that the war is over they demand the repeal of this law.

The laboring men, I mean those who labor 8 and 10 hours a day, are against this law and are asking its repeal. Those who must go to work at 7 o'clock, have to have breakfast at 6 o'clock which means getting up at 5; they don't like to move the clock ahead and so compel themselves to arise at 4 in the morning. They do not like to do this in order to quit work and go home in the heat of the day. Miners who work underground where it is cool do not want to come out into the heat of the summer in the middle of the afternoon.

The wives of the farmer and the laboring man do not want this law to continue. It compels them to get up an hour earlier to get the morning meal; it requires them to start the preparation of the evening meal in the heat of the afternoon; they must get the children up an hour earlier to get them to school, and they are home an hour earlier in the afternoon.

These are the people, and they are the very backbone of the Nation, who are now asking us by the hundreds of thousands to repeal this unnatural law.

Those who like the law, who "put it over" under the claim that it was one of the "needs of the war," are those who get down to their work at 8 and 9 o'clock in the morning and can afford to work only six or seven hours and want to go home at 5 o'clock in the afternoon so as to have more time for pleasure. Such persons belong to the "Daylight Saving Association," so called, whose president appeared before the committee having charge of this bill and told how the association was formed in 1917 at the Waldorf-Astoria, in New York City; the highest priced hotel in the largest city of our Nation. How many people who really and honestly work more than five or six hours a day do you suppose attended that meeting? It is the people who can afford to stay at the Waldorf-Astoria who, having put this law over under stress of war, now want to continue it. It gives them one more hour for golf, one more hour for pleasure.

They are the ones who have had the chambers of commerce write us to retain this law; they are the ones who can afford to have trained and experienced men come here to Washington and work for keeping this law on the statute books; but, gentlemen, is it just to the men who raise the food of the Nation? Is it fair to the men who labor? Is it fair to the mothers who must get up and get the meals and dress the children in the morning and then get the evening meal in the middle of the afternoon?

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STRONG. No. I have not the time to yield.

I would like to ask how many Members would vote to keep this law on the statute book if Congress convened at 7 o'clock in the morning. Would you vote to move the clock ahead so we would have to be here at 6 and have breakfast at 5 and to do so have to rise at 4? Oh! gentlemen, let us be fair. Fair above all things to those who do the work of the Nation; fair to those who produce its food and by their work meet its needs.

Those who do not need to work 8 and 10 hours a day can find plenty of time for pleasure without pushing the day of those who must so work back into the unusual hours before the real day begins.

I speak for the farmer who raises our food, for the laborer who must work, and for the women who make the homes of these men; and who are the mothers of those who fought for us.

I ask you to repeal this law, and I hope you will so vote.

The SPEAKER. The time of the gentleman has expired.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Minnesota [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, the question of keeping the law as it is now would be pleasant for a great many in the cities. It would be a very convenient thing. I am willing to admit that. But the repeal of the law is vital to the farming interests. It is a necessary thing. Therefore I shall vote for the repeal. I want to answer my friend from New York [Mr. LAGUARDIA] about the landlordism out in our section of the country. He says the absent landlords want the repeal. Why, bless the gentleman's heart, there is hardly a man in New York City that can own enough land in southern Minnesota and northern Iowa to employ 15 men on it.

The amount of land held by absent landlords out in our section is hardly worth mentioning. I only know of one New Yorker, Mr. J. S. Tilney, who has extensive holdings in southwestern Minnesota, and his agent, Mr. R. F. Crowley, a prominent farmer and stock breeder, favors the repeal of this law. I can assure the gentleman and Members that this demand comes from the practical and substantial farmers.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. CANDLER]. [Applause.]

Mr. CANDLER. Mr. Speaker, I voted against this so-called daylight-saving law when it originally passed the House. I was one of that 40 that were referred to a while ago, and I am glad to-day to see so many Members of Congress throughout the country coming around to my point of view and favoring the repeal of this law. It ought never to have been passed, but, having been passed, it ought to be repealed. The farmers, all of them throughout the United States of America, judging from resolutions passed by their organizations, favor the repeal of this law, and by their labor they furnish the products to supply all the balance of the population of this country, and therefore their wishes should have the very highest and most serious consideration. [Applause.] You can not change time by law or make more daylight or less night. The rising of the sun and the going down thereof fixes the time. To try to change it by law makes a double standard of time—one true, one false. God's time is true. Man-made time is false. You make the clocks by this law proclaim a falsehood. When they say it is 12 o'clock it is really only 11 o'clock. Let us repeal this law and have the clocks proclaim God's time and tell the truth. Truth is always best. It is mighty and should always prevail. [Applause.]

Mr. CALDWELL. Will the gentleman yield?

Mr. CANDLER. I regret I have not time enough to yield to my good friend.

The SPEAKER. The time of the gentleman has expired.

Mr. CANDLER. I am sorry. I had a number of other good reasons I wanted to offer in favor of passing this bill to repeal the law which pretends to create more daylight, but in fact does not do so. God alone can create daylight. [Applause.]

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

Mr. PELL. Mr. Speaker, the regulation of time by government is an absolute necessity in a civilized country, and it is more and more necessary according to the complexity of the life and labor of the people affected. For example, a man doing a one-man business, say, an artist, can begin his work when he pleases and end it when he pleases. The same is true of any individual or family running a farm, which is the case with most farms in this country. They can and do begin when they please. In fact, you can never go into a farm house and find a clock that is right.

When you take the more complex life of a city, rigid coordination is absolutely necessary, and the question of the settling of time is much more important to the residents of cities and to people working there. The heads of business, these gentlemen whom we have cursed out, among whom, in fact, many of our friends are, and who play golf—those men can get up when they please, no matter what time you have. A man running his farm can get up when he wants to. The only person whose time is absolutely set by the clock is the employee, the person hired in factories in the cities to work; and when those men get off, their hour in the afternoon is of tremendous value to them. I have received thousands of letters and telegrams from various constituents in favor of this bill, and not one single word of opposition have I heard. Of course, they were all from city people. Many of them are commuters; many of them live outside of the city. Those people could get back home early enough in the afternoon to make a garden, and, as the gentleman from Massachusetts [Mr. FITZGERALD] said, they could see their families. At any rate, they wanted it. It made life very much more pleasant for that class of persons which in this country most deserve our consideration, namely, the poor man in receipt of a daily wage. And I do not feel that we should sacrifice the interests of the large number of employees in our city shops merely because their little farms and little gardens may constitute eventually a serious rivalry to the larger producers of food, nor do I think the advantage should be given up so that people may enjoy better dividends out of their light stock.

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

Mr. PELL. Yes.

Mr. BLANTON. The gentleman's colleague [Mr. LAGUARDIA] intimated that the American Federation of Labor was in favor of this daylight-saving law. Is it not a fact that the convention at Atlantic City refused to indorse this daylight-saving law a few days ago? Is not that a fact?

Mr. PELL. A few days ago, I believe so.

A tremendous number of people are employed in shops and little factories, and there can be no doubt but that there is not in this House a single representative of that class—which is the poorest, and which, as I say, deserve our consideration to the greatest degree—who is not strongly in favor of the saving of daylight. It has benefited the cities to a tremendous extent. It has benefited those communities which are in the neighborhood of cities. People who have independent incomes and men who are doing business by themselves never bother with time, anyhow.

The big mail-order houses, which profit at the expense of the country stores, to which the farmer can not go, not having the time to get off in the evening under the old time, and also the lighting companies favor the repeal of this law. But, as I said, I speak primarily in the interest of those people who have to live absolutely by the clock, to whom 1 minute one way or the other means something, and to whom 20 minutes or half an hour means a great deal, while it means nothing to the farmer. Five minutes means a great deal to the citizen who——

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

Mr. PELL. Yes.

Mr. KINCHELOE. I want to ask the gentleman a question merely as a matter of information. Supposing this law were repealed and you were the proprietor of an establishment which employed 50,000 men and all these men got off an hour earlier. What is the reason why they could not agree to go to work at 6 o'clock in the morning instead of 7, if they wanted to do it?

Mr. PELL. Because of the extreme complexity of city life. The farmer can do as he pleases on his own farm, and it affects nobody but himself. [Applause.] My constituents are obliged to regulate their lives according to the customs of the community.

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

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

The SPEAKER. The gentleman from New Hampshire is recognized for two minutes.

Mr. BURROUGHS. Mr. Speaker, I would like to see the many and obvious advantages of this legislation retained, provided we could do away with its many and equally obvious disadvantages. It is because I am satisfied that that can not be done at this time that I am prepared to vote now in favor of the repeal of this law, in accordance with the recommendations of the majority of the committee.

Now, I do not altogether agree with gentlemen who argue that because this was a war measure, therefore we ought to repeal it. I think there are some war measures that we ought to retain. We ought to learn some lessons from the war. But I do say that, having passed this as an emergency measure, a conservation measure, a measure that would help us to win the war, now that the war is over the burden of proof is upon those who advocate its continuance in times of peace.

Now, it is because the proponents, the advocates of this daylight-saving bill have not sustained this burden of proof, and have not to my mind met this test, that I am prepared to vote for its repeal unless it can be substantially amended so as to do away with its many and obvious disadvantages. I shall do this because I am satisfied, after having given the matter very careful and painstaking consideration, that this law in its present form is working a real hardship and injustice upon approximately one-half the population of this country. While it is unquestionably beneficial to some classes of our people, especially in the larger centers, that fact, in my opinion, does not warrant my vote in favor of its continuance after it becomes apparent, as it has now become apparent to me, that real and substantial injustice is being done because of it to a very large proportion of our people.

The daylight-saving law was put forward as an emergency war measure. As such we—most of us—voted for it, as we did for pretty much all the other war measures. I felt then and I feel now that this measure, as indeed all the war measures, would have to justify itself by its practical results. Unless it proved beneficial to our people as a whole, when the emergency was over it would have to go. The mere fact that it was pleasing or even beneficial to some classes was not sufficient to justify its continuance, if, in fact, it worked substantial injury to other large classes of our people.

In other words, I felt and still feel concerning this measure and all the other emergency war measures, now that the war is over, that the burden of proof is upon those who would advocate their continuance during times of peace. They must show affirmatively that the legislation is in fact beneficial not only to a particular class but to the people as a whole.

Mr. Chairman, I represent a district that is about equally divided between an industrial and an agricultural population. About one-half of the people of the district that I have the honor to represent here live in the country and make their living on the farms. These people are substantially unanimous in their opposition to the daylight-saving law. I believe I am speaking within limits when I say that fully 90 per cent of them are opposed to it and strongly advocate its repeal. Protests, in the form of individual letters, telegrams, and petitions, have been coming to me in great numbers from these people in the last few weeks. Many of these petitions, as well as resolutions passed by grange organizations and others, have been placed by me on file with the Interstate and Foreign Commerce Committee of the House.

The Commissioner of Agriculture of the State of New Hampshire, who is a most broad-minded and fair-minded man and a most accomplished official, in close touch with the agricultural interests of our State, has gone on record most strongly against this law. I learn from him that farmers producing market milk in our State and shipping the same to Boston and other places by rail are obliged to load their milk one hour earlier under the new time schedule than under the old. Also, that farmers on the Suncook Valley Line of the Boston & Maine Railroad have to begin their milking at 3.30 a. m. under the new time. This is also true of farmers located in other sections of our State.

Farm help, which is extremely scarce and difficult to obtain at any price at the present time, are as anxious to quit work at the stroke of the clock as are the city workers who drop the hammer at the blowing of the whistle or the ringing of the bell. This of course means that the cows must be driven in from pasture at actually 3 o'clock instead of 4 o'clock in order to have the help milk them in season to close their labors for the day at 5 o'clock, which is really 4 o'clock. The cows will lie in the shade in the heat of the summer afternoon and feed at the time when the shadows begin to lengthen. An hour of feeding just before coming to the barn for milking is worth twice the time of that in the early morning. The reason for this is that the cow has secured practically what she needs during the day to meet the requirements of her body so far as growth and energy grows, and the later-consumed food simply means that more of it goes into the production of milk. If this feeding time is lost, as it usually is under the plan now in vogue, it means a large economic loss to the dairy farmers of New Hampshire.

Another good reason to my mind why the farmers are opposed to keeping the present law in force is because it effects them so seriously during the haying season. The poorest hour of the day for the farmer in haying time is the first hour of the day. This is because of the heavy dews which usually prevail in our State at that season of the year. The new schedule forces the farmer to close his labor in the field so early in the afternoon that the best hours of the day for harvesting the hay are entirely lost to him. Our farmers have found that it is impossible for them to hold their help over the extra hour, even if they are willing to pay them for so doing. Here is another economic loss which our farmers can ill afford to bear.

I learn also from our commissioner of agriculture that when this question of daylight saving was discussed before the Public Safety Committee of New Hampshire sometime ago some of the people in the industrial centers of the State appealed to the committee to take favorable action to prevent the repeal of the law. A hearing was granted, but because of the fact that no notice had reached the farmers they were not present at the hearing. At the close of that hearing the committee voted to approve the suggestions made by the advocates of daylight saving. A few days later, when the farmers learned of the action of the committee, they asked to be heard, and on account of the vigorous protest made at that time the committee reversed its former action.

It is for these and many other reasons that I have not the time or opportunity now to enumerate that I have reluctantly reached the conclusion that it is my duty to vote to repeal this act, unless such modification can be made in it as will remove in large measure the injustice and hardship which I am now satisfied it imposes upon substantially one-half of our people.

I say I have reluctantly reached this conclusion, because personally I like the law. It works no hardship upon me or upon those who, like me, go to their offices at 8 or 9 o'clock in the morning. I know it is a convenience to people who work in stores and banks and offices. I know it has the indorsement in my district of men who are employers of labor, and is, I believe, generally pleasing to our merchants and professional men. Until comparatively recently I had heard little or no adverse criticism of it. Apparently our farmers had accepted it, as we all accepted it, as a war measure, and for that reason no general expression of protest was heard. From the number and character of the protests that have come to me in the last few weeks I am forced to the conclusion that there is widespread dissatisfaction with this law in its practical workings and that in the main this feeling of dissatisfaction rests upon a substantial basis of fact.

The law apparently does not take the farmer into account at all. It fails to take into consideration the facts of nature with which the farmer has to contend. It seems to assume that there is no connection between farm life and the industrial activities

of the city, when, as a matter of fact, we all know that there is a very intimate connection and relation between the worker in the city and the farmer in the country. We all know that the dwellers in our cities are absolutely dependent in most instances upon the dairy farmer and the farmer who raises garden produce for their milk, butter, vegetables, and other food supplies that are essential to their very existence. As a matter of fact, instead of there being no relation or connection between the activities of the country and the activities of the city, there is the most intimate relation between them.

Advocates of this law say that if the farmer is not satisfied with the new time let him make such arrangements and such adjustments as he sees fit. All this assumes that he lives a life separate and apart from the life of the industrial and commercial world and is therefore in position to fix and determine the conditions under which he shall live and work. This assumption is not true; indeed it is very far from being true. The farmer is bound in his work and activity by certain unvarying laws and facts of nature. He can not govern the falling of the dew. He has to "make hay while the sun shines." The labor that he hires is just as anxious to quit with the blowing of the whistle of the near-by factory as is the worker of the city; but if the men quit at 4 o'clock sun time the farmer loses two hours of the best time in the day for harvesting his hay and grain.

Advocates of this law seem to forget that the flow of milk and other farm produce, which is essential to the life of the city, sets in from the country several hours before the activities of the city begin at all. Train schedules are made up with reference to the beginning of the working day in the city. Your city resident has to have his milk and other food supplies brought to him in season for his morning meal. That means that the producer of this milk and produce must get up in the morning in season to deliver his produce either in the city or to the train that shall take it to the city in season for breakfast.

Now, if you advance the clock an hour and thereby start the working-day an hour earlier, it means that breakfast is going to be an hour earlier, and that means that trains have got to run an hour earlier, and that means that the farmer must get up an hour earlier in order to get his milk and other supplies to market. There can be no escape from this.

In other words the starting of the factory an hour earlier means a tremendous disarrangement of lifetime habits affecting a multitude of people, and not only people but domestic animals as well. It is not simply a question of whether it is advisable for the worker in the city to get up an hour earlier during the summer months. He may be able to do that without inconvenience or hardship. But how about the farmer who under sun time is getting up at 4.30 in the morning, and who under the new time must get up at 3.30 in the morning in order to get his milk and other produce to market?

I maintain that that is not fair to him, and I see no way by which that hardship upon him can be removed under the present law.

Ages ago the Roman law provided a variable day adjusted to the variable length of daylight between winter and summer. It was in effect a sliding scale that took into account both ends of the problem. In this respect it was wiser than our modern enactment, and happier, too; at least history does not record any such agitation for its repeal. It can not be said that it was called "scientific," because happily the word had not then been invented, but it met the requirements of its day, and that is all that science can do for us now.

If the clock is to be set by law and not by the sun the need is for a scientific law to correct the astronomical eccentricities of the varying length of daylight in winter as in summer. It should be helpful to the country as well as to the town. It should be considerate to the workers in food distribution. Such a law would not take away all that the present act gives to the city, and yet would give comfort to the country.

If a daylight-saving bill could be drawn upon some such principle as that I would be glad to give it my support, but I utterly refuse to lend my support further to class legislation of this sort that grants a privilege to half of the people at the expense of the other half.

Mr. PELL. Mr. Speaker, I ask the privilege to extend and revise my remarks.

The SPEAKER. The gentleman from New York [Mr. PELL] asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ESCH. Mr. Speaker, I yield one minute to the gentleman from Iowa [Mr. HULL].

The SPEAKER. The gentleman from Iowa is recognized for one minute.

Mr. HULL of Iowa. Mr. Speaker, I rise to say that I am in favor of the repeal of this law, to take effect at once, and shall so vote. [Applause.] In doing so I shall represent the unanimous sentiment of the farmers of my district and a goodly proportion of the laboring men of my district. [Applause.] After careful consideration I have concluded that the daylight-saving act should be repealed. The reason is fundamental. When we passed the law we tried to "put one over" on Mother Nature, and when you try to improve the natural laws it usually ends in disaster. That has been the result in this instance, and although the law has been in effect only about a year and a half it has worked a very great hardship on the farmer and rural population without corresponding benefits to those who live in the cities, benefits that can now be secured if we repeal the act and go back to the only real standard time—sun time.

There used to be an old adage that "Man works from sun to sun, but a farmer's work is never done." That is not true any more where the farmer employs hired men, and most of them are compelled to do so. The laborer in the fields now quits at the tap of the 6 o'clock gong, the same as his city brother, and he no longer consents to remain in the fields until the twilight drives him home. In the morning, however, it is different. The city employee goes to work at 7 o'clock, or whatever hour he is expected, regardless of the weather. This can not be done on the farm. If it rains during the night the farmer must wait until the sun comes up and dries out the fields; if there is a heavy dew during the night, the same thing applies. As a result many valuable hours are wasted, and this during the very time that hours are the most precious. I have it from competent authority that the loss in a monetary way in my district alone will run into the hundreds of thousands of dollars. There is another point to be taken into consideration. All the dumb animals can not tell time, and they govern themselves by the laws of nature. The result is that it is impossible to adjust them to the new order of things, impossible to make them get up an hour earlier during summer, eat their meals an hour earlier, and retire an hour earlier at night. As I stated in the outset, when we try to improve on nature we usually end in trouble, and there is no better demonstration of this fact than the present law.

I appreciate the fact that there are two sides to the question and I have had letters from people living in the city asking that the law remain intact.

However, I see no reason why the manufacturer can not adjust his working hours in accordance with sun time if he so desires. There is no reason why he can not allow his employees to go to work the same time as they do now, even though the clock will register an hour earlier. The manufacturer can adjust his work to suit the occasion, but the farmer must adjust his work to nature, as it is nature that brings the harvest.

There is another element that induces me to cast my vote as I shall. I must be guided in a measure by the sentiment in my district, and judging by the letters I have received it is 3 to 1 in favor of the repeal of the law. Not only does the request for repeal come from the farmers—they are almost a unit in requesting it—but many men from the city favor getting back to standard time and so remaining. I believe the present law should be repealed and we should return to the natural order of things at the earliest opportunity.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ESCH. Mr. Speaker, I yield one minute to the gentleman from Mississippi [Mr. QUIN].

The SPEAKER. The gentleman from Mississippi is recognized for one minute.

Mr. QUIN. Mr. Speaker, I am in favor of repealing this law. [Applause.]

Mr. KNUTSON. Mr. Speaker, I hope all this applause will not come out of the gentleman's time.

Mr. QUIN. This law was passed distinctly as a war measure, notwithstanding what the gentleman from Tennessee said. No such European statute could have been put upon the statute books of this country except as a war measure. The war is over now, and all those gentlemen who talk about the laboring men not wanting the daylight-saving law repealed, and so on, must realize that it was God who put the sun in the sky for the illumination and guidance of the farmers and the laboring people [applause], and they do not want to be made to think

permanently that they are fooling themselves by governmental monkeying with the clock. [Laughter.]

The farmers of this country are honest in their contention that this law to some extent has interfered with their affairs, and they want this law repealed. They were willing to be inconvenienced by governmental regulation during the war because they are patriotic citizens. Those patriots expect Congress to repeal this law. I shall vote to repeal it right now. [Applause.]

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

Mr. QUIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

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

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. GRIFFIN. Mr. Speaker, at the outset I ask leave to revise and extend my remarks.

The SPEAKER. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker and gentlemen, of course in a few minutes we can not go into the arguments pro and con on this question, but I want to present to you some facts which ought to have some weight with the gentlemen who allege that they represent the farmers of the United States. How many people are there altogether in the United States who are affiliated with agricultural pursuits? Just 12,000,000 people. Now, as against that there are 26,000,000 people who are identified with manufacturing, trade, transportation, mining, and other industries.

You gentlemen stand up here and talk about the farmers as though the farming interests were the sole interests to be consulted in this country. There are other parts of this Nation which are essential; there are other men and other industries that are necessary in order to carry on the great mission of this country. When you have a Liberty loan or a Victory loan to put through, where do you gentlemen look in order to raise the money? The total subscriptions to the Victory loan amounted to $5,249,908,300, and what proportion of that do you suppose was raised in the New York district? One billion seven hundred and sixty-two million dollars! Practically one-third of the entire Victory loan, was raised by the New York district. You gentlemen rise in this Chamber and talk about the little farmer whose cows can not get used to the new time. [Laughter.] You talk about your farm employees who can not get through the day's work in time to attend the moving-picture shows. Do you not think at all of the hundreds of thousands of poor toilers in the great cities of this Union, in the industrial centers, in the sweatshops, in the manufacturing establishments, in trade, in transportation, and in other industries? Do you not think they are entitled to some consideration? Does the tail want to wag the dog? Yet that is the attitude of the farmers of this country as represented in this House to-day. You represent only 30 per cent of the industries of this country, and yet you want to have everything accommodate itself to your alleged requirements.

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

Mr. GRIFFIN. I have not the time to yield. The State of New York, the great Empire State, with a population of over 10,000,000 people, is against this proposed repeal. And yet New York is no mean State in agricultural interest. It stands tenth in the value of its farms and sixteenth in acreage under cultivation.

The farms of New York State are sufficient for all the needs of its 10,000,000 inhabitants. Contrary to the view of some of our western friends, the people of New York would not starve if they stood entirely upon their own resources. The Empire State's agricultural activities will not only maintain its 10,000,000 inhabitants in plenty but could well support a population five times as large.

It may surprise some folks to learn that in 1918 New York State raised more potatoes than any other State in the Union. Its farms yielded 32,646,000 bushels. Its production in wheat was 7,526,000 bushels; in rye, 1,985,000 bushels; in oats, 53,426,000 bushels. In dairy products New York State stands the second in the Union.

However, we make no pretense to big things in farming. Our farms are small and are generally cultivated by their owners and the members of their families. We have no aristocracy of the soil in the State of New York; no large tracts of land cultivated by corporations or capitalistic farmers who in the West are fast aping the methods of the coal and steel barons. We have heard much talk in the West from the big fellows, but we have heard very little about what their farm hands want. I venture to say that if the farm hands were heard from they would not be loath to take advantage of the increased leisure and opportunity for recreation which the daylight-saving law has given to employees all over the country.

While New York State stands near the head in her agricultural resources, she occupies the premier position in the variety and value of her manufactured products. According to the census of 1910, there were in all the United States 6,615,000 wage earners engaged in manufactures. One million of these—nearly one-sixth—live in the State of New York. The value of their work, as expressed in the value of their products, amounted to $3,369,490,000.

Taking the States which are most vitally interested in maintaining the daylight-saving law to improve the living conditions of their inhabitants, we find that in New York, Pennsylvania, Massachusetts, Illinois, Ohio, and New Jersey there are 3,705,004 persons engaged in manufacturing, and that they produce more than half in value of the manufactured articles produced in the United States.

I have letters here from the Chamber of Commerce of the State of New York, the Chamber of Commerce of the City of New York, boards of trade throughout the State of New York, hundreds of telegrams, and hundreds of letters opposing the repeal of this law.

TELEGRAMS.

Telegrams protesting repeal of the daylight-saving law, from Downey Shipbuilding Corporation; Ward Baking Co.; Babcock & Wilcox Co.; Peters Manufacturing Co.; Cowperthwait & Sons; Peter Ferester; Gas Engine & Power Co.; Capt. W. G. Hawes, 258 Broadway; McKesson & Robbins Co.; Marcus M. Marks, president National Daylight Saving Association; Thomas J. Quinn; S. G. Rosebaum, National Cloak & Suit Co.; Roessler & Hasslacher Chemical Co.; Smith & Kaufman, 19 East Twenty-sixth Street; Samstag & Hilder Bros.; Mrs. Francis McNeil Bacon, chairman National Civic Federation; A. Duncan Reid, on behalf of 700 employees; Paul Prager, general secretary Merchant Ladies' Garment Association; American Cyanide Co.

LETTERS.

Marks Arnheim Co., 30 East Forty-second Street; Aitken Sons & Co., 417 Fifth Avenue; American Cyanamid Co.; Barrett Co.; Bon Ami Co., 17 Battery Place; A. L. Brown, 68 Nassau Street; Alfred Beyrodt, 759 Hewitt Place; Brooklyn Trust Co.; Columbia Metal Box Co.; Central Federated Union; Crockery Board; Campbell, Metzger & Jacobson Co.; Crowell-Lehnhardt Co.; Donegal Motor Rug Co.; E. A. Caldwell Co.; A. P. Dienst Co.; Expanded Metal Engineering Co.; Felt & Tarrant Manufacturing Co.; Arthur Franstein Co.; G. B. G. Manufacturing Co.; Robert L. Hooks, 26 East One hundred and twenty-sixth Street; Knickerbocker Ice Co.; I. Kaminsky; Kohler Industries; Jacob Leitner, Prospect and Westchester Avenue; Luckenback Steamship Co.; Merchants' Association of the City of New York; Metropolitan Tobacco Co.; H. Muhlstein Co.; Northern Assurance Co.; New York Business Publishers' Association; Amsterdam Casualty Co.; Oil Seeds Co.; Gardner Binding Co.; Periodical Publishers' Association; Remington Arms Co.; United States Smelting, Refining & Mining Co.; Gas Engine Power Co.; Charles L. Seabury Co.; Sweet-Orr Co.; Bronx Board of Trade; Bronx Chamber of Commerce of the City of New York; Sargent Co.; Salant & Salant Co.; A. Sulka Co.; Olin J. Stephens, One hundred and thirty-sixth Street and Mott Haven Canal; United States Casualty Co.; West Disinfecting Co.; American Association of Woolen & Worsted Manufacturers; the Chamber of Commerce of the State of New York; Carter, Macy & Co., New York City; Campbell, Metzger & Jacobson, 932 Broadway, New York City; W. J. Richardson & Son, 62 Leonard Street, New York; R. J. Caldwell, 15 Park Row, New York City; the Columbia Graphophone Co.; E. R. Durkee & Co., New York City; Fred Fear & Co., 299 Broadway, New York City; Grevatt Bros., New York City; J. L. Mott Iron Works, 118 Fifth Avenue, New York City; Metal & Thermit Corporation, 120 Broadway, New York City; the Miller School, Lexington Avenue and Twenty-third Street, New York City; the National Automatic Sprinkler Association, 80 Maiden Lane; the Hastings Paving Co., 25 Broad Street, New York City; the Insurance Observer, 37 Maiden Lane, New York City; Kirtland Bros., 95 Chambers Street, New York City; the Kohler Industries Co., 601 West Fiftieth Street, New York City; P. W. Lambert Co., 444 Lafayette Street, New York City; the New Amsterdam Casualty Co., 59 John Street, New York City; National Surety Co., 115 Broadway, New York City; the

Oil Seeds Co., 35 South Williams Street, New York City; the Real Estate Board of New York, 217 Broadway; the Retail Shoe Dealers' Association, 130 West Forty-second Street; the Shaw-Walker Co., 60 Franklin Street; Standard Mail Order Co., Fifty-fifth Street and Ninth Avenue, New York; Twenty-third Ward Bank; U. S. Smelting & Refining Co. (Inc.), 120 Broadway, New York City; Amasa Walker, 449 Fourth Avenue.

Will you not give consideration to the needs of others? I think this is a time when a little unselfishness ought to be displayed. The daylight-saving law has been adopted by the most civilized nations of the globe. It was advocated by Benjamin Franklin. It has saved millions of tons of coal, and if let alone will continue to save millions and millions of dollars. If you gentlemen who have trouble with your cows because they will not work according to the new time and with your men because they do not want to go out in the wet dew in the morning to do their work, if you are unselfish, you can begin the day's routine an hour later. Why not wait for the sun and work in harmony with it, if you have such a high and exalted opinion of the sun as the regulator of your particular industry? [Applause.]

APPENDIX.

Persons engaged in agriculture in United States.

ACCORDING TO CENSUS OF 1910.

Males	10,582,039
Females	1,806,584
	12,388,623
Total population of the United States (1918)	105,118,467
Area of United States in acres	1,903,269,000
Acres under cultivation, i. e., devoted to farming	293,794,000
Acreage not used for farming	1,609,475,000
Wealth of the United States (1918)	$187,739,071,090
Value of farms and farm property (1918)	$40,991,449,090

TABLE 1.

Occupation of inhabitants (prior to war).

[World Almanac, 1919.]

	Inhabitants.	Per cent.
Agriculture, forestry, and animal husbandry	12,659,203	33.2
Mining	964,824	2.5
Manufacturing and mechanical industries	10,658,881	27.9
Transportation	2,637,671	6.9
Trade	3,614,670	9.5
Public service	459,291	1.2
Professional service	1,663,569	4.4
Domestic and personal service	3,772,174	9.9
Clerical occupations	1,737,053	4.6

TABLE 2.

Comparison of farm acreage and values in the United States.

State.	Acreage under cultivation.	Standing in acreage.	Value.	Standing in value.
Texas	112,435,000	1	$2,218,645,000	3
Kansas	43,384,000	2	2,039,389,000	6
Nebraska	38,622,000	3	2,079,818,000	4
Missouri	34,591,000	4	2,052,917,000	5
Iowa	33,930,000	5	3,745,800,000	2
Illinois	32,522,000	6	3,905,321,000	1
Oklahoma	28,859,000	7	918,198,000	13
North Dakota	28,426,000	8	974,814,000	12
California	27,931,000	9	1,614,694,000	8
Minnesota	27,675,000	10	1,476,411,000	9
Georgia	26,953,000	11	580,546,000	15
South Dakota	26,016,000	12	1,166,097,000	11
Ohio	24,105,000	13	1,902,694,000	7
North Carolina	22,439,000	14	537,716,000	16
Kentucky	22,189,000	15	773,797,000	14
New York	22,030,000	16	1,451,481,000	10

TABLE 3.

Wage earners and the value of their products in the six largest manufacturing States.

[Census of 1910.]

	Number of wage earners.	Value of products.
United States	6,615,046	$20,672,052,000
New York	1,003,981	3,369,490,000
Pennsylvania	877,543	2,626,742,000
Massachusetts	584,559	1,490,529,000
Illinois	465,764	1,919,227,000
Ohio	446,934	1,437,936,000
New Jersey	326,223	1,145,529,000
Totals for 6 States	3,705,004	11,990,453,000

Mr. ESCH. I yield one minute to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Speaker, I have not asked for this minute of time merely to get Pennsylvania hurried into the Union, as was suggested by the gentleman from Kansas, for Pennsylvania was first in the Union, has never asked to get out, and will never allow any State to go out nor a foreign sovereignty or superstate to break in. But I have asked for this time in order to give reasons why I am in favor of the repeal of this law, after having voted for it as a war measure. [Applause.]

It is self-evident, gentlemen, that the manufacturer can better regulate the working hours in conjunction with the workmen than the farmer can regulate the weather, and now, in the presence of the high cost of living, which continues to mount higher and higher every day, we should not further interfere with the free flow of the productive energy of the farmer in supplying the things that sustain human life. Therefore, Mr. Speaker, in response to constant calls from both farmers and laboring men in my district, I feel it my duty now, after the war is over, and having regarded this law as purely a war measure, to vote for its repeal, as well as the repeal of many other war measures which harass and oppress an indulgent and patriotic people. [Applause.]

Mr. ESCH. I yield two minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN of Nebraska. Mr. Speaker, in looking forward to my duties and associations in the Sixty-sixth Congress I had fully expected that it would require from six months to a year before a new Member could summon sufficient courage to bring himself to the point of attempting to speak on any subject, but the thoughtful and kindly information vouchsafed to new Members from both sides of this House from day to day since Congress convened has been so inspiring and encouraging that a new man's timidity is completely vanquished, and he is constrained to add his voice and convictions to those expressed by older and more experienced Members. The radiant light that has flashed from the eyes of the old-time sages here from both sides of the House and the irrepressive waves of knowledge that have flowed forth from their active minds and liquid tongues have been so all compelling and reassuring that new Members have lost their sense of timidity and restraint and have become so thoroughly inspired and informed that they are compelled to speak. Silence is impossible under such associations as are found here.

My object in arising at this time is to set forth some reasons why I believe the so-called daylight-saving law, enacted by the Sixty-fifth Congress, has been and is one of the greatest inconveniences and outrages ever forced upon the long-suffering American people, and to express the hope that this Congress at a very early day will bring about its repeal. In view of the inconveniences that result from this law it is to be regretted that any Member of this body should have exercised his right on a point of order to prevent its repeal from being attached to the Agriculture bill, which was the unanimous recommendation of that committee.

The fact that harvest in the South and Southwest is now on and that earnest memorials have been coming in from every agricultural section of the United States pleading for the repeal of this law before harvest affords the most urgent reasons for the earliest possible reinstatement of nature's time. A careful study of the operations of the law reveals the fact that the only benefit it brings to anybody is the extra hour in the afternoon it provides for the amusement of those who want to play golf or attend the functions of some club. The law does not benefit to exceed 10,000,000 people out of 110,000,000, and it does work a real hardship on the 100,000,000, as I shall proceed to show.

Mr. Speaker, the circumstances under which this provision became a law in the Sixty-fifth Congress were about as follows: Every department of the National Government was urging upon the people of the country the necessity of conservation and thrift, to the end that we might "win the war"; and our great patriotic citizenship, irrespective of political affiliations or resident locality, responded to that call. The people were so anxious to heed every advice and admonition of the administration, to the end that unity might be preserved and the highest degree of efficiency reached in the prosecution of the war, that they did not stop to ask the question for the time being whether some of the requirements of the Government were reasonable or unreasonable or whether they would carry out the purposes for which the provisions were designed. Everything else was set aside in an attempt to comply with the one slogan, "Win the war." The gentlemen in this House, as well as those in that other body—which I have learned through the gentleman from Pennsylvania [Mr. MOORE] is unmentionable here—according to the CONGRES-

SIONAL RECORD, at the time this bill was before Congress, presented arguments in favor of it about as follows:

First. Twelve European countries had already adopted the provision.

Second. Turning the clocks ahead an hour would get people up an hour earlier in the morning and give them an hour more of daylight in which to accomplish their labors.

Third. Laborers would be released an hour earlier in the evening and have more time at home with their families.

Fourth. The business and professional men, having their entire leisure time in the afternoons, could devote themselves to the raising of war gardens, thus increasing the Nation's food supply.

Fifth. Great savings of coal would be realized because of the consumption of less light in cities and manufacturing plants.

Now, Mr. Speaker, a fair investigation of the reasons advanced in support of the daylight-saving law reveals the fact that they are not valid and were not worthy of the credence given them by the Sixty-fifth Congress.

What matter is it to us that 12 European countries had adopted a similar provision? Our valiant boys who are returning from their victorious achievements on the world's greatest battle field inform us, which information agrees with my previous convictions, that the less the United States apes Europe the better off she will be. It is of no moment to us whether 12 European countries or any other number, greater or less, have adopted a so-called daylight-saving law. If Europe had been less arbitrary in passing laws and issuing mandates curtailing the legitimate liberties of her people she would be far better off today. The star of progress as well as the star of empire for the United States is to the west and not to the east. [Applause.]

In the next place, it has been found—and if the gentlemen who argued this point in the Sixty-fifth Congress had used their almanacs they would have discovered the fact—that during April, May, and September the so-called daylight-saving law yields another hour of darkness instead of an hour of daylight. The laborers who go to work at 7 o'clock in the morning and the thousands of young people who attend 7 o'clock college and academy classes throughout this Nation must arise not later than 6 o'clock in the morning—which by the new time means 5 o'clock—in order to get to their work or their studies in time.

As to saving coal in factories, as one who has had some experience in firing up in the morning getting plants ready for operation by the time others arrive for duty, I know that even by the old time it is necessary to light up and fire up before daylight, and when you bring your working forces on an hour earlier in the morning you of necessity require just an additional hour of artificial light in preparation for their coming that would not otherwise be required.

The claim of the Fuel Administration that over a million tons of coal was saved last winter because of the daylight-saving provision will not stand the test either of reason or of fact. There were three things that occasioned this saving in coal that are very obvious to any practical man when presented. The first is, our people had been constantly admonished to save coal and had been warned that there would probably be a great shortage. The cartoon of the shovel with a caution to save tied to the handle was published in nearly every newspaper in the land until people became obsessed with a desire to save coal. In my own home a year ago last winter we burned more than twice as much coal as we did for the same number of months last winter. I know many others who experienced the same result in their individual coal savings. In the next place, because of the warning that there might be a coal shortage, railroad companies and other large consumers in the latter part of 1917 and early 1918 laid in vast supplies of coal. I know of one division railroad yard that had coal stored on a 20-acre tract of ground in anticipation of a shortage in the winters of 1918 and 1919, and there are tens of thousands of tons of that coal still on that ground unused. In the third place, the winter of a year ago, with which the Fuel Administration compared last winter, was the severest on record—the thermometer in a number of places registering 20° below for a month at a time—whereas the winter of 1918 and 1919, through which we have just passed, was one of the mildest winters we have experienced since the Weather Bureau has kept records. I distinctly recall that during the month of January last, out in our Nebraska country, the weather was so mild that I did not wear an overcoat during the entire month.

As to the argument used in favor of this law that it gives men an hour more in the afternoon to devote to garden purposes, it must be conceded at this time that no considerable number of city people are using their time for garden purposes. The fact of the matter is, Mr. Speaker, this law as it now stands serves only a few clubmen of our country, who want a little extra time for pleasure. In substantiation of this statement I have received, as no doubt other gentlemen here have, letters and memorials from various clubs of New York and other large cities pleading, in substance, "Do not take away from us our extra hour of pleasure."

Mr. Speaker and colleagues, for this Congress to enact a piece of legislation that yields only an hour of pleasure to less than 10 per cent of our population and at the same time brings great inconvenience and handicap to all the agricultural and labor forces, upon whom we are all absolutely dependent, constitutes an act for which we should be ashamed, and for the removal of which we should take immediate steps.

In summarizing just a few of the many legitimate objections that can be made to this law, I want to call your attention to 10. I have adopted for convenience the 10 reasons which I read the other day in the New York Commercial, a paper published in the State from which hails the distinguished gentleman [Mr. LAGUARDIA] who raised the point of order on this measure a few days ago. Here are the 10 reasons summarized in the New York Commercial:

1. Daylight saving adds one hour of darkness instead of daylight to the farmer's day.
2. Farmers shipping milk or other perishable food supplies must meet trains an hour earlier than before April 1.
3. Farm children frequently go long distances to school, and mothers must get them ready by lamplight.
4. During haying and harvest it takes four hours for the dew to evaporate so hay or grain can be baled or stacked or the binder operated.
5. The hottest part of the day is from 12 to 1 o'clock, old time. Under new time a farmer must send his hands and his horses to the field during the most intense heat.
6. Extra labor hired during harvest, haying, and thrashing is usually from the towns and used to working according to the clock. Such hands insist on quitting at 6 o'clock, new time, or 5 o'clock, old time, when the sun is still three hours high.
7. Farmers attending prayer meetings, neighborhood and community gatherings, and entertainments must quit an hour earlier than they would under old time and thus lose an hour of work time.
8. To get into the stores or banks in towns, which operate under new time, the farmer must start an hour earlier than he is accustomed to start.
9. There is constant friction and loss of time while exchanging work with neighbors, a custom that is necessary during haying, harvest, and thrashing. Farm hands refuse to work by new time one day and by old time the next.
10. Thrashing is interfered with when part of the crew works according to new time and part according to old.

These reasons are set forth especially from the viewpoint of the agriculturists, but the farmer is not the only one that suffers because of this law. The opposition to the law among the rank and file of the laboring men is just as pronounced as is that of the farmer. In many coal-mining communities laborers are working under old time, having absolutely refused to observe the new hours. The provision is so unpopular in the packing plants at Kansas City that these plants are operating under the old time, men having positively refused to rouse their wives and families before daylight in the morning to speed up breakfast and get ready for work by 6 o'clock natural time.

I have been learning that the letters and petitions that come to this body from so-called labor leaders often do not represent the convictions of the laboring men at all; and statements that may be made here that a majority of the laboring men favor this law are not true according to the facts. It can be shown that a large majority of the industrial forces of the country are opposed to the law. Thus we find that the 30,000,000 of our population engaged in agricultural pursuits, together with a large majority of the laboring men of the Republic, come to us with a unanimous request to repeal this useless and obnoxious law. While it may be regarded by some who are not in touch with the heart and pulse of these people as a matter of minor importance as to what time is observed, the petitions and appeals that are coming in to this Congress by the thousands from every agricultural section from New York to California and from Canada to the Gulf praying for the repeal of the law reveal the fact that no other legislative act that this Congress can perform will meet with such unanimous approval of the American people as the repeal of the daylight-saving law; and, in my judgment, Mr. Speaker, any Representative who is so thoughtless as to pass lightly over this mighty appeal that is coming here from the heart of the great American people is unmindful of his duty as a Representative.

It has occurred to me since coming here that one of the wisest things the Government could do would be to take a few of its Representatives and give them a six months' trip on full salary and all expenses and carry them to every part of the United States and let them see people's interests and industries in their entirety, to the end that they might fairly represent the whole people instead of seeing only the neighbors near their own dooryards.

For the convenience of the great army of producers this law should have been repealed last spring. Because tens of thousands of our farm boys are of necessity serving in the Army,

mothers and sisters and wives have been compelled to go into the field and do a man's work in order that the Nation's food supply might be maintained. I have seen women during the past two years plowing in the field, harvesting grain, hauling grain to town, pursuing dairy work; in fact, doing all kinds of work that is required of men on the farm. Now, what does it mean under this new time when these women are compelled to go to the field as they have done and are doing uncomplainingly? It means this, that instead of being at home to get dinner at the regular noon hour from 12 to 1, the hottest part of the day, when both men and horses are supposed to be at rest and refreshment, these women must repair from the field to the house an hour earlier—at 11 o'clock, former railroad time, and 10.30, if you please, sun time, almost midforenoon—and prepare the dinner for the working forces and then take the field again at 1 o'clock, either to work from six to eight hours at one shift or else take time again in the middle of the afternoon for the preparation and serving of a lunch. Furthermore, if it is necessary, as it often is, to go to town in the evening to make purchases, practically all of the stores throughout the country close not later than 6 o'clock and many of them close at 5 o'clock or earlier. When these stores close at 5 o'clock, which is 4 o'clock former railroad time, or 3.30 in the afternoon sun time, it is necessary for the farmer or some of his help to leave the field in the middle of the afternoon and hurry off to town to make purchases before the stores close.

Let me call your attention to another inconvenience to the American mothers which alone has sufficient weight to influence this body to repeal this law and to do it now. I refer to the fact that every child in the country who, under the direction of his mother or nurse, has been led to form habits of retiring at a certain hour in the evening, ranging from 7.30 to 8.30 o'clock, are obliged under this provision to form new habits entirely and to retire while the sun is yet high in the sky and while it is blazing daylight. My wife, who makes an earnest endeavor to obey all laws, no matter how unreasonable they may be, has had the provoking experience, both last year and this year, of attempting to get our smaller children in the habit of retiring according to the new time, so that the household may arise according to same time; but with one full summer and about two months of another having passed, she has utterly failed to supplant the habits of these children as to their sleeping hours. Ours is only one home among the millions in this land. The old saying that children and fools tell the truth still obtains. Older folks through certain reasoning processes, based on false premises, may lead themselves to support almost any delusion, but children are closer to nature and can not be so easily deceived.

Mr. Speaker, it occurs to me that the purpose of legislation is to advance the legitimate liberties of people and not to curtail them, to contribute to their comfort instead of adding to their discomfort. If the case of the daylight-saving provision were tried under natural law it certainly would not stand the test. The idea of attempting to compel the people by mandate to do their work and establish their customs an hour and a half ahead of the sun, which by nature regulates the days and seasons, is utterly preposterous. There may be some Moseses here, a few Elijahs and one or two Solomons, but there is no Joshua here to command the sun to stand still. Nature fixes time, and even wise men can learn a few things yet from nature. I am glad the control of Congress has been changed, for if we had continued to follow the precedents established during the past four years we might soon have laws passed attempting to regulate the volume of air a man should breathe, suspend the law of gravity, or change the colors of the rainbow. It is high time, Mr. Speaker, that all of our law-making bodies, both State and National, cease to pester and aggravate and handicap the great intelligent American people with foolish, obnoxious provisions and requirements. I have no hesitancy in saying here that the voters of this Nation—both men and women—are thinking more seriously and earnestly than ever before; that they are less tied to any party politically, either Democrat or Republican, than ever before in the history of these parties; and I sincerely believe that if this Congress fails to repeal the daylight-saving law and to act squarely in the interests of the people on every other question that arises we shall witness within the next few years the greatest stampede from both of the great political parties that was ever witnessed in this or any other country.

Mr. Speaker, I have been a Republican from childhood; I believe in the principles of true republicanism; I love the party of Lincoln, of Grant, of Garfield, of McKinley, and of Roosevelt. I am frank to confess that, in my judgment, the fact that too much legislation has been enacted in the past in the interests of the few as against the interests and welfare of the many has prepared the soil in this country for the inception and growth of seeds of discontent. A part, at least, of the rumblings and complaints that threaten our whole social and governmental fabric at this time is the direct result of dangerous and unfair legislation. We can and must relieve the situation by removing as far as it is within our power all grounds for righteous complaint, and then much of the extreme and rabid agitation and conduct that now obtains will cease. We must put the salt of justice into the poisoned waters of the body politic. The people are looking to this Congress for the relief to which they are by right entitled. Where no moral issues are involved, legislators must listen to the voice of the people.

Mr. Speaker, in the name of the 6,000,000 farmers and their families, composing a population of 30,000,000 souls; in the name of 10,000,000 laborers with their families, constituting 50,000,000 more of our population; in the name of millions of mothers and children, I appeal to my colleagues in the Sixty-sixth Congress to repeal the daylight-saving law, and to do it now; the longer the provision continues the greater the injustice to the great common people, of whom "God has made so many."

Mr. SIMS. Mr. Speaker, I yield two minutes to the gentleman from New Jersey [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Speaker, I am opposed to this bill. I want to say so to-day and say that I stand squarely on that statement. [Applause.]

In contravention of the claim that labor is unanimously in favor of the repeal of daylight saving I want to read the following letter from the secretary of the Union County Central Labor Union, with headquarters at Elizabeth, N. J.:

JUNE 16, 1919.

Hon. ERNEST R. ACKERMAN,
Washington, D. C.

DEAR SIR: At a meeting this evening our organization, representing 30,000 union men in Union County, unanimously went on record opposing the repeal of daylight-saving law, notwithstanding the action of the American Federation convention.

We trust you will use your best efforts to prevent the repeal of the measure.

Respectfully, yours,

GEORGE J. REISS, *Secretary.*

[Applause.]

This bill affects the interests of all people—men, women, and children. It touches their lives, economically and socially, as does no other proposed legislation, and comes more closely to the regulation of their domestic and home activities than any other bill pending in Congress.

Utilization of one additional hour of sunshine during summer was authorized by Congress while our country was at war. Many things were being done then to increase our efficiency and effectiveness as a Nation for the struggle before us. That saving daylight helped us in the fight I have never heard contradicted. That it will materially aid in our readjustment to normal conditions and in payment for the wastage of war I firmly believe.

I am in favor of the repeal of some of the laws enacted as war-time measures and which are still in operation. In this way they are being tested as to their worth during times of peace. Daylight saving is also operating on a peace basis, and judging from the reports coming to me as to its advantages I am convinced that it should be continued. This opinion is not entertained regarding some of the other measures.

As our most important work is to legislate for reconstruction, prudence and good judgment would dictate that we keep war-time measures that are workable and advantageous and repeal those which have no justification when hostilities have ceased.

Daylight saving is economically and humanly good legislation. It is a fuel saver and food producer. By permitting laborers, factory and office workers to get more time in their gardens, it is a boon to these people. Fair treatment has always been given the farmer, and it is rather remarkable that he should not be more considerate of those who are unable to make their living as he does, in the fields and open air, when they ask for a little time in which to enjoy the benefits of the great "out of doors." It is folly to say he is envious, just as it is unjust to charge that he fears for the market for his products. That he is impatient with the law and regards it as a new-fangled notion and a fad for city folks can not be denied, and there has been no reply to the question as to why the outdoor man wants to keep the indoor man in.

The average farmer will not admit it, but the real basis of his hostility to the daylight-saving law comes from his dislike to change his long-established mode of living and do things differently from the old time-honored way. Many of the city men of to-day were the farmers of yesterday, and they will tell you in all of their years of farming the new time schedule was followed long before it was adopted by law. All of these men now favor the retention of the measure and vigorously assert that the farmers can adapt themselves to it if they want to.

The people who favor the continuance of daylight saving have shown themselves to be 100 per cent patriotic in every war activity. They have "gone over the top" with Liberty bonds, Red Cross, Y. M. C. A., Knights of Columbus, Salvation Army, and other kindred subscriptions; they have sent their sons and daughters into the field; they have worked night and day in their private and public capacities, frequently at great physical and financial sacrifice, to win the war. Surely they are entitled to some consideration by Congress.

Then, too, how about those who have gone to the front and are now coming home to us? They have become accustomed to live and work in the open air. Many of them will resume their work indoors and will find it hard to again accustom themselves to the change. Do you not think they will utilize every minute so as to be out of doors and are they not deserving of the extra hour of recreation this bill will deny them? [Applause.]

We hear complaints about the things that have been done during the absence of the soldiers and without their wishes being consulted or any opportunity being afforded them to declare themselves. There is merit in their contention, whether they would ultimately be agreed with or not. The passage of this bill will merely add another to the score on which they will call for a settlement some day.

Daylight saving is one of the things on which capital and labor are in thorough accord. We are all familiar with the unrest in many of the industrial centers because of readjusting labor conditions. In all of these centers the retention of daylight saving is strongly urged by both sides to whatever controversies exist on other questions. In my judgment, therefore, the repeal at this time would tend to aggravate an otherwise unsatisfactory condition and render it more difficult to handle.

As an indication of the interest displayed in this measure by those who as yet have no voice or vote regarding the regulation of their domestic and public affairs, I want at this time to quote from a letter received from a school in Summit, N. J., one of the most enterprising towns in the district I have the honor to represent. The letter was written by Miss Anna S. Woodman, assistant principal of Kent Place School, apparently after discussion with the pupils regarding this repealer, and is as follows:

> Our local paper says you are actively working against the repeal of the daylight-saving bill. You may be interested to know that in this household, 17 States are represented, and every one of these representatives of States from the Pacific to the Atlantic, from Michigan to Florida, is bitterly opposed to the repeal of this excellent measure. We all trust that you will continue the work and will meet with success.

In the metropolitan zone, of which New York City is the center, over ten millions of people have their existence.

The period during this year that the extra hour of daylight will be enjoyed amounts to 210 days for each one of those individuals, or 2,100,000,000 hours of community activity.

Let us presume that 10 per cent of this number are not in a position to be affected one way or the other in this respect and we will have a net figure of 1,890,000,000 of hours of activity to be participated in by the people immediately affected in the zone comprising the greatest metropolitan center in the world. Reduced to figures that the mind can more readily grasp, that number of hours equals 215,753 years of daylight participation in health-giving and labor-producing activities by only 10 per cent of the country's population.

This is equivalent to thirty-five times the amount of time that is supposed to have passed since the traditional beginning of the world, 6,000 years ago.

Inasmuch as New York is the center of foreign commerce of the United States, and as we are by every means in our power endeavoring to increase our foreign trade, we will, by repealing the daylight-saving law, dislocate the daily touch we now have with the exchanges in European countries with which we do the bulk of the country's export business, which should cause us to stop and consider such a step before it is too late.

Of course, if we can induce those countries to change their habits and customs, what I have just said will not be pertinent, but it is very doubtful if we can, and they will be active and efficient while we are enjoying an unwarranted ease by not appropriating the possibilities of conservation that are within our grasp.

I appeal therefore to your good judgment not to repeal this law.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Speaker, I make the same request.

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

There was no objection.

Mr. SIMS. Mr. Speaker, by way of reply, I want to congratulate the 36 Democrats, all of them from the South but 3, who voted against the passage of the daylight-saving bill, for taking a strangle hold of the leaders of the Republican Party on the other side, and especially the chairman of the Committee on Rules, the gentleman from Kansas, and converting them all in a lump. Thirty-six Democrats voted against the passage of the enactment of the law, while only 4 Republicans voted against it. But practically the whole Republican Party on this floor have now determined that the 36 southern Democrats are the real true-blue friends of the farming interests of the entire country.

Mr. ALMON. Will the gentleman yield?

Mr. SIMS. No; I have not the time. What I hope is that these 36 Democrats will continue leading these Republicans on all things and then perhaps they will all have a chance to go to heaven when they die. [Laughter.]

Now, Mr. Speaker, it is remarkable to hear gentlemen get up and claim that the daylight-saving bill was exclusively a war measure, with no limitations in the bill, when it passed, and that since two of the greatest States in the Union in resources and population—New York and Pennsylvania—by State law, not simply to last during the war but as permanent law, have established standard time in both States to conform to the law of Congress now sought to be repealed.

Gentlemen who are for this repeal bill must think that in New York and Pennsylvania the legislatures did not know what they were doing. They did not know that these gentlemen here had all voted for the bill exclusively as a war measure. It is almost absurd for gentlemen to make the argument that this was exclusively a war measure. It was claimed to be a good thing both during the war, and afterwards if it had a good effect during the war it was expected that it would be continued. All of the Republicans except four voted for it, and inasmuch as the chief reason for its enactment remains, the high cost of living, which was brought about by the war, how are you going to excuse yourselves for its repeal? Oh, you are a great Republican Party to come in now and repeal a Republican law, or a law introduced by a Republican Senator and passed by every Republican vote in this House except four, and I know you all felt sorry for those four at the time they voted. I congratulate the 36 southern Democrats on this side, because the South remains in the saddle not only in committee assignments but in leadership, thought, and legislative purpose. The whole Republican outfit now almost break their necks to vote with these Southern Democrats. Seriously [laughter]—oh, I did not mean that the other was not serious—but I could not see why gentlemen on the Republican side flopped so quickly and suddenly and so all together, simply to be in harmony with 36 Democrats. Nine times as many Democrats voted against the law as did Republicans, and now you Republicans are running over each other pell-mell to keep up with the 36 Democrats. I am almost mortified to see that the gentleman from Kansas [Mr. CAMPBELL] and the gentleman from Wyoming [Mr. MONDELL], who constitute the brains of the Republican Party, both of long experience, now trail along behind the leadership of TOM SISSON and ZEKE CANDLER—excuse me for mentioning them by name—and these other recalcitrant Democrats from the far South.

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

Mr. ESCH. Mr. Speaker, I yield one-half minute to the gentleman from Ohio [Mr. MOORE].

Mr. MOORE of Ohio. Mr. Speaker, I rise to express the almost unanimous desire of my constituents that the daylight-saving law shall be repealed. Indeed, an immediate repeal of the same would conform to the desire of all classes in the fifteenth district of Ohio, and the same conditions obtain in the greater portion of Ohio.

During the course of this debate an effort has been made to make it appear that no one except the farmers desire the repeal of the daylight-saving law. The expressed desire for a repeal of this law comes from the employer and the employee, from the miners, the farmer, the truck grower, the clerk, the stenographer, and the housewife. In short, from all classes of our citizenship.

The measure was enacted, we were told, as a war measure; and if so, it has served its purpose. Our people tried to observe the provisions of the law, even though it caused great confusion, inconvenience, and dissatisfaction. In many cities in the State of Ohio to-day there is confusion which arises from the fact that the railroads will be operating according to one time and other organizations will be using another.

It has caused confusion in the public schools and churches, a situation which did not exist before the passage of the daylight-saving law.

It is true that the farmer protests vigorously against the law, as it affects the work on the farm. The granges, representing thousands of farmers and their wives, have properly requested its repeal.

Our desire, as legislators, should be to bind together the people who pursue occupations in this land of diversified industry, and not to estrange one class from another. It is certainly our desire to encourage the producer in every possible way, and for this reason the interests and claims of the farmer should be protected and encouraged. I can illustrate the hardship that the daylight-saving law imposes upon the producer by referring to one of many conditions that have been called to my attention. The truck growers in the southeastern part of Ohio are now unable, because of the change in time on the railroads, to prepare their produce for market early in the morning so that it can be delivered in good condition on the same day. The same is true of many farmers and producers who would ship the products of the farm while it is fresh, marketable, and in good condition.

I find that the employer as well as the laboring man is in favor of the repeal of this law. To illustrate, representatives of employers and employees in southeastern Ohio representing possibly 8,000 miners or more jointly passed resolutions urging the repeal of the daylight-saving law. Before anyone casts his vote against this bill which will repeal the daylight-saving law, I hope he will think of many miners and their wives who must arise before the break of day in order that the miner may take a train very early in the morning to get to his work, and then return in the heat of the day and try to sleep early in the evening, when it is still hot, in order that he may arise very early the next morning for his day's work. Not only is this true of the miner but of other laborers as well. The Central Labor Union of Cambridge, Ohio, affiliated with the American Federation of Labor, and representing practically all units of organized labor, after investigation passed resolutions urging the repeal of the daylight-saving law. This is a representative body and we can not pass it by without giving careful and earnest consideration to its appeal.

I deny the suggestion advanced by some one during the course of this debate that the support, worthy of consideration, given to the Government in the purchase of Liberty bonds, came from the large centers, and therefore they are entitled to primary consideration in this matter. There is enough honor for all, and I would give it to everyone everywhere to whom it is due. I would not array one class or section against another, but relatively I doubt if there was a single class, according to their financial ability, who did as much in supporting the Government in a financial way as did the laboring man. He bought his Liberty bonds often beyond his ability and worked incessantly that he might produce the thing that his Government needed. Indeed, the laboring man did more than this, for from every mine, factory, and industry hung the service flag, representing their sons who had enlisted in the service of our country. I am willing to give due credit to all who have supported the Government, but submit that the laboring man did his full share as compared with any class. I am sure that this is true of the people for whom I speak and whom I have the honor to represent.

I submit that the repeal of the daylight-saving law will promote good feeling among our people, remove confusion, and permit us to return to a situation that was satisfactory before the enactment of the law.

In behalf of the farmer who produces the necessaries of life, the laborer who toils, the churches, the schools, the housewife, and all classes that are required to observe unusual and inconvenient hours for sleep and work I urge the immediate repeal of the daylight-saving law.

Mr. ESCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ESCH. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. KING].

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

Mr. KING. Mr. Speaker, once upon a time there was a thing called Canadian reciprocity. For a while it sailed serenely along the great newspaper sea of popularity in the columns of the press. The producers of patent insides praised its benefits. Paid pamphleteers extolled it. Young editors for the metropolitan dailies wrote essays in its behalf. A President of the United States interpreted these voices as the voices of the people. The great producing element of the Nation finally awoke to its danger. While they were busy in the fields Canadian reciprocity nearly became an accomplished fact. But being once thoroughly aroused and united against it, the political rain began to fall and the political winds began to blow and the "house fell, and great was the fall thereof." Personal ambitions were wrecked. A great party was divided and its leader, who listened to the false voices, repudiated, overwhelmingly defeated, and cast into the outer darkness of political oblivion.

It might be well for us to take note of this incident now, for never since those days have we been called upon to witness such unpopularity and universal condemnation of a piece of legislation as now prevails among these substantial people of the Nation with regard to the so-called daylight-saving law. The quicker it is repealed and allowed to rest in the great graveyard of congressional errors the sooner we may be forgiven by a patient public for yielding the exercise of common sense in its original passage.

Its passage was founded upon a beautiful theory—the artificial lengthening of life by setting the clock ahead one hour or theoretically moving the sun back one hour. By legislative action we sought to do that which only Divine Power is recorded once to have done in the case of Hezekiah.

In those days was Hezekiah sick unto death. And Isaiah, the prophet, the son of Amos came unto him and said unto him, "Thus saith the Lord, 'Set thine house in order, for thou shalt die and not live.'" Then Hezekiah turned his face toward the wall and prayed unto the Lord and said, "Remember now, O, Lord, I beseech Thee, how I have walked before Thee in truth and with a perfect heart and have done that which is good in Thy sight." And Hezekiah wept sore. Then came the word of the Lord to Isaiah, saying, "Go and say to Hezekiah," thus saith the Lord, the God of David, thy father, "I have heard thy prayer; I have seen thy tears; behold, I will add unto thy days 15 years. And I will deliver thee and this city out of the hand of the King of Assyria, and I will defend this city. And this shall be a sign unto thee from the Lord that the Lord will do this thing that he hath spoken. Behold, I will bring again the shadow of the degrees, which is gone down in the sun dial of Ahaz 10 degrees backward." So the sun returned 10 degrees, by which degrees it was gone down.

It has been found that our profane law can not stand the test of experience. It was and is a nonpuncture-proof, psychological fraud. The date of its repeal will be one of great glorification on the part of a vast majority of our people who are just coming out from under the hypnotic effects of the professorial suggestion that they could lift themselves by their bootstraps.

The passage of such a law, which has worked such hardships upon a great mass of honest, trusting people, will, I think, be forgiven by them, occurring as it did at a time when we were in high nervous war tension, provided we act now with reasonable speed in the light of our normal judgment.

The National Farmers' Grange, the Iowa State Grange, the Wisconsin and Illinois Legislatures have all indorsed the repeal of this law. Thousands of petitions adopted at public mass meetings throughout the country have been forwarded to Congress asking its repeal. The Fulton County (Ill.) Board of Supervisors; the Quincy (Ill.) theater owners; the cities of Fowler and Mendon, Ill.; the Osco (Ill.) Grange No. 1782; the Fulton County (Ill.) Agricultural Association; the Adams County (Ill.) Farm Bureau; the Knox County (Ill.) Farm Bureau have condemned the present law. The Ohio Truck Growers' Association, the Illinois Agricultural Association, the Prairie Farmer and Drovers' Journal (both papers having taken a referendum), the new labor party recently formed in convention at Springfield, Ill., and the Iowa State Federation of Labor have all unanimously called for the repeal of this law. On the 10th instant the American Federation of Labor, in annual convention at Atlantic City, N. J., after full debate, refused to demand its retention as a law. The American Society of Equity, representing the farmers of the northwest, met at St. Paul June 5 and urged the repeal of the law on the ground that it was a nuisance.

The cry for the repeal of this obnoxious law did not arise from some mere whim on the part of the people. It is founded upon actual experience with the act. No demand was made by the farmer as long as the war lasted for its repeal, even though he knew as well as he knows now that it was a positive detriment to farm operations—impossible and impracticable—because its proponents labeled it a win-the-war measure. If such was the case, the farmer was willing to remain mute and suffer the hardship. The war is now over. No further excuses remain for a stay of execution.

If a man would farm these days under the daylight law, and considers sleep necessary to the human being, he must go to bed early. He can not long delay his retirement after the upper rim of the sun has cast its last beam athwart the horizon. The absence of the sun's reflection on the western window pane in the farmer's house is a sign from Congress for him to get to bed, an hour ahead of the hens, if he desires to accomplish the necessary work of the following day. If he has some dairy cows and

has to get his milk to the milk train at 7 a. m., new time, or 6 a. m., old time, he must get up at 4.30 a. m., new time, or at the truthful hour of 3.30 a. m., old time, in order to catch the train. And if he is farming without a dairy herd he finds that Congress requires him to change his getting-up time from 5 a. m. to 4 a. m.

The poet Gray in his Elegy speaks of the "breezy call of incense breathing morn"; "the swallow, twittering, from the straw-built shed"; "the cock's shrill clarion"; and "the echoing horn"—all as instruments whereby our ancient agricultural ancestors were in the morning aroused "from their lowly bed." But the Poet Gray, were he writing to-day, could not make his beautiful language applicable to the modern farmer working under the daylight-saving law. On the contrary, it is a habit of the farmer under this law to rise so early that he is the one who rouses the swallow from the straw stack, sounds all the horns and clarions, punches the poultry from the perch, and kicks the sleepy rooster in the slats long before Miss Incense Breathing Morn arrives on the premises.

With difficulty he arouses the children, usually cross and irritable from loss of sleep, early, in order to get them off to the district school on time. The chambers of commerce advise him to put them to bed earlier. Theoretically this is good, but in practice no child wants to go to bed before dark, nor can he be blamed, if his arteries carry red blood. No real American child will go to bed while the sun is still shining. A great authority on children writes of the injurious effect of this law on children, and says:

Children will not go to sleep by the clock, yet by reason of the daylight law must be disturbed by the earlier activities around the house, and this formidable loss of sleep in numerous cases I had under observation resulted in a nervousness and irritability that bodes only ill for the future welfare of our children if the law is continued. While the pleasure of some is to be considered, we feel that the welfare of a single child should be given more weight than the entertainment of a score of adults.

Inasmuch as the sponsors for this legislation—who, it seems to me, belong to that class who believe in the doctrine that the sun, the moon, and the Milky Way can be regulated by legislative acts—failed in passing the act to produce sufficient mesmeric effect upon the live stock on the farm to induce them to desert the ways of nature and get on their feet at an earlier hour, and inasmuch as no provision was made in the law giving the Bureau of Animal Industry an appropriation and authority to send gentlemanly animal trainers to teach by bulletins and lectures these uneducated and backward animals to be less recalcitrant and more progressive, which work could be done by such agents from the Bureau of Animal Industry with greater "economy," "efficiency," "coordination," and with a view of "expediting and stabilizing" the situation if these experts in animal training were likewise educated in household economics, in order that during any period of brain fag on the part of the live stock by reason of taking this educational course they could deliver a few of the department's homilies on "how to make cottage cheese," upon which subject the department always erroneously assumes the farmer's wife knows nothing whatever, and inasmuch as all these errors in legislation have occurred relative to this law and the most grievous mistake made on the part of the Professoriate "sitting in plenary session" at the time of the passage of the law to devise any successful method of inducing the ordinary and common cow to give down her milk at an hour earlier, the farmer therefore is required to rout out his animals at an unnatural hour while they are resting, get them on their feet, satisfy himself with a scanty supply of milk from the hungry cows, and feed his cattle and harness his horses at an unearthly hour, and all for the purpose of satisfying the whim of the New York stock exchanges, which are slightly annoyed and inconvenienced because when the daylight-saving plan is on in England their openings and closings on speculation and the arrival and departure of their mails are somewhat late according to the English standards.

The farmer, trudging along under this law and violating by an hour every rule of conduct for farm and outdoor work as laid down by the everlasting sun, enters his harvest field in the early morning to engage in work, only to find that neither Congress nor the Professoriate have provided any change in God Almighty's regulation of the falling and rising of the dew. On account of this oversight the farmer and his help are required to lose from an hour to an hour and a half each morning during the busiest season waiting for the dew to rise. Frantic manipulation of the hands of the clock will not cause the dew to disappear nor will theoretical legislation stop the law of germination or prevent the spoiling and molding of the hay and grain harvested in watered fields.

The dew having arisen and having fairly gotten a start in the day's work, suddenly the dinner horn is heard at 11 o'clock and the farmer stops his work. The horses and hands leave the field. Legislative and Professorial tinkering with time have robbed the farmer of an hour and the horn of its once beautiful sound. The farmer greets it no longer with exultations, but rather with anathema. Down with the daylight law! Down with Congress! Down with Wilson! Long live the devil! His day has been wrongly divided without his consent. He is required to lay down his work at 11 a. m., thus losing one of the most useful hours of the day to the farmer—from 11 a. m. to 12 m. He must work more than eight hours a day. It is important therefore that instead of being required to eat at 11 a. m. he have his dinner at midday so that he may eat his meals at an equal number of hours apart. This saves himself and renders him more effective in his work. The same rule applies to his horses. It is a most flagrant species of cruelty to animals to require these faithful friends, whether on the farm or in the city, to work from 12 m. to 1 p. m. in the heat of the summer under the boiling and unbearable sun directly overhead. Thousands of horses have thus fallen in the fields, martyrs to theories of the Professors, the activity of the garden and canning tool makers, and the synchronization of time with Europe.

After dinner the farmer again enters the field for his afternoon work at 12 o'clock by the sun which continues to move slowly westward from meridian. Taking a glance at his untruthful watch he finds that it is suddenly 5 p. m., quitting time, but the sun is still high in the heavens. The insects are multiplying and the weeds are growing; to-morrow it is going to be rainy weather. Nevertheless, in order to harmonize with surrounding activities and keep pace with professorial suggestion he must stop and lose the best hour in the day for harvesting hay and grain, and while the golfer may think he gains this hour, the farmer actually loses it. If he desires to purchase groceries from the neighboring town he must quit the fields in the middle of the afternoon. He can not get his necessary work done on Sunday in time to attend church. The only thing the farmer got last summer in the way of entertainment was the Chautauqua, and this only where the management began the entertainment in the evening as late as 9 p. m. and the afternoon meetings later than usual. To work on as he must in the afternoons when the crops require attention deprives him of the movies and the weekly band concert in the adjoining town or city. The few pleasures afforded under ordinary conditions to himself and family are denied him, as all entertainments are ended by the time chores are done. A friend writes, "There was a debate at the church the other night. We all wanted to go. I had to stop plowing in the middle of the afternoon to get there." The main engagement, therefore, of the farmers these days is to race all day long to keep one hour ahead of the sun.

Great opposition is to be found against the present daylight law from all classes of businesses where the horse is necessary; especially is this true among teamsters and draymen. They claim that their animals are running down, depreciating, by reason of requiring them to get up and feed at an unnatural hour in the morning, forcing them to eat at 11 a. m. and labor in the direct ray of the summer sun from 12 m. until 1 p. m.

The coal miners of the Middle West are probably made as uncomfortable by this law as any one class of our people. They must eat their breakfast in the dark, and their main meal occurs so early in the day that they have to go to bed at night hungry. The law has been roundly condemned by them in numerous mass meetings.

Business men of the smaller cities have found that if they desire to accommodate their country trade they must keep their places open as late as 10 o'clock at night in order to give the farmer, who must work late, the opportunity to secure his provisions.

CITY FOLKS ARE FOR REPEAL.

It is to be admitted that all the people who are for the retention of this law live in the cities. But it is not to be admitted that all the people who live in cities are for its retention. The old-line Bourbons are against the repeal. So are the secretariats of the chambers of commerce and all the Tory newspapers and Toryism generally, so often lined up with telegraphic rapidity. If you will listen to what Carlyle calls the "inarticulate cry" of the masses, who do not have the wherewithal nor the time to wire us, but who have so far retained the right to vote, you will find a humble but almost universal plea that the law be abolished.

A few letters out of many hundreds express most clearly what is in the hearts of the multitude:

NEW YORK CITY, *February 29.*

Representative KING,
Washington, D. C.

DEAR SIR: Please excuse my liberty in writing you, but I see by this morning's World you are against the daylight-saving law. Keep up your fight to repeal it. The talk, or, rather, ideas, about war gardens make me heartsick. A certain Senator, who favors the daylight-saving

law, only favors the rich who have war gardens, but does he think of the hardship of the plan on thousands of poor working people, who are compelled to live in tenements and flat houses and who have no war gardens?

The working people must get up before daylight to go to work, no matter how early they quit work. They have no war gardens to work in. I am a middle-aged widow, and have to go to work to keep body and soul together, and live in a four-family house which has no garden.

I have to leave my home now at 7 a. m. to go down to my work, and with the daylight plan must leave the house at 6 a. m. in all kinds of weather.

Senators who urge the new system do not have to rise at 5 a. m. and go to work at 6, nor a good many more who can afford war gardens. Why not have a heart, and consider the poor working class. They are human beings, too, and I for one would rather have that hour in the morning and work an hour later in the afternoon, and there are hundreds of others in the same position.

A BRONXITE.

—

NEW YORK CITY, *June 3, 1919.*

Hon. EDWARD J. KING,
House of Representatives, Washington, D. C.

DEAR SIR: As a workingman kindly allow me to congratulate you on the earnest fight you are leading for the repeal of the obnoxious daylight-saving law. I wish you Godspeed.

In my work as a collector I travel over greater New York each and every week. I have yet to hear one genuine workingman or working woman speak in favor of retaining this aptly termed freak law.

Is there any record of labor unions having voted for it? I think not. Have we saved on our gas and electric light bills? We have not. What we may have saved at night we have more than burned up in the early morning hours, for not all of us are bank presidents, stock brokers, and likewise.

As I stated in a letter last year to Representative Adamson, this movement for daylight saving, as led here in New York by Marcus M. Marks, is chiefly for the purpose of keeping Mr. Marks's name before the public. I know Mr. Marks personally, also Mr. W. A. Ferguson. The latter was Mr. Marks's secretary when Mr. Marks was borough president of Manhattan.

The latter was repudiated at the polls by organized labor when he ran for borough president again in 1917. Workingmen, regardless of political affiliations, were chiefly responsible for Mr. Marks's defeat.

Mr. Marks championing labor or hypocritically speaking for them is a ghastly joke. Mr. Ferguson likewise; the latter a fourth-rate lawyer.

Both represent real estate, manufacturing, and banking interests. They don't get up at 3 or 4 a. m. sun time. They arise about 8.30 a. m., leave their offices 3 p. m. (sun time), not to go to their dear little garden patch (what bunk), but to the golf links, seashore, or country, automobiling. Sit on those hypocrites and good luck to you.

Yours, sincerely,

CHAS. J. DAVEY.

—

NORTON, MASS., *February 20, 1919.*

Representative EDWARD J. KING.

DEAR SIR: I saw a small item in this morning's Boston Post in which it spoke of bills introduced by you and Representative Doolittle to have the daylight-saving law repealed. I felt as if I must tell you that I am heartily glad if there is some one who is willing to speak for the thousands of people who do not want any such law. I know of no one who has received any benefit from it or who wants it—business men, farmers or housekeepers. I am one of the latter—a widow not well—and I can not afford servants to do my work, but I have to earn my own living—a woman over 60; a woman whose husband was in the Regular Army over five years, discharged for disability acquired in the line of duty.

Yet I, like thousands of others, can not have the privilege of saying what such a law as this, that turns the world upside down, means to me. Women over 50 can not be robbed of that hour's sleep in the morning and rally from it all day long. So many object to this law, but they don't know how to tell it or whom to tell it to or what to do. Oh, I just hope you will do all in your power in every way to abolish such a law.

Yours, respectfully. MRS. E. M. JENKINS.

—

NEW YORK, *June 3, 1819.*

Representative KING.

SIR: Seeing you are putting up a great fight for repealing the daylight-saving law, pardon me taking the liberty of writing you these few lines. There are 20,000 railroad men like myself ready to sign a petition for its repeal. Upon us it works a great injustice and we suffer very much. For instance, these hot, sweltering nights it is of no use to go to bed early, as one can not sleep, and we must arise at 4 a. m., which means 3 a. m., thereby losing an hour's sleep.

And I might state it is greatly undermining our health. Kindly bring this argument to bear upon the meeting. This law may suit a few that wish to enjoy themselves, but it is not for the poor workingman that must work hard to support his family. We pray that you will be successful. I am, sir, your obedient servant.

L. TURNER,
340 West Forty-first Street, New York City.

—

ALBANY, N. Y., *June 4, 1919.*

Hon. EDWARD J. KING,
Member of Congress, Washington, D. C.

DEAR SIR: I read in yesterday's New York World that you had appeared in favor of proposed bill repealing the so-called daylight-saving law. Your arguments ring true and have the support of facts.

I have discussed the daylight-saving law with farmers in this State, and from what they tell me I can see that they have good grounds for complaint. They say that the suggestion of the advocates of the law that the farmers work by the sun is worthless, for the reason that farm products to be shipped by train and cartage must be gotten out in accordance with the clock schedules under which trains run and city markets are open, and that this arrangement results in a loss of time in the morning and in the afternoon, with a consequent reduction in production. This condition standing alone would be sufficient cause for the repealing of such a law.

Newspapers in favor of the scheme and other advocates who, by the way, presume to state they represent pretty nearly everybody in the country, stultify themselves when they claim that the working of that law results in benefits to health and promotes industrial efficiency. The fact is that workers are turned loose in the heat of the afternoon, after an exacting day in a hot mill or factory, and they have the privilege of sweltering until bedtime, which they defer to an hour later than when living under the old time, as it takes a few hours for the heat to partly disappear in the city. Last year a friend of mine, who is manager of a good-sized concern, told me that he lost an hour's sleep a night owing to the fact that he had to stay up an hour later to give his house a chance to cool off. I have asked a number of men, both mental and physical workers, about this phase of the plan, and all agreed that loss of sleep was the result of the law. How an additional hour of heat a day, coupled with a perhaps equal loss of sleep, is of any benefit to the health of the worker I do not understand, nor do I perceive how this work could be as good as if he had the proper amount of sleep. Of course, the health of the large employer and man of wealth is probably benefited by the opportunity to spend an extra hour on the links, at his country home, or motoring. The suffering of the multitude crowded in the cities praying for the relief which darkness brings does not intrude upon the pleasures of wealth.

It is well known that petty annoyances and changes in the customary manner of living cause more unrest than great sacrifices which people are called upon to endure. Vicious, and perhaps merely thoughtless and inconsiderate, laws as this go a long way toward illustrating the difference between classes. Bolshevism does not attract followers in this country for its principles, but is often used as an available agency for the expression of discontent. Men fortunate enough to be in a position to enjoy the good things of life are not to be condemned on that account; nor is it wise to add to the burden of those less fortunate by legislation. A law like this would cause all kinds of dissatisfaction without the victims of its provisions knowing just what was their grievance. I always had the notion that the weakening of resistance of men as a result of the operation of the law last year had something to do with the inability of apparently rugged men to withstand the ravages of the epidemic last fall.

The citizens of Albany gain nothing from the law, as the illuminating company increased the price of gas from $1 to $1.30 per thousand, and a lawsuit resulted, the outcome of which looks well for the company.

Senator CALDER probably feels that his constituents want the law to stand, but I have my doubts about the extent of that desire in this State. If I am any judge of public opinion, the citizens of New York State would be well pleased to have done with the fad.

As I see the situation, you are really performing a notable public service in seeking the repeal of a wicked and senseless law.

With best wishes for success, I am,

Respectfully,

ARTHUR R. CONWAY.

P. S.—Vegetables can be bought much cheaper than amateur gardeners can raise them for, so there is no saving there.

—

WATERBURY, CONN.

Representative KING, *Illinois.*

DEAR SIR: Be good enough to overlook the liberty I have assumed in writing to you, but I have felt I would like you to know that the majority of the people East would gladly help in repealing this law for an extra hour of daylight during the summer months. Therefore I am writing to you in hope you will win out and that you will fight this law hard enough to win out before it goes through. Why any sane person can honestly say that they want to see an extra hour of torturing sunlight added to an already too long day is what very few can understand. Take the last two summers we have had in the East here. We have never suffered from such torrid heat; but very few remembered its equal; and where is the man, woman, or child, after suffering through this inhuman heat, did not long and crave for the sun to go down in hope the night settling down would bring them relief? The last summer, with this extra hour of daylight added, was about the most inhuman act that could have been forced on the people. To nine out of every ten persons the day seemed, during that torrid heat, without end. Daylight until 9.30 p. m. when mercury reaches 100 during the day is not a natural day or for the benefit of the majority of the people's health, and a day that lengthens into that hour of the night should not be allowed during the summer months. Take the people who had to work in factories or any place the last summer, when every nerve was strained to keep up the work to help our boys over there, night and day. Thousands and thousands would be glad of the chance to tell of their sufferings during their working hours, shut up in the factories, during that trying heat. Men carried out bodily every 10 or 15 minutes that it required more than a day to bring back to life. This does not include the young girls and women who had to give up completely—simply could not face back to those factory rooms during that heat. If they did, it meant death for more than one. How many times can I recall hearing these poor, suffering people exclaim, "Will the day ever end?" "Oh, if the sun would only hurry up and go down!" Why, it was nothing short of murder to lengthen the days during that heat of the summer months, and not one sane person can say it was not. True, we were making this sacrifice, and more than willing to make almost any kind of a sacrifice, to help our boys to go "over the top," but such a sacrifice will not be necessary again this coming summer, and the public at large, especially the working people, should not be compelled to suffer through another such prolonged day of heat. Last summer, even though it brought death and suffering to thousands, it was a very good thing and helped out in numerous ways, this extra hour of torturing daylight; but last summer was an abnormal one, one we hope we never have to witness again. Things are getting down to normal now; and for the last 50 years we have always kept the same time, regardless of prosperous times or not. We did not find it necessary to change the time to make the country prosperous; and to-day we find ourselves at the head of the world; and because Europe, Asia, or Africa does this or that and wants to take a chance at anything, have we got to imitate them? Looks that way, a little, when we have to change our time because England does. We are getting to be imitators, not good, sound thinkers for ourselves and the welfare of our own people; and I say that to add this extra hour of daylight to the torturing heat of a summer day is nothing short of murder to the larger majority of people, especially the working people, regardless of the kind of work they do; and as for trying to say it is a boon to the farmers, why, there isn't a farmer in this part that paid any attention to that extra hour of daylight. If there was, they were few and far between. The farmer kept his own time, and intends to keep it again this summer, regardless of the new time. What we will need this summer is more work and not more daylight. Give the working people the work and they will produce the goods, as they have more than proved. They can and did during the last three years of this

war. More attention should be given to the working people, and given at once. We are practically neglecting our own country and its people right now. We have more than done our bit for those people on the other side. Let us forget them for a while and turn our attention at once to what is facing us here in our own country, with the working conditions constantly growing into the state they are. It sounds more than ridiculous to the majority of the people to hear all this talk about Germany and other countries we have to feed and must be fed. What about the millions that will have to be fed right here in our own country before six months if they do not get work? That is the question that should be settled. We need all we have and can get to feed our own right now, not to mention the future. We did our bit for those people over there and more than paid the price, and are willing to still help if we can; but if in doing that we are going to, with our eyes wide open, jeopardize our own, it looks as if we need the attention of a brain specialist. Let us give the working people our attention right now and not to daylight saving that is absolutely unnecessary—rot, even. I say give the workingman a shorter day in the summer time. Let us get up at an hour earlier, get through our work an hour earlier, and let us have the nights longer in place of shorter during the summer months, and if the results are not 100 per cent better, everything taken into consideration, then something is wrong.

I have the opinions of the very best of medical men and nurses, who I have worked among last summer, who have said that to add this extra hour of daylight again this coming summer was simply nothing else but murder to the working people. Their health can't stand that prolonged heat. Why, that extra hour which brought daylight into the night, until 9.30 p. m., seemed to thousands like three hours in place of one. It is not natural or human. We have got to look after the welfare and health of the working people if we want to make a working class of people who will be physically fit to produce results in their work. If we work them regardless of what that work or the time they have to work through does to their physical conditions, then we are in time going to see our working people in future generations become a nation unfit for almost any kind of hard labor. That is nothing but plain, common sense. Look at the death rate among the working people and the poor people, children included. Does not that prove who suffers the most during the summer heat? Does it not prove where the attention should be given most? Take last summer: Men who never suffered from the heat before, hardly, suffered intensely, due, as anyone of them will honestly say, to the prolonged daylight. After a day of torrid heat, the most of the working class are anxious to get home and hang around until it gets dusk. Then he can go out, throw himself on the grass or the veranda, regardless of the neighbors or anyone else. But the last summer daylight lasted until retiring time for countless numbers. Take the average man that takes any kind of good care of himself, he tries to retire at 10 or 10.30 p. m., to be physically fit for the next day, to show results at his work. These men will vouch that in giving this extra hour to the day, therefore shortening the night, the torrid heat from the day last summer had not left the air long enough at even 10.30 or 11 to make the night air cool enough to warrant them even two or three hours' rest. It's a fact no one can deny. What is the result? After days of toiling through this heat, then to go home and not even get one good night's rest out of six. It means that we lose at our work and our health suffers in some cases beyond repair. With positive proof of the above conditions, can any sane person say or believe that any law or idea that brings about such detrimental results to human beings is worthy of consideration of the smallest kind? Regardless of the savings it may mean in one or two other things, we can't afford to lose any more of the working people. We have lost far too many already of the best of the land through that other side. What we have left we need and need them physically fit. Why torture them through a season of the year that is hard enough to live through already, with the daylight lasting until 8.30 p. m., during the heat of the summer months, that is a day more than long enough for the welfare and health of the average person. There are thousands of things that must be taken into consideration before some laws are enforced; and some of these men who crave for something new continually, and will enforce any law or act, regardless of what detrimental results it may have on everything in time to come, should not be allowed the right to put these laws into effect. What law can be called a gain in any way that brings death to the human race, which this daylight law, of prolonging the torturing summer day into another hour longer, has and will do? Put aside this law for daylight for the future, because it is only a fad. Let these men who have introduced this craze for notoriety give their attention this summer to getting the people plenty of work, and they will do all the saving necessary for themselves and the country also. Unless something of this kind is done, the future of this country does not look any too bright. This is not pessimism, either. Let us give our attention to things of vital importance. The day will be long to produce results, and lasting results, without trying some new fad to make it longer. And as far as a saving to electric-light plants are concerned, why, I say we do not need electric-light signs, etc., during the summer months. They only add to the heat of an already too heated season. That is plain, common sense. Our greens in the center of the cities do not require electric lights of countless numbers lit during the early hours of the evening. Say half of these electric lights lit during the nights, after the trying heat of the day, would cool off a city to enough degrees to make it worth trying. What is the common sense of causing the people a lot of unnecessary suffering if we can save them from it? Isn't that what we are trying to do for the Allies—help them and save them from suffering? Are we honestly as interested in our own country and its people? We have not much proof just now that we are to the extent we should be, and time is going to prove it mighty true.

I believe I have offered enough good, plain, common-sense arguments to show that we do not need this change in the time, and trust there will be enough good men of good, sound judgment to see that we do not have to have it. I am a social-welfare worker. I have talked from experience—not fad ideas. I have seen enough suffering the last two years to make some people, if they heard it all, believe there was nothing else in the world for the working people but suffering. If I had the time I would like nothing better than to have a personal talk with some of these new-idea men who are putting into law a lot of their freak ideas. I can honestly say that before I left them they would admit my ideas on this craze for daylight saving are right. There is nothing that proves right like experience. I trust you will keep after this daylight law. Get enough together to kill it, if we have to have public meetings, and trust we will have luck in killing it without that trouble. This letter is for anyone whom you should care to have read it. I regret any inconvenience I may have caused you, but I feel that if in writing it I benefit the people for their health's sake, especially the working people, I shall be well rewarded. I have done settlement work for the last 10 years in the larger cities. Last summer I came to Waterbury to help out during the summer months, and I should not want to see another such summer in any other city in the United States as I witnessed here, conditions which were the results of overcrowding, due to the abundance of work here. The suffering during those heat spells was frightful among the working people, regardless of their positions; and I honestly believe that it would have been 50 per cent less if the day had even been left at the old time in place of making it an hour longer.

Hoping that we do not experience another such summer, I am

Respectfully, yours,

WINIFRED C. MERRIMAN.

—

CHARLOTTE, N. C., *June 12, 1919.*

Congressman KING,

House of Representatives, Washington, D. C.

MY DEAR SIR: I see in the current issue of the Literary Digest that you are endeavoring to have the daylight-saving law repealed. It is the most unnecessary piece of legislation ever imposed on a long-suffering people, and I trust that you will be successful in your efforts.

Can repeal be secured at once? I wrote to our Senators and Congressmen at the close of last session of Congress, but of course nothing was done; and now must we submit to this change of time until November?

Down here we women feel very kindly to the Republican Party for putting the suffrage measure over, and I am sure the great majority of people throughout this section will feel most grateful if that party will use the most forceful method possible and change this obnoxious daylight law.

I live in the largest city in North Carolina, a place of about 50,000 people—we have no large cities—and am in close touch with the people of the city and of the rural community as well. I have never heard such universal dissatisfaction with any law. And the chief complaints are from the hard-working people of the city, those who, as a mail carrier expressed it, have "to lose an hour of good rest in the morning and then get an extra hour to loaf in the hot afternoon."

I hear complaints from carpenters, mail carriers, motormen, milkmen, dressmakers, and great numbers of that strata of society who work day in and day out, and who can not have the pleasure of motoring and playing golf during the extra hot hour of the afternoon. Children will not go to bed until late hours at night, because dark does not come until 9 o'clock down here, and then they can scarcely be gotten out of bed in the mornings. Parents have to pull down the shades to shut the daylight out to endeavor to get their young children to sleep. The law simply disarranges the entire living system of the masses of the people.

I have never heard a single argument in favor of the law that was not a selfish one of the individual—that it gave him more time for golf, etc. Can you not help further and get the law repealed at once? If you can suggest anything that I might do to aid I should be glad to do so. Please pardon the fact that I have not your full name, but I wished to write at once, and only saw that you were working for the repeal, on yesterday, and can not delay to secure first name.

With kind regards,

Very sincerely,

Miss JULIA M. ALEXANDER.

P. S.—Under this law we have in this section during the summer months a long, hot day of nine hours from noon until twilight.

It is from such letters as these and from suggestions from people of our own districts that we should draw our legislative inspiration. The first lesson for a Member of Congress to learn is not to be afraid of manufactured propaganda, conveyed to him in telegraphic or typewritten form from the secretaries of divers bureaus, associations, and chambers of commerce having their individual axes to grind. Give them due and proper consideration, but fear no evil.

WHO "PUT ONE OVER" ON THE FARMER?

Incidentally in connection with our efforts to repeal this unfortunate law, the people would be glad to know just what influence prevailed in urging Congress to enact the so-called daylight-saving law. After considerable consideration the answer seems to be found in the following conclusion: Its hurried passage through the House under a special rule was the result of three influences—no corruption being in any degree present, however:

1. The New York Stock Exchanges.
2. The manufacturers of garden and canning tools.
3. The Professoriate.

It is a well-known fact that the original suggestions that a daylight bill be adopted in this country came from the New York stock speculators. They desired the change in time. The old time had become a matter of inconvenience to them, by reason of the fact that during the summer months when the daylight law was in operation across the ocean the time of opening and closing the exchanges and the arrival and departure of mails was late according to European standards. This reason was given by the late Representative Borland, an advocate of the measure, and for whose memory I hold a deep respect, for its passage. These operators, together with numerous friends within the zone of their influence and being in the saddle, were enabled to raise such a howl through the papers by the use of specious arguments that they soon won the hearty and jolly support of the chairman of the committee of the House to which the bill was referred, who without a hearing being given to those opposed to the bill reported it out with a recommendation that it pass and caused the Rules Committee to bring in a special rule for its assistance.

One of the most important factors in passing the daylight bill was a one-man private institution known just before the

war as the National Emergency Food Garden Commission and later as the war came on changing its name to the National War Garden Commission. One Charles Lothrop Pack was the originator of this institution and remained its sole inspiring genius until very lately. He wrote a book in order that history might preserve a record of his work, tendered himself a banquet at one of Washington's high-priced food emporiums, and, after making the most fitting and eloquent speeches congratulating himself on his personality and patriotism, closed up his office in the Maryland Building, "folded his tent like an Arab and silently stole away."

The business done by Pack under the name of this commission was perhaps the shrewdest piece of advertising, taking advantage of the excitement of the times and the trusting patriotism of the people, extant during the war.

For littleness and gimlet-eyed trickery it will receive the highest place when by the truthful historian the inside history of the war shall be written. In the first place the very name of his commission was a deceit. The word "national" was incorporated into it to make the people think it was a governmental activity. The word "emergency" and afterwards the word "war" were used by him to give the false impression that in some way he was commissioned to conduct the affair as a governmental agency engaged in a great and win-the-war enterprise. The fact that millions of people never knew otherwise proves that he was successful in his deceit. In fact, he was nothing more than an advertising agent for the manufacturers of garden tools, canning equipment, evaporators, driers, and other similar paraphernalia.

Early he published two bulletins—one in 1917, which he called "Home drying manual for vegetables and fruits," and one in 1918, which he designated "War vegetable gardening and the home storage of vegetables." Both of these were largely copied from free Government bulletins. By reason of their close resemblance to Government publications many were inadvertently sent out under the Government frank. He resorted to a form of sharp practice with the newspapers that netted him thousands of dollars' worth of free advertising. Here is one of his advertisements sent out to a country newspaper without the knowledge or consent of the Member referred to:

[From the Woodhull (Ill.) Dispatch.]

CAN AND DRY.

Through the courtesy of Congressman EDWARD J. KING, we are in receipt of two manuals published by the National Emergency Food Garden Commission, 210–220 Maryland Building, Washington, D. C. One treats "Home canning of vegetables and fruits" and the other "Home drying of vegetables and fruits." The preservation of vegetables and fruits by these two processes is a patriotic duty and a national war-time need. America is responsible for the food supply of her European Allies. The American family can do nothing more helpful in this emergency than to can all fruit that can be canned. In this way the abundance of the summer may be made to supply the needs of winter. It is time for every woman to enlist in the army of canners and driers. Copies of these manuals may be obtained upon request and 2 cents in postage.

But the most brazen thing Pack did, which was, of course, the main basis for his operations, was to inclose in his near-Government publications the following patriotic advertisements:

CANNING AND DRYING OUTFITS AND DEVICES.

Published by the National Emergency Food Garden Commission, Washington, D. C.

In response to thousands of requests for information, the National Emergency Food Garden Commission submits herewith a list of manufacturers of outfits and devices for canning and drying vegetables and fruits.

CANNING EQUIPMENT.

Aluminum steam canners and cookers: Denver Pressure Cooker Co., 332 Broadway, Denver, Colo.; Herman G. Pfaehler, 488 Second Avenue, New York.

Steam canners: Sprague Canning Machinery Co., Chicago, Ill.; Henninger & Ayres Manufacturing Co., 47 First Street, Portland, Oreg.; Northwestern Steel & Iron Works, Eau Claire, Wis.; A. K. Robins & Co., Baltimore, Md.; Toledo Cooker Co., Toledo, Ohio.

Hot water bath canners: Modern Canner Co., Chattanooga, Tenn.; F. S. Stahl, Quincy, Ill.; Farm Canning Machinery Co., Meridian, Miss.; Home Canner Manufacturing Co., Hickory, N. C.; Monarch Manufacturing Co., Chattanooga, Tenn.; Phillips & Buttorff Manufacturing Co., Nashville, Tenn.; Southern Canner & Evaporator Co., Chattanooga, Tenn.; Royal Home Canner Co., Cincinnati, Ohio; Utility Co., Hickory, N. C.; T. H. Raney, Chapel Hill, N. C.; Atlanta Woodenware Co., Atlanta, Ga.

Trays for boiler: Mrs. Hermine Baehr, 29 Garrison Lane, Baltimore, Md.

Water-seal canner: Florida Metal Products Co., Jacksonville, Fla.

Automatic can sealers, tin cans: Burpee & Letson (Ltd.), South Bellingham, Wash.; Henninger & Ayers Manufacturing Co., 47 First Street, Portland, Oreg.; Bowers Can Seal Co., 146 Summer Street, Boston, Mass.; American Can Co., 120 Broadway, New York.

Metal bottle caps: Crown Cork & Seal Co., Baltimore, Md.; American Metal Cap Co., Summit Street and Commercial Wharf, Brooklyn, N. Y.; New Process Cork Co., Fifteenth and Garden Streets, Hoboken, N. J.; Anchor Cap & Closure Co., Brooklyn, N. Y.; Phoenix Hermetic Co., Chicago, Ill.

Bottle cappers: Crown Cork & Seal Co., Baltimore, Md.; the Enterprise Manufacturing Co. of Pennsylvania, Philadelphia, Pa.

Economy jars: Kerr Glass Manufacturing Co., Sand Springs, Okla.

Glass-top jars: Hazel-Atlas Glass Co., Wheeling, W. Va.; Smalley Fruit Jar Co., 26 Dock Square, Boston, Mass.; Hall Bros. Glass Manufacturing Co., Muncie, Ind.; Schloss Manufacturing Co., San Francisco, Calif.; Travis Glass Co., Clarksburg, Va.

Rubber rings: Boston Woven Hose & Rubber Co., Boston, Mass.; Smalley Fruit Jar Co., 26 Dock Square, Boston, Mass.

Tin cans: American Can Co., 120 Broadway, N. Y.; Continental Can Co., Chicago, Ill.; United States Can Co., Cincinnati, Ohio; Southern Can Co., Baltimore, Md.; Wheeling Can Co., Wheeling, W. Va.; Tennessee Can Co., Chattanooga, Tenn.; Virginia Can Co., Buchanan, Va.; W. W. Boyer Co., Baltimore, Md.; John Boyle Co., Baltimore, Md.; F. F. Stetson & Co., Los Angeles, Calif.; E. F. Kirwan & Co., Baltimore, Md.

Vacuum-seal jars: Staunton Jar Corporation, Ellicott Square, Buffalo, N. Y.

Earthenware jars: Western Stoneware Co., Monmouth, Ill.

Evaporators and dryers: Stutzman Manufacturing Co., Ligonier, Ind.; Edward B. Fahrney, Waynesboro, Pa.; Southern Canner & Evaporator Co., Chattanooga, Tenn.; The Grange Sales Association, Lafayette Building, Philadelphia, Pa.; The Dehydrator Manufacturing Co., 16 East Thirty-third Street, New York.

There is no doubt in my mind but what this entire advertising scheme was laid out in advance by Pack and the scheme presented to the advertisers, and there is no doubt, in view of the fact that these bulletins and slips were distributed by the millions through various war activities, that the volume of business of these concerns was enormously increased. The advocacy of the daylight law by Mr. Pack through his access to the columns of the press, which printed his arguments in full and suppressed all articles to the contrary, was but natural. It appeared to him at once as a means to further advertise his commission and to further increase the sale of his advertised goods among the populace. He was the first to inject the argument that the people needed the extra hour to work in the garden. His assistance was accepted by the originators of the law, and they soon stepped into the background. The gardening cries soon drowned all other voices. It has since, however, proven itself to be based on hypocrisy and deceit.

The third influence operating in the passage of the daylight bill was the support which it received from the impractical, the Utopians, the theorists, political astrologers, medicine men, and the advance agents of the millennium. In other words, the impractical nature of the proposition appealed to that intangible Professorial influence which we all recognize as occupying a sort of dictatorial attitude here during the war and whose decrees we have often observed and felt.

The Professorial aura so prevalent here during the war was most noticeable, whether the individual radiating it was clothed in military or civilian dress, and I pause to make note of it here in the interest of history.

This body of Professors may be, for convenience, referred to as the Professoriate. It rarely sat in the flesh, but often sat in the spirit in plenary assemblage. It was never referred to by a name. It published no decrees in writing. Its laws were never digested. Its efforts were never written up by a Mr. Creel at public expense in the Official Bulletin. And yet its actions and its ukases were powerful and effective. Many of its members were sincere chasers after the beautiful colors of the rainbow, others were molding clay in the hands of designing persons. Others were candidates for Carnegie pensions. Others were lovers of art, especially when exhibited in the gilded halls of the rich. Others were mere pamphleteers in the pay of less educated but very influential men with the sole idea of corralling the few remaining and scattering dollars in the hands of the middle classes. They were all unanimous, however, when it came to a proposition based upon pure Utopian theory involving with it a chance to teach the common people.

Tending to illustrate how the Professoriate rushed to the aid of the daylight-saving act, and in explanation of their tendency to do or attempt to do the impracticable thing, many minor acts by that body during the war might be cited which some practical persons might not concede to be wise. On one occasion it is related a Professor in uniform had purchased 25,000 bathtubs in one place and the fixtures for the same in three different places, and he was much surprised when he gathered them all together to find that they would not fit. It therefore became necessary to set the tubs upside down on a near-by tract of land with a high-priced plumber astride each one for six months waiting for proper fixtures to arrive. This did not seem to bother him very much. The Professoriate told the people of Washington one day in winter that there would be a coal shortage. The people, believing, began to gather coal, rich and poor. The poor, black and white, newspapers wrapped around their feet, were plowing through a foot of snow hauling small loads of the precious article on sleds and wagons to their various homes. A few days later the Professoriate stated that there was plenty of coal, and had been all the time, and that they made the announcement that there would be a shortage of coal simply that they might observe and record the psychological effect upon the people. The Professoriate suggested that the

street cars in the city of Washington, in order to save coal, be not heated in the winter months, and this was tried awhile, until the old folks began to die of pneumonia, resulting from colds taken on the cars. How well we all remember the Professorial suggestion that the women should wear furs instead of wool to help win the war, the notorious substitute order, and the closing of the factories in order to save coal, thus bringing hunger and misery to thousands thus thrown out of work.

The latest enunciation which very well illustrates this university spirit under which we must all soon live, and will no doubt be ratified by the Professoriate, is the late statement of Dr. John B. Watson, professor of psychology at Johns Hopkins University, that "the mother who cuddles and kisses her baby when he cries should be punished by law."

The daylight bill and its impracticability, with the possible opportunity of applying the pedagogic whip to the backs of what they deemed the unruly and uneducated people, presented a golden opportunity of imposing upon them "the university spirit" as enunciated by the President in his Paris speech as bound to rule the world, and which advantage the professoriate at once grasped.

For lack of time I say no more upon that subject, but sometime shall crave the indulgence of the House to further dilate upon the work of the Professoriate during the war.

I believe I have touched upon some of the characteristics of the Professoriate sufficient to illustrate that when such an impracticable idea as fooling the people into thinking that they could lengthen life by turning the clock ahead prevailed in its councils it did not hesitate for a moment to join hands with the daylight law's more practical advocates, the New York stock speculators and Pack's war-garden advertising matter, forgetting in their theoretical air navigation both God and nature.

The war necessity for this law, if any, is over. It can not be justified as a peace measure. Australia has already repealed a similar law. Never has there been a law passed which has hurt the farmer so much. The party which stands for it will be placed by the farmer in the same category as those who stood for Canadian reciprocity. It was prophesied that the law would result in greater food production, yet it has lessened the food production, resulted in a loss of time, and injured crops and animals upon the farm. The passing of the daylight law has done untold harm to the back-to-the-farm movement, disturbed the city workers, injured their health, and stamped the word "liar" across the pure, white, innocent face of the clock, upon which the human race for centuries was wont to look in confidence.

Let us at once repeal this freak legislation and let it at once take its place in the sepulcher of popular hoax along with Dr. Keeley and his motor, Dr. Cook and his North Pole, and Garabed Giragossian and his free energy.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND of Indiana. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLAND of Indiana. When the time for amendment comes, would it be in order to consider an amendment, to have the law go into effect immediately, prior to the consideration of the committee amendment?

The SPEAKER. The Chair thinks the committee amendment would take precedence.

Mr. GARLAND. Mr. Speaker, I ask unanimous consent to address the House for five minutes upon this subject.

The SPEAKER. Is there objection?

Mr. COOPER. Mr. Speaker, reserving the right to object, is the gentleman going to talk on this question?

Mr. GARLAND. I am.

The SPEAKER. Is there objection?

Mr. SIMS. On which side is the gentleman going to talk?

Mr. GARLAND. The gentleman ought to know, for I asked him for time and he refused it.

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

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARLAND. Mr. Speaker, I am opposed to the repeal of this law. I have heard many assertions in respect to the position of the miners on the subject. I am a Representative at large from the State of Pennsylvania. There are 1,000,000 miners in the United States and 325,000 of them are in the State of Pennsylvania alone. They are organized, and they have not asked for a repeal of this law and they are opposed to it. [Applause.]

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. GARLAND. Not now. I have only five minutes. I heard it stated here that there was only one person who appeared before the committee saying that labor did not want this bill passed. I asked the committee how many appeared on the other side, speaking for labor to have the bill passed, and found that none did. This ought to be an argument against its repeal.

The gentleman from Kansas [Mr. STRONG] said that the contest on the bill now is one between the short-hour advocate and the 10-hour advocate. I agree with him. That is true. This law has had a tendency to reduce the hours of labor, and the vote for its repeal means that you intend to keep the hours of labor longer, to increase the hours of labor. The daylight-saving bill has had a forward effect with the laboring man. Do you want to retard him and take him back? That is the position. It is true that there were twelve hundred and fifty thousand tons of coal saved by this daylight-saving bill. Does that mean something? Does it mean that the light companies are behind the repeal of this law? Perhaps it does; they are affected. They sell less light and consequently they are in favor of the repeal of this law.

The largest number of men working in rolling mills anywhere in the world work in the State of Pennsylvania. There is no protest there against the law. Some one said that over at Atlantic City at the convention of the Federation of Labor they had voted against action on the daylight-saving bill. Is that because they are against it? Not at all. Often in those conventions it becomes not good policy to take subjects up for various reasons, not that they are opposed to it, and that is just what happened over there in Atlantic City.

It is contended that the State Federation of Labor in Illinois resolved for the repeal of this law. Now, there are 47 other States in the Union and as many State Federations of Labor, and all of them had meetings, yet none of the 47 took action for its repeal.

I hope you do not pass this bill. If the committee had been in earnest in bringing a repeal at this time, it would have been defeated. You were afraid of it, and you put it off until October when automatically it goes back until next spring. Why not wait until October; why not get some evidence in reference to this? Have there been extensive hearings; do people generally know about its intended repeal? Oh, no; but you come fearing it can not pass now; you put off the time of going into effect until it automatically goes into effect. Why not wait until that time and pass it? Wait until it does go into effect automatically and see if the people will stand for the repeal of it. You are afraid of it, and you come in here and try to get something through which ought not to be put through now. If you did put it into immediate effect, it would be defeated overwhelmingly. The State of Pennsylvania has amended their laws, so has the State of New York. They did that, and then you say it was passed because of the war. My recollection was that Germany, England, and the most of those countries which were quoted as having adopted it adopted it long prior to the war. It is said it was agitated in this country on the theory it was a war measure. It was not a war measure; it was never claimed to be a war measure when before the House, and now it is intended to repeal it as being a war measure. Go ahead and repeal it if you will, and you will have every laboring man in the United States on your back; and surely you ought to, because it will tend to increase the hours of labor. [Applause.]

It is contended that the State Federation of Illinois resolved for——

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Vote!"] The question is on the committee amendment.

Mr. BLAND of Indiana. Mr. Speaker, I move a substitute for the committee amendment if it is the proper time to do it.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, lines 5 and 6, strike out the words "at 2 o'clock ante meridian of the third Sunday" and insert in lieu thereof, "on the last Sunday of October, 1919."

The SPEAKER. The gentleman from Indiana offers a substitute for the committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 5, after the word "effective" strike out all of lines 5, 6, and 7 to the word "after," in line 7 and insert the word "immediately."

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

Mr. ESCH. Mr. Speaker, is there an opportunity to oppose the amendment?

The SPEAKER. The Chair thinks there is no opportunity for debate under the rule.

Mr. GARRETT. By unanimous consent?

The SPEAKER. Certainly, it can be done by unanimous consent.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that I may proceed for five minutes on the amendment.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for five minutes. Is there objection?

Mr. BLAND of Indiana. Mr. Speaker, reserving the right to object, unless it can be open to others who desire to take a position on this amendment, I shall have to object.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes also.

The SPEAKER. The gentleman from Tennessee ask unanimous consent that the gentleman from Indiana may have five minutes. Is there objection?

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that I may have five minutes.

Mr. BLANTON. Mr. Speaker, I object to all requests.

Mr. LANGLEY. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. GARRETT. Does the gentleman object to my request?

Mr. BLANTON. I do not object to the two gentlemen, but if it is going to be opened up generally I do object, but I do not object to the gentlemen's request——

SEVERAL MEMBERS. Regular order!

The SPEAKER. The Chair will put the request again. The gentleman from Tennessee requests that he may have five minutes and the gentleman from Indiana five minutes.

Mr. MADDEN. Mr. Speaker, and I ask unanimous consent I may have five minutes.

The SPEAKER. And the gentleman from Illinois.

Mr. LANGLEY. Mr. Speaker, I could not get any time and I object to the request.

Mr. GARRETT. Mr. Speaker, I withdraw the request.

Mr. WHEELER. Mr. Speaker——

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

Mr. WHEELER. I desire to offer a substitute to the substitute.

The SPEAKER. That is not in order.

Mr. WHEELER. I mean an amendment to the substitute.

The SPEAKER. That is in order. The Clerk will report it.

The Clerk read as follows:

Page 1, line 5, after the word "effective," strike out "on the last Sunday of October, 1919," and insert in lieu thereof the following: "10 days."

The SPEAKER. It seems to the Chair that is not an amendment to the substitute; that is an amendment to the original bill.

Mr. SAUNDERS of Virginia. That would be in order.

Mr. BLAND of Indiana. Mr. Speaker, I make the point of order it is not an amendment to the substitute, but in the nature of a substitute itself.

The SPEAKER. The Chair thinks that the gentleman's motion will be in order later on.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Does not the amendment of the gentleman from Indiana [Mr. BLAND], or the substitute rather, put the whole thing right back to the original bill? Does not the language of the original bill and the amendment of the gentleman from Indiana amount to precisely the same thing?

Mr. ESCH. No; the language of the bill originally put it on the third Sunday after the approval of the act. The amendment of the gentleman from Indiana [Mr. BLAND] makes it immediately effective and that is the danger of it. They ought to have two or three weeks' time to notify the railroads.

The SPEAKER. The question is on the adoption of the substitute.

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

On a division (demanded by Mr. BLAND of Indiana) there were—ayes 19, noes 203.

So the substitute was rejected.

Mr. BLANTON. Mr. Speaker, I offer a substitute.

The SPEAKER. The Chair thinks the gentleman from Illinois [Mr. WHEELER] ought first to be recognized. The Clerk will report his amendment.

The Clerk read as follows:

Page 1, line 5, after the word "effective," strike out "on the last Sunday of October, 1919," and insert in lieu thereof the following: "10 days."

Mr. SAUNDERS of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS of Virginia. Is that an amendment to the amendment or an amendment to the bill?

The SPEAKER. It is an amendment to the committee amendment.

Mr. SAUNDERS of Virginia. Then it would be in order. The way it was read I understood it was an amendment to the bill.

Mr. TINCHER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TINCHER. I want to know if I am right in this: If we vote down the committee amendment which provides the law shall take effect on the last Sunday of October, 1919, we then leave the bill providing that the law shall take effect on the third Sunday after the approval of the act?

The SPEAKER. That is correct. The question is on the amendment of the gentleman from Illinois [Mr. WHEELER].

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the committee amendment.

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

Mr. BLAND of Indiana. Division, Mr. Speaker.

The House divided; and there were—ayes 133, noes 65.

Mr. BLAND of Indiana. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Indiana demands the yeas and nays. [The Chair proceeded to count.]

Mr. BLAND of Indiana (during the count). Mr. Speaker, I make the point there is no quorum present.

The SPEAKER (after counting). Not a sufficient number has arisen to demand the yeas and nays.

Mr. BLAND of Indiana. I made the point that there was no quorum present before the Speaker made the count.

Mr. MADDEN. The count has just been made.

Mr. BLAND of Indiana. But pending the count and before the count was announced, I made the point of order that there was no quorum present. Now, can the count of the Chair be valid after the point of no quorum was made?

The SPEAKER. The Chair will count in order to ascertain whether or not there is a quorum present.

Mr. BARKLEY. Mr. Speaker, can the gentleman interrupt the count being made to determine whether there is sufficient to secure a roll call in order to make the point of no quorum?

The SPEAKER. Yes. The Chair will count. [After counting.] Two hundred and fifty-six gentlemen, a quorum, are present.

So the committee amendment was agreed to.

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

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

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

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

Mr. GARLAND and Mr. CALDWELL demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 232, nays 121, answered "present" 5, not voting 72, as follows:

YEAS—232.

Alexander	Brand	Connally	Evans, Mont.
Almon	Briggs	Cooper	Evans, Nebr.
Anderson	Brinson	Cramton	Evans, Nev.
Andrews, Md	Brooks, Ill.	Crisp	Fairfield
Andrews, Nebr.	Brooks, Pa.	Curry, Calif.	Ferris
Ashbrook	Browne	Dale	Fields
Aswell	Buchanan	Davey	Fisher
Ayres	Burroughs	Davis, Minn.	Flood
Babka	Byrnes, S. C.	Davis, Tenn.	Focht
Bankhead	Campbell, Kans.	Denison	Frear
Bee	Candler	Dent	Fuller, Ill.
Bell	Cannon	Dickinson, Mo.	Gandy
Benham	Cantrill	Dickinson, Iowa	Garner
Benson	Caraway	Dominick	Garrett
Black	Carss	Doughton	Godwin, N. C.
Bland, Ind.	Carter	Dowell	Good
Bland, Va.	Christopherson	Drane	Goodwin, Ark.
Blanton	Clark, Fla.	Dunbar	Goodykoontz
Boies	Clark, Mo.	Echols	Gould
Booher	Classon	Elliott	Graham, Ill.
Bowers	Cole	Ellsworth	Green, Iowa
Box	Collier	Esch	Greene, Vt.

Hadley	Knutson	Padgett	Summers, Wash.
Hamilton	Kreider	Park	Sweet
Hardy, Tex.	Lampert	Parrish	Taylor, Ark.
Harrison	Langley	Pou	Taylor, Colo.
Hastings	Lanham	Quin	Taylor, Tenn.
Haugen	Lankford	Ragsdale	Thomas
Hawley	Larsen	Rainey, H. T.	Thompson, Ohio
Hayden	Layton	Raker	Thompson, Okla.
Hays	Lazaro	Ramseyer	Timberlake
Hernandez	Lea, Calif.	Randall, Wis.	Tincher
Hersey	Lever	Rayburn	Towner
Hickey	Little	Reavis	Treadway
Hill	Luhring	Reed, N. Y.	Upshaw
Hoch	McArthur	Rhodes	Venable
Holland	McClintic	Ricketts	Vestal
Houghton	McCulloch	Riddick	Vinson
Howard	McFadden	Robinson, N. C.	Voigt
Huddleston	McKenzie	Robsion, Ky.	Volstead
Hudspeth	McKeown	Rodenberg	Wason
Hull, Iowa	McLaughlin, Nebr.	Romjue	Watkins
Hull, Tenn.	McPherson	Sanders, Ind.	Watson, Pa.
Ireland	Martin	Sanders, La.	Watson, Va.
Jacoway	Mason	Sanders, N. Y.	Weaver
Jefferis	Monahan, Wis.	Saunders, Va.	Webb
Johnson, Ky.	Mondell	Schall	Wheeler
Johnson, Miss.	Mooney	Shreve	White, Kans.
Johnson, S. Dak.	Moore, Ohio	Sinnott	Williams
Johnson, Wash.	Moore, Va.	Sisson	Wilson, La.
Jones, Tex.	Morgan	Slemp	Wingo
Kearns	Mott	Small	Wood, Ind.
Kendall	Nelson, Mo.	Smith, Idaho	Woodyard
Kennedy, Iowa	Nelson, Wis.	Smithwick	Wright
Kincheloe	Nicholls, S. C.	Steagall	Yates
King	O'Connor	Stedman	Young, N. Dak.
Kinkaid	Oldfield	Stevenson	Young, Tex.
Kitchin	Overstreet	Strong, Kans.	Zihlman

NAYS—121.

Ackerman	Gallagher	McLane	Ramsey
Barbour	Gallivan	McLaughlin, Mich.	Randall, Calif.
Barkley	Ganly	MacCrate	Reber
Bland, Mo.	Garland	Madden	Riordan
Britten	Glynn	Magee	Rose
Browning	Goldfogle	Maher	Rouse
Burdick	Greene, Mass.	Mapes	Rowe
Burke	Griffin	Mays	Sabath
Byrns, Tenn.	Hardy, Colo.	Mead	Scott
Caldwell	Haskell	Merritt	Siegel
Campbell, Pa.	Hersman	Michener	Sims
Carew	Hicks	Miller	Smith, Mich.
Casey	Hulings	Minahan, N. J.	Smith, N. Y.
Chindblom	Humphreys	Montague	Stephens, Ohio
Cleary	Hutchinson	Moore, Pa.	Stiness
Coady	James	Moores, Ind.	Sumners, Tex.
Costello	Johnston, N. Y.	Morin	Temple
Crowther	Juul	Neely	Tinkham
Cullen	Kahn	Newton, Minn.	Vaile
Currie, Mich.	Kelly, Pa.	Newton, Mo.	Vare
Dallinger	Kettner	Nichols, Mich.	Walsh
Darrow	Kleczka	Nolan	Walters
Doremus	LaGuardia	O'Connell	Webster
Dunn	Lehlbach	Ogden	Welling
Dupré	Lesher	Osborne	Welty
Edmonds	Lonergan	Pell	White, Me.
Elston	Longworth	Peters	Wilson, Ill.
Fitzgerald	Lufkin	Phelan	Winslow
Fordney	McAndrews	Porter	
Freeman	McGlennon	Radcliffe	
French	McKiniry	Rainey, J. W.	

ANSWERED "PRESENT"—5.

Bacharach	Emerson	Moon	Tillman
Butler			

NOT VOTING—72.

Anthony	Goodall	Major	Sears
Baer	Graham, Pa.	Mann	Sells
Begg	Griest	Mansfield	Sherwood
Blackmon	Hamill	Mudd	Sinclair
Brumbaugh	Heflin	Murphy	Smith, Ill.
Copley	Husted	Oliver	Snell
Crago	Igoe	Olney	Snyder
Dempsey	Jones, Pa.	Paige	Steele
Dewalt	Kelley, Mich.	Parker	Steenerson
Donovan	Kennedy, R. I.	Platt	Stephens, Miss.
Dooling	Kiess	Purnell	Strong, Pa.
Dyer	Kraus	Reed, W. Va.	Sullivan
Eagan	Lee, Ga.	Rogers	Tilson
Eagle	Linthicum	Rowan	Ward
Fess	Luce	Rubey	Whaley
Foster	McDuffie	Rucker	Wilson, Pa.
Fuller, Mass.	McKinley	Sanford	Wise
Gard	MacGregor	Scully	Woods, Va.

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. WARD (for) with Mr. BACHARACH (against).

Mr. FOSTER (for) with Mr. KENNEDY of Rhode Island (against).

Mr. TILLMAN (for) with Mr. DONOVAN (against).

Mr. TILSON (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. SNELL (for) with Mr. PAIGE (against).

Mr. RUBEY (for) with Mr. HASKELL (against).

Mr. BRUMBAUGH (for) with Mr. SCULLY (against).

Mr. MAJOR (for) with Mr. PLATT (against).

Mr. LEE of Georgia (for) with Mr. SANFORD (against).

Mr. SMITH of Illinois (for) with Mr. CRAGO (against).

Mr. WOODS of Virginia (for) with Mr. ROGERS (against).

Mr. BEGG (for) with Mr. SULLIVAN (against).

Mr. BAER (for) with Mr. FULLER of Massachusetts (against).

Mr. MURPHY of Ohio (for) with Mr. LINTHICUM (against).

Mr. BUTLER (for) with Mr. STEELE (against).

Until further notice:

Mr. KIESS with Mr. STEPHENS.

Mr. REED of West Virginia with Mr. SEARS.

Mr. SNYDER with Mr. RUCKER.

Mr. FESS with Mr. MCDUFFIE.

Mr. MCKINLEY with Mr. IGOE.

Mr. BACHARACH. Mr. Speaker, I desire to withdraw my vote of "nay" and vote "present." I have a pair with Mr. WARD, of New York.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BACHARACH, and he answered "Present."

Mr. BUTLER. Mr. Speaker, it is impossible to hear in this House. A mistake was made in the record on the other roll. I am paired with the gentleman from Pennsylvania, Mr. STEELE, and the clerk has recorded him as voting when I know he is 250 miles away from this city at this moment. I propose to make it plain. I do not want to come here to-morrow and rise to have the correction made.

The SPEAKER. The gentleman is out of order.

Mr. BUTLER. The roll is wrong. I have endeavored to have it corrected. I desire to withdraw my vote. I voted "aye." I am paired with my colleague from Pennsylvania, Mr. STEELE. I would like to have his pair put up. He is opposed to this bill, and I am in favor of it.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BUTLER, and he answered "Present."

Mr. TILLMAN. Mr. Speaker, did the gentleman from New York, Mr. DONOVAN, vote?

The SPEAKER. He did not vote.

Mr. TILLMAN. I ask leave to withdraw my vote of "aye" and vote "present," and I would say that if Mr. DONOVAN were present, he would vote "no."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. TILLMAN, and he answered "Present."

Mr. MOON. Mr. Speaker, I heard the first call. I came here on the second roll call, but my name was not called; but under the circumstances I believe I will only vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MOON, and he answered "Present."

Mr. LUFKIN. Mr. Speaker, my colleague, Mr. ROGERS, has been called to Massachusetts on important business. If he were here, he would vote against the repeal and in favor of the continuance of this law.

Mr. DALLINGER. Mr. Speaker, I will state that my colleague, Mr. FULLER of Massachusetts, is unavoidably absent. If he were present, he would vote "no."

The result of the vote was announced as above recorded.

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

EXTENSION OF REMARKS.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to extend my remarks.

Mr. HAYDEN. Mr. Speaker, I make the same request.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the Members of the House may have five legislative days in which to print their remarks in the RECORD, the remarks not to include telegrams.

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

There was no objection.

REPEAL OF TELEPHONE AND TELEGRAPH ACT.

Mr. ESCH. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce, I call up Senate bill 120, the so-called wire-control bill.

The SPEAKER. The gentleman from Wisconsin calls up Senate bill 120. The bill is on the Union Calendar. The House automatically resolves itself——

Mr. ESCH. Mr. Speaker, I ask unanimous consent that if the consideration of this bill is not concluded to-night, it be made the unfinished business to-morrow, to follow the decision of the Speaker on the question of order on the deficiency appropriation bill.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that if this bill is not finished to-night it be taken

up to-morrow as unfinished business, following the deficiency bill. Is there objection?

Mr. GOOD. Mr. Speaker, reserving the right to object, I want to say to the gentleman that the sundry civil bill will be reported this afternoon, and it is our purpose to call up that bill to-morrow morning immediately after the disposition of the conference report on the deficiency bill. I do not think that anything ought to displace at this time the appropriation bills; it is so important that they should be enacted and sent to the Senate at the earliest possible date, and while it might not take long, it might take a great deal longer than the gentleman now anticipates.

Mr. MONDELL. Mr. Speaker, will the gentleman yield, so that I may ask the gentleman from Wisconsin a question?

Mr. GOOD. Yes.

Mr. MONDELL. How long does the gentleman from Wisconsin [Mr. ESCH] think it will take to dispose of this bill after the two hours of general debate?

Mr. ESCH. There are some four or five sections, and every section has some committee amendments. I understand, also, some amendments will be offered on the floor, so that there may be some considerable time occupied under the five-minute rule.

Mr. MONDELL. Will it take a couple of hours?

Mr. ESCH. I should not think so.

Mr. GOOD. I thought yesterday that our conference report would not take an hour, but it took all day, and we did not conclude it. You can not tell about these things.

Mr. MONDELL. I hope the gentleman from Iowa may see his way clear not to object. I realize his proper insistence on proceeding with the sundry civil bill, but this is also a very important matter, and I am very much in hope that the House will dispose of it in an hour and a half at the most in the morning.

Mr. GOOD. Further reserving the right to object, Mr. Speaker, I want to say that gentlemen understand perfectly well that if the wire bill does not become a law for a few days it will not cause the disturbance which the failure to enact the sundry civil bill before the 1st of July will cause. We must get that bill started and through the House at once if it is to go through the House this week. That will give only a week for the Senate committee to hold its hearings, consider the bill, put it through the Senate, send the bill back to the House, get it into conference, get a report from the conference committee, and get the conference agreed to in both Houses, an almost herculean task at best. I do not think we should be asked to step aside and wait for a bill which may require a whole day or two. The length of time it will take is guesswork. There are a lot of gentlemen who want to speak on the wire bill, and you can not tell how long it is going to take.

Mr. ESCH. General debate is limited under the rule.

Mr. GOOD. Yes; but not the five-minute debate, under which great latitude is allowed at all times.

Mr. MONDELL. The gentleman realizes that there is a rule now in the possession of the chairman of the Committee on Rules relative to this wire bill.

Mr. GOOD. I understand that.

Mr. MONDELL. That rule could be brought forward at any time.

Mr. GOOD. I know that, but I do not believe it would be adopted if it was offered now, in view of the present congestion of the appropriation bills, and I do not think it ought to be.

Mr. CLARK of Missouri. Will the gentleman from Iowa yield?

Mr. GOOD. I yield to the gentleman from Missouri.

Mr. CLARK of Missouri. Why not make arrangements to take up this wire bill and debate it for two hours and then have an agreement that it shall follow the appropriation bill?

Mr. GOOD. I am not interested in any agreement further than that it shall not displace the sundry civil appropriation bill.

Mr. CLARK of Missouri. I understand that, but there are two hours yet for general debate on that bill this afternoon, and you can not have more than two hours debate unless you get an extension of time, and if anybody undertakes to stretch that time out beyond the two hours I will object.

Mr. MONDELL. I thank the gentleman. I am glad he feels that way about it. I think we can dispose of the bill in an hour and a half to-morrow.

Mr. CLARK of Missouri. I suggested that we debate this wire bill two hours now, with an agreement that the sundry civil bill shall come up after two hours' general debate on this bill, and then after the sundry civil bill is disposed of we can go on with the wire bill.

Mr. MADDEN. I think it is just as important that this bill be given early consideration as it is that the sundry civil bill be taken up at once. It is a bill that affects all the telegraph and telephone activities of the United States. Every citizen of the United States is affected by it. Everybody is being charged excessive prices for what he has to do in connection with the telephones and telegraphs. The time has come when there ought to be some adjustment of the situation. I do not think that the consideration of the wire bill now will so delay the sundry civil bill as to embarrass Government activities, and I do think that if this wire bill does not come in until after the sundry civil bill is passed it will continue a burden on the backs of the American people that they ought not to be compelled to bear, and the sooner that burden is lifted the better. This is no local matter. It is a matter of great consequence, and I think the gentleman from Iowa [Mr. GOOD], chairman of the Appropriations Committee, will make a mistake if he insists that this wire bill shall not be given the right of way to-morrow morning, because it can be disposed of to-morrow without doing any damage whatever to the sundry civil bill.

Mr. WALSH. Mr. Speaker, I desire to direct the attention of the gentlemen who have engaged in this colloquy to the fact that this is a Senate bill, and that there are only a few House amendments upon it; and if the House should delay passing it for a few days it would not entail the delay in its becoming a law that would be entailed if it were a House measure that had to go to the Senate and be considered there anew. I submit that the sundry civil appropriation bill is a vastly more important bill than the turning over of the wires that are now being operated by the Government, because if the sundry civil bill fails to become a law by the 1st of July it will block the operations of a number of the Government departments, and if this wire-control bill should be delayed for three or four days it would then pass and go over to the Senate, and take no time at all, probably, to concur in the House amendments.

Mr. GOOD. Of course, this wire bill can not become a law, no matter what the House or Senate does, until it is signed by the President.

Mr. MADDEN. Neither can the sundry civil bill.

Mr. GOOD. Yes; but you are delaying consideration of the sundry civil bill.

Mr. MADDEN. Only one day, and to-day is only the 18th of June. The gentleman has got 12 days more before the end of the month.

Mr. GOOD. Mr. Speaker, I shall be compelled to object to the request.

The SPEAKER. Objection is made. The House automatically resolves itself——

Mr. ESCH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ESCH. If the House should start consideration of the wire bill on Calendar Wednesday and not conclud it, would it be possible to procure consideration of the bill under a rule before next Calendar Wednesday?

The SPEAKER. The Chair thinks it would be possible to do that by a special rule.

Mr. MONDELL. If we begin consideration of the wire bill this afternoon, I think, under the circumstances, we should conclude the consideration of it this evening.

The SPEAKER. If the previous question should be ordered to-night it would be in order to-morrow as unfinished business.

Mr. MOORE of Pennsylvania. Will the gentleman yield? Would it not be helpful if the gentleman from Wisconsin or the gentleman from Wyoming, in view of the public emergency, should announce that the House will sit to-night until the bill is passed?

Mr. MONDELL. That was my thought—perhaps I did not clearly express it—that the House should remain here this evening at least to the point of ordering the previous question on the passage of the bill.

Mr. DENISON. Mr. Speaker, I would like to make this statement in connection with the statements that have been made as to this matter that it is very important to consider the wire bill at once.

The SPEAKER. That is not in order now; there is no request pending. The House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MOORES of Indiana in the chair.

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

The Clerk reads as follows:

An act (S. 120) to repeal the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate

the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor," approved July 16, 1918, and for other purposes.

Mr. ESCH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. SIMS. Mr. Chairman, I wish to ask the gentleman from Wisconsin as to the control of the time.

Mr. ESCH. Mr. Chairman, I ask unanimous consent that the time be equally divided, and that one half be controlled by the gentleman from Tennessee [Mr. SIMS] and the other half by myself.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time be equally divided, and that one half be controlled by the gentleman from Tennessee [Mr. SIMS] and the other half by himself. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I believe this bill ought to be considered as speedily as possible, and I want to make an inquiry whether an arrangement for time can be had in Committee of the Whole.

The CHAIRMAN. Only by unanimous consent.

Mr. MOORE of Pennsylvania. If objection is made, would we proceed at once to read the bill under the five-minute rule?

The CHAIRMAN. There are two hours' debate, and the first reading of the bill has been dispensed with.

Mr. MOORE of Pennsylvania. I assume that the gentlemen have an understanding as to the matter.

Mr. ESCH. Mr. Chairman, I desire to occupy 15 minutes. The act of July 16, 1918, under which the wire systems were taken under control by the President, limited the time of such control and possession to the duration of the war. As to compensation for rental of the wire systems under the original act, the President was empowered to fix such compensation. If that compensation did not meet with the approval of the owner, he could accept 75 per cent of the compensation as fixed by the President and then could go into the Court of Claims and secure the additional amount, which, with the amount allowed, would make due compensation.

The pending Senate bill 120 seeks to repeal this joint resolution, approved July 16, 1918, in so far as the period of control is concerned, retaining, however, the proviso as to compensation as provided in the original joint resolution.

I wish briefly to call the attention of the committee to the changes and modifications made by the Committee on Interstate and Foreign Commerce to the Senate bill. The first material amendment is as to the time of the taking effect of the resolution itself. The Senate provided that the control now exercised by the President through the Postmaster General under the joint resolution shall cease forthwith—that is, upon the approval of this act by the President. The Committee on Interstate and Foreign Commerce recommends as a substitute that the repeal should become effective at midnight on the last day of the calendar month in which this act is approved.

The reasons which led the committee to make that change in the Senate provision rest largely if not wholly on the fact that if the Senate provision prevailed, and the repeal came at any day in a month aside from the last day of the month, it would necessitate a tremendous amount of extra bookkeeping on the part of the wire companies; that these extra expenses might run into the millions of dollars, owing to the fact that there are some ten million stations in the United States, and that these stations would necessitate an enormous amount of accounting.

Then in many cities phones are paid for on measured rates. In other places they have toll tickets, and different methods of charging the user for the phones. Each system requires a different form of accounts.

Now, if the repeal became effective, say, in the middle of the month, the companies would have to make an accounting for the first half of the month and another accounting for the remainder of the month. Whereas if according to our committee amendment this end of control was coterminus with the end of the calendar month in which the resolution was approved by the President, the accounting to the Government would be the same, practically, as the accounting to the companies themselves.

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

Mr. ESCH. Yes.

Mr. MADDEN. In the meantime, if this bill was passed on the 2d of the month there would be a continuation of the control to the end of the month and the charges and accounting would be for 30 days more?

That would continue the charges for 30 days longer than they ought to be continued for. That would amount for the telegraph charges to more than $20,000 a day. That does not take into account the charges made for telephone service to the American people at all.

Mr. ESCH. It would necessitate this complicated accounting system even though the change or the approval happened the second day of the month.

Mr. MADDEN. We would save $600,000 to the American people.

Mr. ESCH. The next considerable change in the bill is in the elimination of the last five or six lines of section 1, declaring the intent of Congress. The committee believed these lines should be stricken from the bill as not good practice and not good legislative form, believing an act should so clearly indicate its purpose and intent as to not need a further provision declaring such intent.

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

Mr. ESCH. Yes.

Mr. STEVENSON. Just on that amendment, I notice that it provides that these rates shall continue not to exceed six months, provided they are not sooner changed by contract or voluntary reduction.

Mr. ESCH. Yes.

Mr. STEVENSON. Suppose they are not changed either by the State commissions or by the Interstate Commerce Commission or by contract or by voluntary conduct, what will happen at the end of six months? Will we go back to the old rates that prevailed before this increase of rates? Is any provision made for that contingency at all?

Mr. ESCH. I ought to have called attention to the amendment suggested by the gentleman from South Carolina. We do modify the Senate bill with reference to the period of time when the rates should remain effective as ordered by the Postmaster General. The Senate provided they should remain effective for a period of 90 days. We recommended that the existing toll and exchange telephone rates as established or approved by the Postmaster General on or prior to June 6, 1919, shall continue in force—and here is the change—for a reasonable period, not to exceed six months after the act takes effect, unless sooner modified or changed by the public authorities having control or jurisdiction of such tolls and rates.

When the proper time comes I shall offer an amendment modifying the committee amendment in this particular—to reinsert, in lines 12 and 13, page 2, the words "State, municipal, or otherwise," and to strike out the last word "such" of the proposed amendment in line 15 of the same page.

It has been indicated by some that as we have recommended the changes to the House there might be some ambiguity as to the rates which should continue in effect for a maximum time, not exceeding six months. There were some who contended that if the provision went in as the committee recommended it, the wire companies could come in and say to the State commissions, "These are legal rates, and they must continue for the period of six months, and you can not have authority to change or modify them during the interim." The amendment I suggest would make it clear that these rates made through the Postmaster General can only continue to a maximum of six months, subject to change by the State, municipal, or other regulatory body, and I believe that the House, when it comes to consider the language suggested, will approve of that amendment. The question now arises why we fix the period of six months in lieu of the period of 90 days, as recommended by the Senate bill. We had very strong testimony before the committee advocating the maximum of one year. That position was taken by the First Assistant Postmaster General, Mr. Koons, a member of the wire control board. It was also advocated by Mr. Kingsbury, who is, I think, the vice president of the American Telephone & Telegraph Co., and, I believe, was also advocated by Mr. Carlton, the president of the Western Union, and other witnesses. Mr. Elmquist, who represents and is solicitor for the State railway public utilities, took this position; in his opinion, upon the ceasing of control the prewar rates will immediately revive.

Your committee did not take that position, although admitting that it was one as to which there was grave doubt and one upon which very eminent counsel differed; but there was no difference in our committee as to the power of Congress to extend the Federal rates beyond the proclamation of the declaration of peace, that these rates created under the war power could by act of Congress be projected into the future beyond the procla-

mation of the declaration of peace, and in all likelihood this maximum period of six months will extend these rates beyond the declaration of peace. In connection with that we have cited in the report numerous cases, acts of Congress, where we have done this very same thing. So that while we have no question as to our authority to extend these rates into the future and into a time of peace, there may be doubt as to the validity of the war-made rates immediately upon the cessation of Federal control.

On the whole we believe that we have kept within the limit of constitutional bounds in the amendments we have proposed. After reviewing the testimony of those who advocated the maximum of 1 year, those who advocated less than 90 days or even 90 days, the committee came to the conclusion that 6 months would be a sufficient time for the various regulatory bodies—Federal, State, and municipal—to readjust the rates in accordance with the needs of the company and in accordance with justice. Whether that period meets with the approval of the House remains to be seen, but we believe that it will be a sufficient period, and I have received or have seen telegrams which have been sent by something like 35 State commissions, and, in large measure, they believe that there should be some extension of the time beyond the cessation of Federal control in order to enable the commissions, those regulatory bodies, to adjust the hundreds of claims that will be perhaps suddenly thrust upon them when the period of control ceases. It is a matter of physical impossibility for some of these commissions to adjust the numerous claims that will be presented within the 90-day limit, as proposed by the Senate. Why, there are some States in which there are no less than 4,000 or 5,000 or 6,000 telephone companies——

The CHAIRMAN. The gentleman has used 15 minutes.

Mr. ESCH. I will take three minutes more—and those will no doubt speedily present their claims for adjustment of rates. To do that they must have time to prepare the data upon which their application is founded, and when they have done that they must adjust their schedules according to the data as found, and then they must present these schedules to the commission, and then the commission must grant a hearing, and all of this takes time, and for that reason the committee believes that six months would be a reasonable time.

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

Mr. ESCH. I will.

Mr. McKEOWN. Does the committee take into consideration the question of the cost that will be entailed on the State commissions to adjust these rates? Was that taken into consideration by the gentleman's committee?

Mr. ESCH. No specific testimony was presented in regard to that, but many of these telegrams from the State commissions indicate a desire and readiness to undertake the work as speedily as possible, but they contain no objection on the ground of expense to the commission for doing the work.

Mr. McKEOWN. Does not the gentleman think there will be a good deal of expense entailed on the commissions by reason of it?

Mr. ESCH. There is no doubt of it, but that is unavoidable. The last amendment I wish to call attention to is that relating to the period in which a full accounting of the acts of the President should be filed with Congress. The Senate bill provided 60 days. We have enlarged it to 90 days. The Senate bill required those reports to show in detail the financial results of the operation of each separate wire system. We have modified that so as to require a showing in detail of the financial results of the operation of wire systems. I shall offer an amendment when section 4 is reached, recommended by the committee modifying the last portion of section 4 so that instead of requiring two reports, one from August 1, 1918, when the wires were taken over, up to March 31, 1919, and then another report from that date to the date when control ceases, we require only one report which would cover the detailed report from August 1, 1918, up to the time when control ceases, for we can see no reason why we should require two reports, which would cover largely the same subject matter, and in the interests of economy and expeditious action, we hope the committee will adopt that suggestion in requiring but one report. Mr. Chairman, I reserve the remainder of my time.

Mr. SIMS. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman, I realize that it is utterly impossible to discuss intelligently the questions that are involved in the wire proposition now before the committee, much less could I read in this time some letters and documents that bear strongly upon the question, both from the Postmaster General and from the companies, and I therefore ask unanimous consent that I may make an appendix to the few remarks I am submitting to-day of certain letters from the Postmaster General and from the telephone companies on this subject, that they may be incorporated in the RECORD.

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

Mr. MOON. And I will ask that they follow my remarks and come in the order in which they appear as to date. Now, Mr. Chairman and gentlemen of the committee, if I could have even an hour to speak to this House upon this question and present to the House even in a very limited way that which has been done and accomplished in the Post Office Department for the last six years I could not in that time tell half that ought to be told. Of course, in the few minutes that I have I can only touch upon some of those questions.

Now, I have no opposition to the passage of this bill provided that there are certain very essential amendments made to it. I am not going to enter upon the discussion of the power of the Government to control the telegraphs. You who have looked into that question know that under the post-office clause of the Constitution—the construction that the department and courts have made upon it—the right and power of the Federal Government to take the telegraph and make it an adjunct to the Post Office Department, either in time of war or time of peace, exists. It is absolutely plenary. The Congress of the United States built the first telegraph line in the United States, and when, turning that over to a private corporation in order that that service might better be developed, it reserved in the third section of the act of July 24, 1866, the right to take back at any time that telegraph and all others. Why? Because it was recognized then, as every intelligent man must recognize now, that it was an essential function of government; that it belonged to and is very essential to the Post Office Department. Why? Because under the Constitution the Post Office Department has an absolute monopoly in the communication of intelligence. A telegram is only a letter by wire. Who will assume that in a State or between the States that there is any power to control the mail except the Federal Government? When you take a wire and make it a means of communication, the exclusive power belongs to the Federal Government. It is a function of government that we are temporarily letting private corporations exercise, and that is all. And, furthermore, that distinction exists between the ownership of the telegraph as a means of communication, adjunct to the Post Office Department, that distinguishes it entirely from every other public utility. The Federal Government can not go into the States and own a railroad that is not interstate, but you could go into every State of the Union under this power of the Constitution and reserved rights of Congress and law, in pursuance of the Constitution, and take hold of not only the interstate but all the intrastate telegraph and other means of communication of intelligence.

Let me warn you, too, that as long as you shall refuse to exercise those powers that belong to the Federal Government under the Constitution, as long as you shall let them lie dormant, just so long there will be trouble and conflict as to jurisdiction between the States and the Federal Government, just so long you will form the basis of an organization for socialism, because your Constitution itself contains very deep in its vitals the seeds of socialistic government, which you must some day eradicate.

You may say it is not wise to assume this power; that it looks like socialism in the beginning; but if you do not exercise the power in the Constitution for the protection of the Federal Government some party will come that will demand it, and they will present this very issue to you as a constitutional basis for socialistic government. They will tell you to take the railroads; they will tell you to take the laundries, the bakeries, the factories; and that is all that socialism is. But it is just one single step from socialism to communism. Communism and socialism are identical, with the exception that the commune goes one step further and enforces the doctrine of the ancient agrarian and takes the lands of the country to divide between the electorate. Then comes what? Then come chaos and ruin in government; then come massacre and death; then comes the dissolution of government. And then, if liberty is to be preserved, there comes the hour when the power, like it was after the Battle of Actium, must be conferred upon one in order to preserve human government.

You are on a dangerous question. You have been fighting capitalism in the United States for years. It is pretty well conquered in many of its respects as to its control of legislation. But you have another power within the Government that

threatens to be stronger than the Government itself. It is that organization of the forces that would overthrow the present order and establish a socialistic government that will be the result of its action. There is but one government in which human liberty is safe, and that is a constitutional, representative government, and that government can only be preserved on the soil of this Republic by the enforcement of every Federal right under the Constitution and the protection of every right of the private citizen and the enforcement of the reserved rights of the States. [Applause.]

But, gentlemen, I had not intended to go so far in the discussion of that question. I want to say in reference to the discharge of the duties of the Postmaster General, that it has been my pleasure, having been the chairman of the Committee on the Post Office and Post Roads for the last eight years, to observe the course of that official during that time. Every man who knows him knows that he is a clean, honest, brave, intelligent man; that he is patriotic, and that he has looked to nothing but the welfare and interest of his country. Of course, in these times of war there have been, and necessarily are, mistakes. You complain of your mail going wrong. You do not know that it did not go wrong until after it had been placed in the hands of the War Department and when under the provisions of law it was taken from the Postmaster General at New York, and its distribution in Europe made by the War Department. But the War Department did as well as could possibly have been done under the circumstances.

When the present Postmaster General went into office you had a large deficiency; when he went into office the railroads of this country were drawing from your Treasury unlawfully eight or ten millions of dollars per annum. It was through the influence of this administration that the Congress enacted the law that changed from the weight basis to a space basis the compensation for railroads. What has been the result? A net profit of more than $12,000,000 to the American people, and fixing the basis of compensation in such a way that wrongs and injuries perpetrated by these roads can not be perpetrated again.

Take the parcel-post proposition which has been developed, and see what a magnificent success it has been. I have not the time. I wish I had. I could talk to you an hour upon the accomplishments of that office. But what I have to say today, not only to the Democrats but to the Republicans, who are insisting upon investigations in the various departments, is, God speed you in your investigation, if you want to make it. If there has been anything wrong, uncover it and expose it, and let the criminal be punished. You have not attempted, except incidentally in a way, any investigation of postal affairs, and the triumph came to the department upon that. I challenge you to an investigation of the Post-Office Department. Make it! That department will make good in every branch of the service for the people of the United States. Cease your calumny; cease that unmanly tirade that is made from time to time against this great public official who is at the head of that department.

I know there are three or four classes of men who complain. There are some honest, just men who think, without knowing the facts, that something wrong has been done. There are men who do not care anything about the truth of a situation who, from partisan reasons and for partisan purposes, are willing to traduce men who stand above them morally, socially, and politically. There is another class, too numerous, that have neither reason nor honor, that low, contemptible, dirty, scurvy pack of dogs that will always howl at the feet of a great and honest official who stands firmly by the rights and interests of his country. Come with your investigation! We want it. We dare you to make it.

Now, Mr. Chairman, much more I would like to say along this line, but I am admonished, of course, that my time is very short. I shall offer, sir, at the proper place to this bill two amendments that I now desire to go into the RECORD and treat as pending. I will discuss each one of them very briefly.

After the word "reduction," on line 16, page 2, insert,

Provided further, That no reduction of wages of telegraph or telephone employees now in effect shall be made so long as the rates fixed by the Postmaster General are effective.

Now, what do you say to that proposition? You turn over the wires to these companies. It is all right. It is not perhaps the proper time to keep them. You are giving back to them the control at a rate 50, perhaps 100, per cent higher than they got before Government control. You complain that the department has not administered this service well. Of course, every just man knows that a service like this, involving the whole Union, the whole territory of the Union, could not be taken over and be properly adjusted in a week or probably six months. But the proofs are before this committee to this effect, that the service is just beginning to be properly maintained, and the rates had to be increased in order to do it, and that the continuation of this service for a few months longer would make no deficiency on that account to the Government of the United States.

You have done much in this bill, have you not, for the corporations that are exercising the functions of Government which you are pleased to have them continue to exercise?

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

Mr. SIMS. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. MOON. I thank my colleague.

That you have done. We are making no complaint about it. Under the old resolution the termination of this service is after the proclamation of peace. You are terminating it before. You are not giving the department the time to perfect the service that it ought to have. However that may be, you are doing it, and we are consenting, and those papers which I have obtained consent to place in the RECORD explain very fully the reasons.

Now, are you taking the wires back and turning them over to the companies to enable them to reduce the wages of the laborers who are performing this service for them? If you are, then you will vote down this amendment. But if you are willing for them to have the benefit and, along with them, the men who perform the labor, you will maintain the price of this labor as provided in this amendment during the period of the Government control. That is up to you. Are you for the corporations? Are you for the laborer? Or are you going to be honest enough to do justice to both?

Now, I am going to offer to you another amendment a little later, after that, to this effect:

Provided further——

Mr. MAPES. Where does it go?

Mr. STEVENSON. Yes; where does it go?

Mr. MOON. That will come in after the one I have offered.

Provided further, That until the rates fixed by the Postmaster General are changed, as authorized herein, any excess of net revenues arising from the operation of each telegraph and telephone system, in excess of an amount equal to the compensation fixed by the Postmaster General during Federal control, shall be applied to any deficiency which may result from Government operation.

What do you think about that? Are you proposing to give to the corporations the power to exercise the functions of your Government which belong to you under the Constitution? You are giving them back their property. Their compensation was fixed upon the valuation of their property. We propose and I hope you will agree to give to the laboring people the benefits of this increase under the operation of the Government. Now I ask you to do something for your country, to do something for the Treasury of the United States. Why should not the excess of profits over and above the high compensation fixed under the act and under the rules of the department go to the Government to defray the deficiency during the period of Government operation? Is there any reason why that should go into the coffers of these companies, when under the law as it was intended the relinquishment of this claim should not come until peace had been proclaimed? Are you willing that the people of the United States shall have some benefits, or are you going to shoulder the deficiency, whether rightfully or wrongfully made, and say to the corporations, "We turn back these wires to you improved in condition. We turn them back to you with a higher rate of compensation than you ever had before. We turn them back to you with a guaranteed compensation on a valuation far in excess of that which the proof shows your companies have?" For instance, most of the complaint is being made by the Postal Telegraph Co. The others are not complaining much. The Postal Telegraph Co. turned in their properties to the Interstate Commerce Commission under the law and fixed their value at $4,480,000. Yet they are receiving, according to the statement of their company, compensation on the basis of a valuation of $29,000,000. And yet the Postal is not wholly a national organization. It has the cream of the service in a thousand offices in the United States, while the Western Union supplies the people from 25,000 offices.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Would my friend like five minutes more?

Mr. MOON. I would be glad to have one or two minutes. I do not want to take all the time.

Mr. SIMS. I yield to the gentleman three minutes.

Mr. MOON. That is more than I ought to take, although it is impossible to discuss the question in the short time. I want to appeal to this House in the settlement of this question to deal justly with the wire companies, to turn this property back to them fairly. If there has been any wrong or injury done to them, they are entitled to compensation.

They are being compensated upon a basis of valuation far in excess of the real value to-day. It is but right that the benefits and burdens should go together. Let the wires go back to them for the present. Let the labor of the people employed by these companies be maintained at the present wage during occupation. You are not willing, are you, to turn back these wires without any guaranty that the wages of these men and women shall be kept up? If the deficiency came at all, it was caused by the increased wages of these people. Or do you propose to turn back the wires and let them reduce wages and keep all the profits that may arise from the operation of them in excess of the compensation that they were entitled to under the provisions of the original act? This is a question of common decency and honesty that you have to pass upon. I take it you all want to do what is right about it. I know you will not do right unless you pass these amendments.

I will not leave this floor until I make one suggestion to you. I am harking back for a moment, because my mind goes back very strongly to this question. The time is not far distant when you have to realize you have to strengthen your Government along certain lines, and you have to liberalize it along others for the support of your Government and for the suppression of a tendency which is so untoward, a tendency to too great a democracy, a tendency to socialism.

You have to make the American people feel that the Federal Government is their Government, that it is not a Government of strangers set up over the States. You must see to it sooner or later that your Federal judges, your Federal district attorneys, your Federal collectors, and your postmasters are elected by the people whom they serve and not appointed and commissioned from Washington.

You have to liberalize your Government in that respect so as to draw the people nearer to it. It will be an antidote to socialism along that line, and still further you have to strengthen the Federal Government by the exercise of all the dormant powers of the Government itself to maintain its power and supremacy, and some day I hope to discuss all of these before you along the line of the supremacy of the Federal Government in the exercise of its powers. The Government will yet, I predict, in support of its power, have to own two great telegraph systems and the two great transcontinental railroad lines in these United States. [Applause.]

The following is the appendix referred to by Mr. MOON:

OFFICE OF INFORMATION,
POST OFFICE DEPARTMENT,
April 12, 1919.

The wire board has made available the figures upon which is based the increase of telegraph rates made necessary by the increased wage scale and higher cost of materials used in telegraph operation.

While the price of products and service of various industrial, mercantile, and miscellaneous corporations of the United States has increased 100 per cent, telegraph service has been rendered to the country at prewar prices throughout a period when industrial and business profits were unprecedented. The increase of 20 per cent in telegraph rates should be considered in comparison with the 100 per cent increase in other prices, and it is less than that found necessary to add to the railroad freight rates and is no greater than has been made generally in other public-utility rates in order to obviate financial collapse.

The purpose of the wire control board is to make the lowest rate that will maintain the service required by the public. In making a rate sufficient to maintain the telegraph service of the country discrimination could not be made between two companies performing this service.

A service might be maintained within certain limited fields, where the cost of operation is light in comparison with the volume of concentrated business, at a considerably less rate than is necessary to cover a service extensive enough to meet the public needs.

During the six months from August, 1918, to January, 1919, the Postal telegraph system carried only approximately one-sixth, or about 17 per cent, of the business of the country, and only about one-twelfth, or 8½ per cent, of the Government business, which is unprofitable. The Western Union therefore carried approximately five-sixths, or about 83 per cent, of the business of the country and eleven-twelfths, or 91½ per cent, of the Government business.

The extension of the telegraph service into fields that are less profitable than are the great business centers and the handling of Government business, claimed by both companies to be at a loss of 50 per cent of the operating cost, are a charge upon the gross revenues which is escaped by a company which avoids the rendering of this necessary public service. If all telegraph operations that are not sufficiently profitable were done away with, regardless of the public needs, no increase of rates would be necessary to maintain a service limited to the profitable fields, as is the acknowledged plan of the Postal system. If both telegraph companies so limited their service it would be disastrous to the industries and business of the country.

If the telegraph rates were made sufficient to meet only the cost of operations covering one-sixth of all the service of the country, so arranged as to tap only the most profitable business, much of the telegraph service for all the rest of the country would be destroyed. This would be advantageous to those who luxuriated in the cream of business, but would be disastrous to the public.

The increase of the business of the Western Union Telegraph Co. in 1918 over 1916 was 38 per cent; that of the Postal system was only 9 per cent. Yet the earnings of the Postal system for the month of January last, after adjustment for depreciation and wage increase, were $222,297. During 1919 the increase in the operating expenses of the Western Union, due to an increase in the number of employees, and in the wage rate combined will be $13,000,000 in excess of the increase in its gross revenues.

The number of employees of the Western Union was increased 59 per cent, while the gross revenues increased but 54 per cent. The reason why the increase of traffic was proportionately greater than the increase of gross revenues was that the Government business, which is carried at approximately 40 per cent of the commercial rates, was fourteen times greater in January, 1919, than in January, 1916. We are informed that the Postal Telegraph avoided carrying the unprofitable Government business as far as it was possible for it to do so, and the Western Union carried about eleven-twelfths of the entire volume, and that in some instances instructions were issued by the officials of the Postal system to their subordinates to avoid this Government business whenever it could be done, a plausible excuse being suggested, such as shortage of operators, etc.

If the policy of operating the wire service at only such points of concentrated business as would make the service highly profitable and of eliminating Government messages were applied to both telegraph companies there would probably be no occasion for an increase of telegraph rates to meet the increased cost of material and wages in the operation of the system.

The burden of increased cost of labor and material has been rendered heavier by the fact that the volume of business has fallen off since the signing of the armistice and has produced a situation where it is no longer possible to render telegraph service at prewar rates.

Under the stimulus of war demands American prices, as shown by the index number of wholesale prices prepared by the United States Bureau of Labor Statistics, have risen steadily since the latter months of 1915. By July, 1917, the price level had risen to 185 per cent of the 1914 prices. At this point price fixing by the Government agencies checked the rise for some months. But by January, 1918, the level of 185 per cent had been recovered, and the prices continued to advance until they reached 207 per cent in September. Despite the signing of the armistice they have receded but slightly from this point.

During all this period the prices for telegraph service have remained at the prewar level. Materials and supplies which the telegraph companies purchase have, however, followed the course of general prices. Public regulation does not limit the prices which utilities must pay for material and supplies; they must therefore pay the same price upon the market as other buyers. They were confronted by a steady and enormous increase of all costs entering into their operation, while retaining a fixed low price for service.

It requires only common sense and elementary arithmetic to disclose that this course inevitably brought the properties to a point where revenues were no longer adequate to cover cost. Following the signing of the armistice the telegraph business fell off.

The question of necessity for a rate increase to meet past wage increases is answered by a review of the Western Union Telegraph Co.'s operation. In January, 1916, the land-line revenues of this company amounted to $3,805,000. The total pay roll for the employees in the commercial and traffic departments and in nonfunctional offices amounted to $1,408,226. The pay roll at that time amounted to 37 per cent of the gross revenues and was at the rate of $51.92 per employee per month. By January, 1919, the revenues from the land line had increased to $5,860,000, and the pay roll of these employees had increased to $3,300,867, or an average of $76.63 per employee. The pay rolls of these employees amounted to 56.3 per cent of the total revenues, as against 37 per cent in January, 1916. The number of employees increased by 59 per cent, and the gross revenues of the company by 54 per cent.

The average increase per employee per month on commercial, traffic, and nonfunctional pay rolls was $24.71, or approximately 48 per cent. The number of employees at present averages 45,000. The increase in rate of pay therefore amounts to $13,343,400 per year. The increases since June, 1918, amount to $7,786,000, and since January, 1918, to $9,277,000. The monthly pay roll has increased from $1,408,226 to $3,300,867. This is an annual increase of $22,711,692. If the rate of wages of these employees had remained the same as on January 1, 1916, the increase in the pay roll would have been at the rate of $914,155 per month, or $10,969,865 per year. The company would then have had a profit larger by the difference between $22,711,692 and $10,969,865, or $11,741,827. In addition to the increase of wages for this class of employees that for those in the plant department amounted to $2,438,830. Therefore the increases in operating expenses traceable to wage increases alone amount to more than $14,000,000. The increase in operating expenses due to the larger number of employees and the higher wage rate combined will amount to $27,608,000. The gross revenues of the Western Union for 1919 under the old rates are estimated at $68,000,000, as against $54,000,000 for 1916. The increase in the revenues is $13,000,000 short of the increase in wages. The 20 per cent rate increase now made will yield approximately $12,000,000 additional revenue per annum on this property.

The wage increases during the year 1918, including the increase effective December 31, brought wages in January, 1919, to the point where they are $10,500,000 per annum in excess of a year ago, and $8,500,000 in excess of June, 1918. The operations of the company have been carried on with this increased wage schedule since January 1, 1919. The increase in the telegraph rates now made is estimated to add $9,000,000 to the revenues of the Western Union for the remaining nine months of the calendar year.

The Postal system has not had a similar increase in operating expenses. No figures are available as to the pay roll, but the total operating expenses amounted in 1916 to $9,543,972, in 1917 to $10,401,876, and in 1918 to approximately $10,500,000. This smaller increase is explained principally by the smaller growth of business of the Postal system.

The following table shows the gross revenues of the Postal and of the Western Union for the years 1916, 1917, and 1918:

Land line gross revenues.

Year.	Western Union.	Postal System.	Total.
1916	$54,016,171	$13,644,987	$67,661,158
1917	66,528,711	14,907,097	81,435,808
1918	74,505,512	14,930,896	89,436,408
Increase 1918 over 1916 .....per cent	38	9	32

The relative growth of traffic on the Western Union was even more rapid than the figures of gross revenues indicate, because its increase in the volume of Government business carried was much more rapid than that of the Postal system.

Even with its small increase of business, it is clear that the increase in the operating expenses of the Postal telegraph system could not have been limited to 10 per cent if the same increase in wage rate had been made by that system which was made by the Western Union.

The net earnings of the Postal telegraph system have not fallen to the same extent as have those of the Western Union. During the six months, August, 1918, to January, 1919, the net earnings of the Postal, as shown by their accounts, were $1,832,821. After adjustment for depreciation awarded them by the Postmaster General and for the wage increase for the month of January these earnings were $1,652,821. The earnings for the month of January, after wage and depreciation adjustment, were $222,296.

Some persons jump to the conclusion, since the earnings of the Postal telegraph system were still substantially under the old rate, that the increase in rates was unnecessary. The Postal telegraph system is not a national system in the sense that it furnishes service at all points where it is desired in the public interest. It has approximately one-tenth as many offices as the Western Union and carries one-sixth of the telegraph business of the Nation. It competes for much more than one-sixth of the Nation's business, however, because its offices are located in the larger cities. Two-thirds of the telegraph business of the country originates in these business centers. The Postal telegraph system is, therefore, in a position to select from all the business offered that which can be most profitably handled, and this it seems to have done in most efficient manner. The fact that the Postal company could continue to carry business at the old rates and still earn its compensation is of practically no significance in constructing a fair schedule of rates for the country as a whole. Such rates must cover the cost of rendering service to all points, including just compensation for the property used. The Postal system reaches only a fraction of the points at which telegraph service is rendered, and at the points which it does reach it could not carry one-half the business offered. Sound public policy dictates a schedule of rates which shall give all the people telegraph service. Under such a schedule of rates the Postal system will reap the benefits that come to the competitor who strives only for the more profitable business, but this situation is inevitable as long as this condition exists in the telegraph field. The fact that the Postal company could operate at its present rates and still make profits is of little significance in passing upon the general schedule of rates.

A comparison of the effect of increased prices upon general business profits with that upon the telegraph profits is enlightening. The net income of the industrial, mercantile, and miscellaneous corporations reported to the Commissioner of Internal Revenue increased from $2,897,618,000 in 1913 to $6,697,000,000 in 1916, to $8,300,000,000 in 1917, to $7,500,000,000 in 1918, and it is estimated will not fall below $5,000,000,000 in 1919. While there has been a rise of 70 per cent in the general wage schedule, this is more than offset by the rise of 100 per cent in the price of products and service sold by the corporations. During this period our national dividend, which represents income of all the people, including wage earners, has increased from $35,000,000,000 to $72,000,000,000. The number of people reporting incomes of $3,000 and over increased from 357,598 to 697,055, while their incomes amounted to $7,500,000,000 in 1917 as against $3,900,000,000 in 1913.

As against this, the earnings of the telegraph company which renders a national service have been extinguished for the year 1919 unless rates are increased. These comparisons are the more significant when we realize that 80 per cent of the telegraph service is rendered to the very industries and establishments which have made these large profits in 1916 and subsequent years. It should also be noted that it is these industries which have sold to the telegraph companies the materials and supplies at largely advanced prices, and it is their competition for labor, together with the increased cost of living brought about by the high prices of their products, which has been directly responsible for the increase in wages and has necessitated the present advance in rates.

The time has now come when it is no longer possible to render telegraph service to the industries of the country at prewar prices.

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OFFICE OF INFORMATION,
POST OFFICE DEPARTMENT,
April 28, 1919.

The Postmaster General has recommended to the President that the Government return the cable lines to their respective owners. This action is made possible by the fact that the congestion resulting from war conditions has largely passed. The enemy commercial blacklist has been abolished and the tremendous volume of Government cable messages from and to the War Trade Board has ceased. The bar to commercial code messages has been removed, thus materially lessening the cable loads. The use of the cables in connection with the peace conference has been greatly diminished.

The Postmaster General hopes that the return of the cables may be effective not later than May 10.

The Postmaster General will also recommend that the telegraph and telephone lines be restored to their respective owners as soon as legislation can be secured from Congress safeguarding the interests of the owners in every way that it is possible to safeguard them.

The information of the Postmaster General as to the condition of the wire companies convinces him that it is imperative that such legislative action must be had before the various telegraph and telephone lines are returned.

This is not true as to the cable lines, which are in a condition to be returned at once.

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OFFICE OF INFORMATION,
POST OFFICE DEPARTMENT, *April 29, 1919.*

Postmaster General Burleson to-day gave out the following statement:

"By direction of the President, the requisite orders have been issued restoring the various cable lines to their respective owners, effective May 2, 1919. The telegraph and telephone lines will be returned to the various companies as soon as legislation can be secured from Congress safeguarding the interest of the owners thereof.

"For a number of years the Postmaster General has advocated the Government ownership of the telegraph and telephone systems and has urged that they should be blended with and become a part of the postal establishment as essential agencies of communication. He is firmly convinced if such a policy were entered upon that where there are now three telegraph and telephone pole lines, and sometimes four, occupying the same highway, entailing immense waste, better and cheaper service could be given by one coordinate wire agency; that by the abolition of various supervisory forces of the wire systems, which would then be unnecessary; by complete unification of the systems, thereby eliminating the operating cost of the useless system; by thoroughly coordinating the remaining telegraph and telephone services; by the consolidation of offices and the utilization of post-office buildings where practicable; by the use of stamps as a means of eliminating costly and complicated accountings, and the utilization of the auditing and accounting forces of the Post Office Department, thereby largely eliminating those of the wire systems, that such savings could be effected that would enable those in authority, during normal times, to materially reduce the cost of the wire service to the people.

"As to the wisdom of this course the Postmaster General has not changed his views. At the time the Government took over the control of the wires extraordinary and abnormal conditions existed, resulting in a constantly increasing and very high operating cost, which has necessarily continued. The early coming of the armistice, the accentuated cost of operation and diminishing revenues, the uncertainty in the period of Government control, presented such a situation that those in charge for the Government were able to accomplish but little by way of unification or to go forward with their policies of economy, and consequently were soon brought face to face with a very serious but quite simple problem, to wit: Given increasing cost of operation plus diminishing revenues equals what? There can be but one answer—increase of rates. This action was taken. It was quite unfortunate and was taken with deepest regret, but it was imperative. To an intelligent mind this increase of rates constitutes no sound reason for a change of view on the original proposition that it is economically wise for the Government to own the wire systems as a part of the postal establishment and in no sense tends to refute the soundness of the contention that through such ownership savings would be effected that would result in a reduction of rates. For example, street car companies and other public utility organizations throughout the country, which are being operated under private control, are in many cases on the verge of bankruptcy and are petitioning for an increase in rates for their services, and, when having been granted the increases sought, often return with petitions for still further increase, basing their claims upon the higher wages and increased cost of material. The Wire Administration could not escape this condition, which extended throughout the country in relation to every form of service, public or private.

"There is quite a difference between Government ownership and Government control for a limited and very uncertain period. The present control affords no more a test of the virtues of Government ownership than could be had through a temporary receivership in a court proceeding.

"That the contention of the Postmaster General for a complete unification of the various wire systems is both wise from an economic standpoint and supported by sound business principles has been confirmed by the ablest experts on electrical transmission in America. That it should be brought about the Postmaster General still believes, preferably through Government ownership and operation as a part of the postal establishment, but if this is not done, then through some means of unified control by private ownership, over which the Government should at all times exercise a wholesome regulatory supervision. About the desirability of this the Postmaster General has had no reason to undergo a change of mind. However, for some time it has been apparent that the first of these alternatives does not meet with the approbation of the new Congress. Such being the case, there is but one course to pursue, and that is to return the various wire properties to their respective owners after urging proper legislation to safeguard the interest of all the properties, in fairness to the investors, and to insure proper service to the public.

"Having reached this conclusion, the Postmaster General does not hesitate as to his line of action."

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Postmaster General Burleson to-day sent the following letter to Representative MOON:

"MAY 22, 1919.

"Hon. JOHN A. MOON,
"*House of Representatives.*

"MY DEAR JUDGE MOON: I have before me the House resolution No. 2 introduced by the chairman of the Committee on the Post Office and Post Roads, proposing the termination of Government supervision, control, and operation of the telegraph and telephone systems. In my opinion, the enactment of this resolution, without legislation to properly safeguard the various interests involved, would be very unwise. The vexatious problems confronting the wire companies will not be satisfactorily solved by a mere return of these properties to their owners. The extraordinary increased cost of operation and maintenance which has been fastened on them as a result of the war will continue for some time after control passes from the Government. These increased costs of operation and other difficulties confronting these companies are not the result of Government control, but had been imposed on these companies as a result of the war. That this is true is conclusively shown by an examination of the conditions of the street railway systems of the country or of any other public utility. These wire properties can not, in fairness to the owners or the general public, be returned under the burden of these increased costs of operation without assurance of revenue sufficient to meet such increased cost; for otherwise the deterioration of the properties and the service will inevitably result, and the public, as well as the owners and investors in the securities of these companies will be disastrously affected. Manifestly the former rates are inadequate to produce the necessary revenue to meet existing requirements to maintain and operate these properties. New materials must be purchased at market prices, and skilled labor employed at prevailing wages. Because of these extraordinary changes in the operating conditions of these properties, a serious responsibility rests on the Government to adopt every means possible, consistent with sound policy, to protect the public and enable the owners to operate their properties free from the dangers of receiverships or the serious impairment of their values or the deterioration of this important service. In my opinion, some legislation to meet this situation is imperative.

"In response to your verbal request, I will give you the views of the Wire Control Board on the legislation which, it is believed, should be enacted before these properties pass from the control of the Government. The members of the board are unanimously of the opinion that in order to provide the most efficient wire service the various systems should be coordinated as to operation. This does not require monopoly of ownership but is necessary, so that there can be a consistent and harmonious regulatory policy. Through this means only can the attempts at wasteful competition and the economic loss occasioned by duplication of plant and force be avoided. It is believed that this desirable end can be reached by amending the law so as to provide that, subject to the approval of the Interstate Commerce Commission, any telegraph or telephone company doing an interstate business may purchase the property of any telegraph or telephone company, or any part thereof,

or consolidate with any other telegraph or telephone company, or pool its traffic and facilities with any other telegraph or telephone company, under provisions which will protect the interests of the public and of near-by companies.

"The Wire Control Board is also convinced that it is impossible to secure any uniformity of rates or to maintain adequate revenue for the service where a multiplicity of unassociated, independent authorities or commissions, with full authority to act, are attempting to function. Whereas it is recognized that the State has control over traffic purely intrastate, yet it is believed that it is no longer open to question that this power can not be exercised so as to interfere with interstate traffic.

"In the matter of electrical communications the intrastate and interstate activities are so interdependent that what affects one affects the other, and the character of this traffic has so changed through development that the interstate features have become the dominant and controlling factors. Hence it is believed that the law should be so amended as to empower the Interstate Commerce Commission to fix rates for telegraph and telephone companies, subject to the provision of the act, and that any telegraph or telephone company whose lines are located entirely within a State but which transacts direct interstate business, through switching or other arrangements with other lines, should be made subject to the act.

"The public interests demand the most efficient wire service possible. In order that this end may be attained, adequate revenue must be provided. The plant and equipment must be of the best construction and of the very latest development of the art and must be properly maintained and depreciation and obsolescence, with reasonable reserves for surplus and contingencies, must be provided for, and also a reasonable return on the value of the property used to furnish the service. In order to make certain the maintenance of these conditions the rates of the telegraph and telephone companies falling under its jurisdiction should be fixed by the Interstate Commerce Commission so that they shall produce revenues sufficient to yield a reasonable return on the value of the property used in rendering service, after paying operating and maintenance expenses and providing for depreciation, obsolescence, and maintenance of such adjuncts as may be necessary for the development of the art and reservation out of income for surplus and contingencies.

"The board is also convinced that in order to provide satisfactory wire service the most efficient personnel must be secured. In order to secure and retain the service of such employees there must be assured proper working conditions, advancement of wages on the basis of demonstrated efficiency or capability, and these conditions can only be brought about by the adoption of a sound policy in the treatment of such employees. In order to assure this, a tribunal should be provided upon which the public, the employee, the managerial force, and capital shall be fairly represented and before which all parties may be heard, so that prompt redress may be had for just grievances.

"The Wire Control Board also suggests that it be provided by legislation that hereafter when any change of wage schedules for employees is contemplated the same shall not become effective until submitted to and approved by the Interstate Commerce Commission, and that when same has been given approval by the Interstate Commerce Commission the commission shall contemporaneously order such modification of rates as will meet the proposed changes in the wage schedule.

"I feel constrained by sense of duty to urge upon the committee dealing with this important matter that before action is taken a serious and unbiased consideration be given to the necessity of some such legislation before these properties are returned to their owners.

(Signed) "A. S. BURLESON, *Postmaster General.*"

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WASHINGTON, D. C., *June 9, 1919.*

Hon. JOHN A. MOON,
House of Representatives, Washington, D. C.

DEAR SIR: Any legislation which proposes to turn the telephone properties back without any provision whatever in respect to the changes which have taken place, and the changing conditions which have to be met, would produce a most unfortunate situation.

For years there had been no appreciable change in the average telephone charges; the continual but steadily increasing cost, including wages, had been met by economies resulting from improvements in methods of construction and in apparatus and operating methods.

The abnormal increases due to the war could not be so met. Before the Federal control of the wire systems there was under way before the regulatory bodies in the different States a campaign of readjustment of rates to meet the abnormal increases in costs—particularly wages.

As far as determination had gone, the request had been fairly met, and there was every prospect of adequate provision being granted. When Federal control came in, all this action was suspended.

The rates approved by Federal authority and sustained by the Supreme Court were in lieu of this State action, and were based upon the same causes and needs—that is, to meet the increases in cost, and particularly in wages, already made, about to be made, or under consideration.

It is impossible from any standpoint to make any reduction in expenses—particularly wages. The service depends, in a telephone system as in no other utility system, upon the morale and interest taken by the employees. Wages must be relative to wages paid for similar class of work, the very highest paid, in order that there may be continuity in service.

To abrogate these rates for service and continue the increases will not only make further wage increases impossible by destroying the net operating revenue but will also destroy the credit of the operating companies. None of these revenues goes to paying anything more than reasonable charges on capital or is more than sufficient to establish the credit of the companies.

The maintenance of credit is necessary that the demands for extensions and expansion of service may be met.

The increase in stations in the telephone systems for the first three months of this year was greater than the total of the last year. For the next two years the estimated requirements for new cash are about $125,000,000. Each new or added subscriber's station calls for approximately $200 or upward invested in new plant and equipment, upon which the gross annual revenue averages less than $45; of this gross annual revenue over 50 per cent goes to wages.

This investment money can not be obtained without credit; without good credit the increased cost will be from 50 to 100 per cent more. Credit decreases the wage of capital and increases the possibility of good service and of meeting the demands of the public.

It will take the regulatory bodies of the various States having jurisdiction time to examine, consider, and decide equitably and intelligibly these questions.

During the period of Federal control expenses have been increased not because of Federal control but following the course of all business.

The rates approved during Federal control were based on these increases in wages and other costs.

To continue the increase in expenses, which it is impossible not to do, and not to continue the increase in revenue, which it is possible to do, is not equitable nor is it consistent with the spirit of the law authorizing Federal control or with the arrangements made with the various systems, all of which contemplated fair and just treatment, as well as compensation, and the return of the properties in as good shape as when taken.

It is only fair to the State commissions to give them an opportunity to act and not precipitate a crisis upon them which they can not avert and for which they are not responsible.

It is not asked that any power or authority which the State regulatory bodies should have be taken away. It is only asked that the Federal rates authorized to meet the increased expenses during Federal control be continued until full and proper consideration can be given. There are hundreds of important systems and many thousands of separate conditions.

At least one year's continuance of Federal rates, unless determination is reached before, should be authorized.

In our opinion this is the only way to avert a crisis which will seriously affect a service upon which the daily activities of the public are so dependent. It is not a question of capital and labor, it is a question of the public and the service.

Very respectfully,
AMERICAN TELEPHONE & TELEGRAPH CO.,
By THEO. A. VAIL, *President.*
THE UNITED STATES INDEPENDENT TELEPHONE ASSOCIATION,
By F. B. MACKINNON, *Vice President.*

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CONSTITUTIONAL AUTHORITY OF CONGRESS, UNDER ITS WAR POWER, TO TEMPORARILY AUTHORIZE EXTENSION OF FEDERAL TELEPHONE RATES BEYOND THE PERIOD OF THE WAR.

It is generally admitted that the present condition of the telephone industry of the United States is so unfortunate that it may lead to disaster. It is here sought to briefly outline the situation.

I. REMEDY SUGGESTED.

That the rates and tolls made effective or approved by Federal authority and held to be valid by the Supreme Court shall continue in effect after the passage of the pending act for not more than one year or for such time after the passage of the act, until the various National, State, or municipal regulatory authorities shall, within their jurisdictions, prescribe reasonable rates to replace them.

II. EXISTING CONDITIONS.

(1) During or because of the war, wages of telephone employees increased more than 50 per cent from 1915 to 1919; and there was a similar increase in costs of material for maintenance and extensions.

(2) The cost of capital for the business increased from an average of 6 per cent per annum before the war to an average of 8 per cent per annum in 1919. So that in 1915 improvements costing $1,000,000 would pay an interest charge of $60,000 per annum.

While in 1919 the same work would cost $1,500,000 and require an interest charge of $120,000 per annum.

(3) Before the war extension of telephone service averaged about 7 per cent annually.

During the war such increases practically stopped because of the military need of such labor and material. Since the beginning of 1919 increases have averaged at the rate of more than 13 per cent per annum, with an increased cost therefor of more than 50 per cent.

III. INCREASED RATES.

Before Federal control the telephone companies were seeking and obtaining from the States increased rates to meet their increased expenses. Federal control stopped such proceedings, but instead prescribed its own rates and tolls to care for its large increase of expenses, which have been held valid by the Supreme Court and are now, or soon will be, in effect. These may cease with the termination of Federal control, unless otherwise provided.

IV. INCREASED EXPENSES.

These increased expenses will certainly continue beyond the period of the war. Because of peculiar requirements and limitations of their State statutes, many State authorities will not soon be able to provide adequate rates and revenues to meet these pressing conditions of increased service, extensions, and maintenance. So the above remedy is suggested for temporary use only during this emergency.

V. EFFECT ON STATES.

Under this measure no State or municipal regulatory authority is deprived for one day of any of its regulatory functions; and no individual will be compelled to pay one cent for rates or tolls above the reasonable rates prescribed by the regulatory authorities of his own State or community.

VI. CONSTITUTIONAL AUTHORITY FOR REMEDY.

"That under its war power Congress possessed the right to confer upon the President the authority it gave him, we think needs nothing here but statement." (Chief Justice White in Dakota Central Telephone Co. *v.* State of South Dakota and other telephone cases, decided by the United States Supreme Court June 2, 1919.)

AFTER THE WAR.

Congress has similar authority under its war power to continue such rates and tolls beyond the period of the war, to provide for conditions arising during and because of the war.

The case of The United States *v.* Gettysburg Electric Railway Co. (160 U. S., 668), decided that the act of Congress approved March 3, 1893, creating the Military Park at Gettysburg, and the act approved June 4, 1894, granting the power of condemnation for the purposes of such park, were valid under the war power of Congress. These acts were passed 28 years after the close of the Civil War.

Justice Peckham, for a unanimous court, stated at page 681: "Upon the question whether the proposed use of this land is a public one, we think there can be no well-founded doubt; also in our judgment the Government has the constitutional power to condemn land for the proposed use." * * * "Congress has power to declare war and to create and equip armies and navies. It has the great power of taxation to be exercised for the common defense and general welfare. Having such powers, it has such other and implied ones as are neces-

sary and appropriate for the purpose of carrying the powers expressly given into effect. Any act of Congress which directly tends to enhance the respect and love of a citizen for the institutions of his country and to quicken and strengthen his motives to defend them, and which is germane to and intimately connected with and appropriate to the exercise of some one or all of the powers granted by Congress must be valid. This proposed use comes within such description. The provision comes within the rule laid down by Chief Justice Marshall in McCulloch v. Maryland (4 Wheat., 316), in these words: 'Let the end be legitimate and within the scope of the Constitution and all means which are appropriate, which are plainly adequate to that end, which are not prohibited, or inconsistent with the letter and spirit of the Constitution, are constitutional.' "

The Second Legal Tender case of Knox v. Lee (12 Wall., 540) held that the war power of Congress warranted its legal tender statutes, which were valid not only as to transactions before but after its enactment, and after the conclusion of the war.

The case of Stewart v. Kahn (11 Wall., 493) held that the "stay laws" were constitutional and operated in 1866, one year after the conclusion of the war. At page 506 the court stated: "The Constitution gives to Congress the power to declare war, to raise and support armies and navies. Congress is authorized to make all laws necessary and proper to carry into effect granted powers. The measures to be taken in carrying on war and to suppress insurrection are not defined. The decision rests fully in the discretion of those to whom the powers involved are confided by the Constitution. In the latter case the power is not limited to victory in the field and the dispersion of the insurgent forces. It carries with it the power to guard against the immediate renewal of the conflict and to remedy the evils which have arisen during its rise and progress. This act falls within the latter category. The power to pass it is really implied from its power to make war and suppress insurrection. It is a beneficent exercise of this authority."

There seem to be no cases to the contrary, so there should be no question as to the authority of Congress to extend the war rates and tolls for a reasonable period beyond the close of the war in order to properly adjust and care for conditions which have arisen during and because of the war.

This situation and the measures to meet it are respectfully presented for your consideration.

UNITED STATES INDEPENDENT
TELEPHONE ASSOCIATION,
(Signed) By FREDERICK C. STEVENS, *Counsel.*

WASHINGTON, D. C., *June 9, 1919.*

Mr. ESCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I was very much interested in the story of my friend from Tennessee [Mr. MOON]. He seems to be very much agitated lest somebody gets something the Government ought to have. He wants to be certain that the compensation earned under Government operation by the telegraph and telephone companies in excess of the contract obligations of the Government by these companies shall be retained by the Government when the Government ceases to control them.

Well, the obligation of the Government of the United States to the Western Union Telegraph Co. and the American Telegraph & Telephone Co. is far in excess of the revenue. The compensation under the contract between the Postal Telegraph and the United States, if there is such a contract, and I think there is not, because I do not believe the Postal would agree to it, gives the Postal Telegraph Co. about 40 per cent of its earnings. Of course under the proposed amendment of the gentleman from Tennessee nobody would suffer except the Postal Telegraph Co. I assume that the excess receipts over the earnings of that company which might go into the Treasury of the United States would be handed over to the Western Union Telegraph Co. to pay the deficit under the contract.

Mr. MOON. Why does the gentleman assume such a thing as that?

Mr. MADDEN. Because I know the facts as they came out in the hearings before the Post Office Committee.

Mr. MOON. I know the facts as brought out before the committee that the Postal Co. was being paid on a valuation of $29,000,000, when under its oath it only swore to $4,000,000 valuation.

Mr. MADDEN. They did not receive any payment, and other companies were receiving payment under contracts far in excess of their earnings. The gentleman seems to be very solicitous to see the maintenance of the wage scale fixed by the Postmaster General when we turn the wires back. Most of the men that I have talked with say that they want to fix the standard wages with their own companies; that they do not want to fix the standard wages with the Postmaster General; that he has been an enemy of labor, and the evidence of that is apparent every day in the public press.

I am in favor of turning the wires back, not 30 days after the signature of the President of the United States, but immediately on the approval of the act. Why? I am in favor of turning them back immediately on the approval of the act because I have assurances that I want to give to the country that the 20 per cent increase in commercial telegraph rates forced on the Postal Telegraph Co. will be taken off immediately upon their assumption and control by the company. Of course that means that the other telegraph companies will have to meet the rates, and that means that the people of the United States will have saved $600,000 a month in telegraph rates alone. So I am not in favor, because it may cost the telegraph company something to make an accounting and report in the middle of the month, of making the American people pay $600,000 a month merely to retain another month's control by the Government. And then, too, I am in favor of declaring in that law exactly who is going to regulate the rates after we turn them back. I do not want anything ambiguous about it. I do not want any litigation to result from turning back the wires, and so I am in favor of saying in the bill that the rates fixed by the Postmaster General shall remain in effect only until the proper State and municipal authorities, naming them, shall have fixed the rates.

I am also in favor of having this bill provide that the existing toll and exchange telephone rates, as established or approved by the Postmaster General, shall remain in effect only as to such rates as were being charged prior to June 6, 1919. Some one says that they simply affect Chicago and relieve it or its people from further charges, because the charges there went into effect on the 16th of June; but it affects more than 20 States in the Union whose charges have not yet gone into effect but will go into effect under the direction of the Postmaster General, notwithstanding the fact that he is no longer to have control. The gentleman from Tennessee [Mr. MOON] talks about the surplus that may result from Government operation. I think it has cost the telephone users of the United States about $40,000,000 in the last year to have Government operation.

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

Mr. MADDEN. Yes.

Mr. MOON. Did I understand the gentleman to say a moment ago that he opposed the amendment that would permit the operators to have the same wages during the time——

Mr. MADDEN. Oh, the gentleman did not understand any such thing. The gentleman understood me to say——

Mr. MOON. No; I did not say that I understood him to say anything. I asked him what he said.

Mr. MADDEN. I said the employees I have talked to said they preferred to negotiate on the wage question with the companies rather than with the Postmaster General.

Mr. MOON. The question I asked the gentleman is how he stands on that?

Mr. MADDEN. The gentleman will find out when the time comes. I am going to be for what I think is legitimate. The gentleman's proposal is intended simply to embarrass somebody, and he can not embarrass me.

Mr. MOON. Oh, I know that, Mr. Chairman.

Mr. MADDEN. I am ready to make an issue, and I am ready to turn these lines back to their owners, with the right of the State utilities commissions and the municipalities all over the country to fix the rates; and I am in favor of permitting the companies and their employees to negotiate, either by collective bargaining or in any other way they can agree upon, for compensation for labor performed.

Mr. MOON. Now the gentleman is getting at the point that I had in mind. He favors that during the Government control?

Mr. MADDEN. I am in favor of doing the thing not only during Government control but after Government control is over. I do not believe it is competent for us to legislate as to what rate of compensation shall be paid to the men who are employed either by the telephone or the telegraph companies, and I think the legislation proposed by the gentleman is a piece of subterfuge, a piece of political bunk, and he knows that just as well as anybody else does.

Mr. MOON. I know the gentleman from Illinois is very capable at dodging the truth.

Mr. MADDEN. The gentleman from Tennessee and I get along very well, and, of course, I know that he is trying to see how much mud he can throw in the eyes of the public now in order that he may be able to curry a little favor for the Postmaster General, who is not in good favor with the public or telephone or telegraph employees.

Mr. MOON. The gentleman is mistaken about that.

Mr. MADDEN. The Postmaster General is a personal friend of mine. I would not have said a word about him if it had not been for the political legerdemain that the gentleman proposed in his amendment. [Laughter.]

Mr. MOON. The gentleman, I am afraid, is that kind of a friend of the Postmaster General who is very kind and considerate in his presence, but who, when he is away from him, slanders and traduces him.

Mr. MADDEN. I never have done that. I have defended him when everybody else was slandering him, defended him every-

where and whenever it was necessary to defend him, and I shall defend him, regardless of what everybody may think of it, when he is right; but when it comes to a public question upon which I think the Postmaster General is wrong, I retain the right to criticize him, just as I give him the right to criticize me. We are public functionaries, subject to the criticism of the people, and I consider myself one of the people.

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

Mr. MADDEN. I am very sorry, because I would like to say a few more things.

Mr. ESCH. I yield two minutes more to the gentleman.

Mr. MADDEN. I do not know that I can say much in that time. I first want to say in this connection, although I am starting at the front when I ought to be at the back, that we never ought to have taken these telephone or telegraph lines over; and I want to say to you, without having authority to say it from any official standpoint, that I believe they never would have been taken over if it had not been for a lot of gentlemen who own securities in these companies, a majority of whom believed the Government of the United States would retain the lines as Government property, and that they would receive Government securities in lieu of the securities they now hold, so that when they passed away they could turn these Government securities into their estates and thereby insure a standard revenue to the estate after they had passed away.

Mr. MOON. May I ask the gentleman to allow me to interrupt him for a moment for an explanation?

Mr. MADDEN. Surely.

Mr. MOON. Why, the gentleman is altogether surmising. The fact about it is that the thing that made it necessary in the opinion of the President and of his Cabinet to take over the telegraph wires was that under the management that then existed all foreign news in reference to the war was leaking before it got to the President and to the Cabinet.

Mr. MADDEN. I want to say that foreign news did not come over the land wires.

Mr. MOON. Well, over the cables.

Mr. MADDEN. And the cable lines were never taken over until after the war was over, and the men who urged and insisted that the Government control the telegraph and telephone wires were not the President but the Secretary of War and the Secretary of the Navy and the Postmaster General, each of whom said before the committee, before whom they appeared, that he was in favor of Government ownership of those utilities.

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

Mr. MADDEN. And that is why they wanted to experiment at the expense of the Government and at the expense of the people. [Applause.]

Mr. SIMS. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Chairman and gentlemen of the committee, I desire to discuss two features of this bill as reported by the Committee on Interstate and Foreign Commerce. Before I do it I desire to correct the gentleman from Illinois in one particular. In his last statement he said that the Postmaster General and the Secretary of War and the Secretary of the Navy all in their testimony before the committee, when this bill was originally passed, advocated Government ownership and operation of the telegraph and telephone wires permanently.

Mr. MADDEN. I said they were in favor of it.

Mr. BARKLEY. The only advocates were the Postmaster General and the Secretary of the Navy. The Secretary of War, according to my recollection, did not state that he was in favor of Government ownership of telegraph and telephone wires.

Mr. MADDEN. Then I am two-thirds right.

Mr. BARKLEY. Which is a very high rate of correctness for the gentleman from Illinois, and I compliment him on being that near right. [Laughter and applause on the Democratic side.]

Mr. Chairman, in regard to the question of when this law shall take effect. When the bill passed the Senate it provided that the law should take effect immediately upon its approval by the President; that is, that the telephone and telegraph wires should be immediately turned back as soon as he signed this bill. In considering this matter before the Committee on Interstate and Foreign Commerce, under the testimony not only of representatives of telegraph companies but of the telephone companies themselves and the Post Office Department, it was shown that it would be very much better from every standpoint if those properties should be turned back and the question of accounting be brought to an end at the end of the calendar month; that by reason of the intricate system of bookkeeping that is carried on between the Government now and these various companies to turn them back and stop that procedure in the middle of the month, at any date during the month, would bring about unnecessary bookkeeping and accounting and bring about confusion in the settlement of accounts. Therefore our committee felt that it would be better that these financial transactions should end at the end of the calendar month in order that there might be no confusion or delay or extraordinary amount of work in settling the accounts between the companies and the Government, because there are about 15,000 different companies in the United States with which we are keeping books now in order to determine their compensation and determine the question of revenue, outgo, income, and so on. So that from the standpoint of the Government and from the standpoint of the telephone and telegraph companies we thought better that the control be terminated at the end of the calendar month. Now, it was our hope and desire this might occur on the 30th of June, and it is still our hope that that may occur; but by reason of the fact that the President is in France and this bill when enacted must be sent there by courier and that it might not be possible for him to approve the act in order that it may take effect by June 30, we provided that it shall take effect at the end of the calendar month in which he approves the act. If he should approve it under the Senate provision on the 3d of July, of course it would go into effect immediately at midnight of that date and there would be three days of bookkeeping and accounting and adjustment of compensation and all of these intricate financial transactions between the Government that would bring endless confusion and make unnecessary work for the Government, the employees, and these companies.

Now, as to the period of time, we provided that these rates would be effective after the law takes effect. I do not think there is any doubt Congress has the power to extend the operation of Government control of any of these facilities that have been taken over beyond the period of the declaration of peace.

In the railroad-control act we provided that Congress might retain control of the railroads for a reasonable period after the declaration of peace, that reasonable period not to exceed 21 months. In various acts of Congress passed during the war we have provided that they shall extend beyond the declaration of peace, beyond the end of the war, for a reasonable period, not to exceed so many months or so many years. As a matter of fact, the question of what is a reasonable time is a judicial question and one upon which Congress as a matter of law can not pass; but we have exercised a function which has been exercised in previous Congresses, of fixing a date or a period which would be a persuasive suggestion before any court as to what was a reasonable time. In this case the testimony of all the telegraph companies, with the exception of the Postal Telegraph Co., whose testimony showed that notwithstanding the raise in wages and in cost of operation they would be able immediately upon the termination of Government control to go back to the prewar charges for the sending of their messages and still be able to make sufficient dividends—as I say, the testimony, outside of the Postal, of the telephone companies and the Western Union Telegraph Co. showed conclusively, not only by their own testimony, but by the testimony of the officials of the Post Office Department, that that was not true and could not be true with respect to any of them except the Postal Telegraph Co., which, as the gentleman from Tennessee [Mr. MOON] said awhile ago, has only about 1,000 offices in the United States. It gets the cream of the business. It has not a single telegraph office anywhere that does not pay a profit on the business that is received through that office, whereas the Western Union Telegraph Co. has over 25,000 offices, established in villages all over the United States, many thousands of which offices do not pay a profit, but are a dead loss to the company. And, therefore, what is true of the Postal Telegraph Co. is not true of any other telegraph company or of any of the telephone companies. The testimony before our committee showed that since 1914 the wages of the American Telegraph & Telephone Co. have increased $65,000,000, nearly 100 per cent; that their pay roll during 1918 was $175,000,000, and that $65,000,000 of that $175,000,000 represented an increase in the compensation of their employees since 1914. Similar increases have occurred with other companies.

The testimony also showed that the cost of materials, both raw materials and manufactured materials, had increased nearly 100 per cent since 1914, and that the cost of capital represented by the increase in the rate of interest paid upon money they must borrow to carry on their operations has increased about 50 per cent. So that we were compelled as a committee to take into consideration all these increases in wages, these increases in the raw and manufactured material, and the increase in the

cost of capital, all together making up the increase in the cost of operation which made necessary the increases in rates that were inaugurated by the Postmaster General.

Now, in respect to this increase of rates by the Postmaster General, I think it is fair to say this, that those rates would not have been increased unless it had been absolutely necessary to do so; and I think we may fairly assume from the testimony of the witnesses of the telephone and telegraph companies that, if the Government had not taken over these properties, the increase in rates would have been greater under private control and operation than under the Government.

In fact, the representatives of the independent telephone companies and the American Telephone & Telegraph Co. stated before our committee that they were already in the process of having their rates increased, and the American Telephone & Telegraph Co. had already secured an increase in the aggregate of over $6,000,000 in its rate before the Government took over these properties, and that they had filed before State commissions and municipal authorities applications for increases which they believed would be granted, when the Government came along and took over the properties, and therefore terminated all proceedings before the various commissions applying for an increase in rates.

Therefore, having the power, as we have exercised it, to extend the entire field of Government operation to a period beyond the war, we hold we had the power to extend any part of that control to an equal length of time beyond the war, and if we had the power under the Constitution, and the decisions are numerous that we have that power, to extend to a reasonable time beyond the period of the war the conditions that arose out of the war, if we could extend the period of Government operation and control, which includes the fixing of rates, we could extend the period in which a partial control should be in operation, to wit, the fixing of the time to which these rates already fixed by the Government should extend, unless sooner rescinded either by a revision or approval of the existing rate by the various regulatory bodies existing in the States or municipalities.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. May I have two or three minutes more?

Mr. SIMS. I yield to the gentleman three minutes.

Mr. BARKLEY. Has the gentleman from Wisconsin [Mr. ESCH] any time? Could the gentleman yield to me two minutes?

Mr. ESCH. Yes.

Mr. BARKLEY. These various telephone and telegraph companies desired a year's extension of time upon the theory that if we granted them a year's time these various commissions in the States would immediately get busy and regulate these rates, because the burden would be upon them to act immediately in order that the existing rates might not extend throughout the entire period of one year.

But we felt that we would not be justified in extending these existing rates for a period of longer than six months, and the testimony that came to our committee from the various commissions throughout the United States was to the effect that they could, operating under the machinery that governs them in the application and the determination of applications for increase or readjustment of rates, within a six months' period—and some of them stated they could within 90 days thereafter, either after holding hearings or upon evidence that was already before them—pass upon the question whether or not the existing rates were fair and reasonable. Some of them went so far as to state that they were ready without any further hearings to pass upon the question; but some of them said it would take six months for them, in the procedure which they have adopted of hearing and passing upon questions of that sort, to determine whether the rates inaugurated by the Postmaster General ought to be continued or be reduced.

Taking everything into consideration, and taking into consideration the fact that the Senate fixed 90 days for the extension of these rates, while the Post Office Department recommended 12 months and the telegraph and telephone companies desired 12 months, our committee thought we were within the range of a reasonable determination of that difference in fixing six months' time in which these rates shall be continued unless the various regulatory bodies in the States sooner determined the question.

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

Mr. BARKLEY. I yield for a short question.

Mr. STEVENSON. Suppose they do not act. Is it the idea of the committee that the old rate is reestablished by the expiration of six months if the body charged with that duty in the State does not act within six months?

Mr. BARKLEY. Yes. The burden is upon the State commissions to act. They can end these rates in 30 days if they desire to do so, and if there is any great desire or necessity or demand for the reduction of these rates in less than six months, then public opinion will be brought to bear upon the various commissions to compel them to act in a shorter period of time.

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

Mr. BARKLEY. Yes.

Mr. HASTINGS. Has the gentleman any doubt as to whether or not the State commissions have jurisdiction to fix intrastate rates? In view of the amendment cutting out the State commissions and municipalities that are found in section 1, does the gentleman believe that we yet leave to the State commissions the power to fix rates?

Mr. BARKLEY. We eliminated that language, I will say to the gentleman, as mere surplusage and as being unnecessary, because we substitute for it the various regulatory bodies having control of the fixing of rates. That includes State commissions and municipalities. That also includes the courts where there is no State commission or municipality organized to govern the fixing of rates.

For instance, in the State of Iowa the State commission has no jurisdiction to fix rates, and if there is no municipal organization authorized to fix rates somebody must go into court and attack a rate that has already been fixed before it can be changed as being unreasonable. So we submitted the determination to State commissions, municipalities, and courts, as the case might be.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield again?

Mr. BARKLEY. Yes.

Mr. STEVENSON. I just wished to ask the gentleman what his idea is in a case where neither the courts nor the commission acts within six months. What rate is to prevail?

Mr. BARKLEY. If there is any State commission that does not act at the end of six months, it is my belief that the prewar rate shall go back, because it is the intention of Congress to give these authorities six months in which to act. If there is neither a State commission nor a municipal authority that has the power to regulate rates, then the people of that State, where that condition may exist, are relegated to the remedies they had before the Government took over those properties. In other words, they must go into court and attack the reasonableness of the rate.

Under all the conditions and by unanimous testimony adduced before our committee, we felt that 6 months is a more reasonable period than either 90 days or 12 months. [Applause.]

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

Mr. SANDERS of Indiana. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DENISON].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. DENISON. Mr. Speaker, before I proceed with some general remarks that I wish to make I want to say just a word in reference to the comments of some of the Members on the changes made in the Senate bill by the House committee.

Of course, it must be remembered that the expenses of telephone companies are not regulated by law in any of the jurisdictions that I know of, but the rates that the telephone companies can charge the public for their services are regulated. The companies themselves must control the expenses of their organization, which consist largely of wages, the cost of materials, and the capital they have to borrow for the conduct of their business.

Mr. MADDEN. Will the gentleman yield?

Mr. DENISON. I yield to my colleague.

Mr. MADDEN. I understand the Western Union Telegraph Co. and the American Telephone & Telegraph Co. have $100,000,000 surplus in their treasury.

Mr. DENISON. Of course, my friend apparently knows more about that than I do. I do not know what their surplus is.

Now, during the period of Government control the cost of capital has increased, the cost of materials has increased, and the Postmaster General has raised wages, the cost of labor, so that when the Government turns back these properties to their owners, as we are proposing to do in this bill, we shall turn them back burdened with these increased operating or current expenses. Now, if the bill makes no provision for an extension of the increased rates which the Postmaster General has authorized, then immediately upon the taking effect of the act the increased rates must cease, because there will be no law authorizing them. I assume that in every jurisdiction in the United States there is a telephone rate authorized by the State, municipality, or other local regulatory authority. But those legal rates that are authorized in the various States have been suspended during the period of Government control, and when the period of Government control ends by the repeal of the law, then the

State rates will be revived, unless we provide in the act that the rates established by the Federal Government shall continue for a reasonable time. Of course, the bill only provides that these rates shall continue until other rates can be authorized in the different States, and in no event over six months.

Mr. JACOWAY. Will the gentleman yield?

Mr. DENISON. I will yield.

Mr. JACOWAY. I suppose the gentleman heard the suggestion of the gentleman from Kentucky [Mr. BARKLEY] to the effect that if the State or municipality did not act and Congress did not act, then automatically the prewar rates will prevail. Is that the gentleman's idea?

Mr. DENISON. Yes; if we do not provide for an extension of the Federal rates after the termination of Federal control, the rates that are now authorized in the various States and localities will be revived and take effect at once. Now, the committee provides in this bill that the Federal rates shall continue for a reasonable period, not to exceed six months, unless they are changed in the meantime by the State regulatory authorities. But if the State regulatory authorities do not take hold of the question and fix a new reasonable rate within the six months, then at the expiration of that time the rate authorized by Congress will cease automatically, and the telephone companies will revert to the prewar rates authorized by law.

Mr. JACOWAY. Will the gentleman yield further?

Mr. DENISON. I will.

Mr. JACOWAY. Is the gentleman prepared to show what the increased cost has been to these telephone companies, and what the increased cost of operating has been as compared to their income?

Mr. DENISON. That is shown in the hearings, but I am sorry I can not give it to the gentleman from memory. The gentleman from Kentucky [Mr. BARKLEY] gave a brief statement of that. I have forgotten exactly what the increase amounts to, but I think it shows that the increase in wages is 50 per cent as compared with 1915.

Mr. JACOWAY. Did they get more out of the increased rates than the increased cost of labor and material amounted to? In other words, was there a deficit or not?

Mr. DENISON. Since the Postmaster General has put into operation the 20 per cent increase in rates there is not a deficit, except as to those companies where the Government has been enjoined by the courts from putting the new rates into effect. That has been done in a number of places, and particularly in the city of Chicago.

Mr. MADDEN. It has been done in 18 different States.

Mr. DENISON. The evidence before our committee did not show how many, but in a number of places the Government was enjoined from putting into operation the increased rates of the Postmaster General on the theory that under the law he was not authorized to make new rates. The Supreme Court has recently handed down a decision holding that he had that authority, and the injunctions are being dissolved.

The reason why this bill provides for the extension of the Federal rates is that if it is not done the companies will revert automatically and immediately to the old prewar rates, whereas their expenses will not revert to the prewar expenses. The result will be that the telephone companies will either have to immediately curtail their expenses by the reduction of wages, if they can do so, or they will go into financial difficulties and even bankruptcy.

The testimony before our committee was that a great many would be forced into bankruptcy unless they were given this remedial legislation.

As the evidence was presented to the committee it seemed that that was true, and the committee thought that we ought to afford them this remedy.

Mr. WALSH. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. WALSH. What about the increase in telegraph rates? It is not mentioned in this language.

Mr. DENISON. I am glad the gentleman has called my attention to that. As to the extension of rates established by the Postmaster General, that only applies to telephone and not to telegraph companies. The committee could not agree that we ought to extend the rates in the case of the telegraph companies the same length of time that we do in the case of the telephone companies. In fact, the president of the Western Union Co. came before the committee and said frankly that they did not ask for remedial legislation. "All we ask," he said, "is the return of the wires to the company, and in the face of that request of the president of the Western Union Co. the committee did not feel disposed to give them what they did not ask for.

On the other hand, the general attorney, Mr. Reynolds, of the Postal Telegraph Co. came before us and said, "All we want is for you to return the wires to us at once and we will at once reduce the rates to what they were before the Government took over our property."

Mr. WALSH. Of course the people are paying these charges. If we are going to turn back the telephones and effect a reduction of rates, how about the increase in telegraph rates?

Mr. DENISON. The telegraph companies can not continue the rates because they will not be authorized by law, unless this bill is amended by the House. If the bill passes as reported by the committee, the telegraph rates will revert immediately, in my judgment, to the prewar rates.

On July 16, 1918, the joint resolution authorizing the President, in time of war, to take possession and assume control of the telegraph, telephone, and cable systems and to operate them in such manner as might be desirable for the duration of the war was approved; and on August 1 following the President issued his proclamation taking over all the telegraph and telephone systems of the country. The act authorized the President, whenever he deemed it necessary for the national security or defense, to take possession and assume control of telegraph, telephone, and cable systems and to operate them for the duration of the war. So that so far as authority is concerned, the President acted within the authority conferred upon him by Congress when he took over the telegraph and telephone systems on August 1.

It was necessary to confer this extraordinary authority upon the President, who, as Commander in Chief of the Army and Navy, was responsible for the successful prosecution of the war. Congress could not determine in a practical way when such necessity would arise. The power to act and the discretion as to when such action should be taken had to be lodged in some one, and logically it belonged in the President. We had the right to assume that the President would not exercise the extraordinary power conferred upon him unless there was an urgent necessity for such action.

As to whether or not the national security or defense was so far threatened or endangered as to justify the President in actually taking possession of the telephone and telegraph systems of the country on August 1, 1918, the people will themselves have to decide. So far as I have been able to learn there has never been shown to the country any necessity for such action, except merely the bare statement of the President in his proclamation that he deemed it necessary for the national security or defense.

It does not seem unreasonable to have expected that the President, or some one for him, would have given to the public some statement of the facts which showed that the national security or defense was endangered, and which convinced him that it was necessary for him to take over the telegraph and the telephone systems of the country at that time. If such a statement of facts has been published I have not seen it, and in the hearings upon the pending bill which is to repeal the law granting this authority to the President not a single witness has appeared to testify to any facts which even tended to show either the necessity or the wisdom of the action of the President in taking possession of the wire systems.

On the other hand, even if it should have appeared to the President that the service of the telegraph and telephone systems of the country was not as efficient as it should be, or even was not adequate in all respects to the needs of the Government during the emergency, it is not unreasonable to assume that the President would not have used the authority conferred upon him and taken over the possession and control of the wire systems, with the tremendous financial and administrative burdens and responsibilities such action would entail, unless it were clearly apparent that the efficiency of the service would be improved and greater adequacy would be realized under Government control and operation.

Yet there has not been given to the public any statement of facts upon which the President or anyone else could reasonably hope for a more efficient or more adequate telegraph and telephone service under Government ownership than under private ownership, and no witness who testified at the hearings on this bill gave the committee a single reason which would justify the President or anyone else in believing that the telegraph or telephone service of the country would be improved under Government operation.

To the contrary, every witness who testified and who was interrogated upon that question stated that the Government received nothing in the way of greater efficiency in service under operation by the Government that it would not have received under operation by the private owners of the wire systems.

The bill now before the House is a bill to repeal the power and authority conferred upon the President by the act of

July 16, 1918, and to return the wire systems to their private owners immediately, before the termination of the present war. Inasmuch as the original act conferred the power upon the President during the continuance of the present war and until the proclamation by the President of the exchange of ratifications of the treaty, and inasmuch as the present bill is to repeal that power before the termination of the war and before the proclamation of the exchange of ratifications of the treaty of peace, the practical effect of the passage of this bill will be to rescind and, I think, to disapprove of the action of the President in taking over the wire systems and operating them by the Government.

Under such circumstances, therefore, it is fair to assume that if there was any danger to the national security or defense which made it apparently necessary for the President to take over the wire systems, or if there was any reasonable basis for the belief that by taking over the systems and operating them by the Government the efficiency of the telegraph and telephone service would be improved, some one would have been before the committee to speak for the President and defend or justify his action. Notice of the hearings was published and the Postmaster General was invited to come before the committee and make any statement he desired to make. And yet no one presented any facts to the committee either tending to show any apparent necessity for the national security or defense that would justify the President in taking possession of the wire systems or any facts upon which the President could hope or expect to obtain more efficient telegraph or telephone service under Government operation than was obtained under private operation.

If we may judge the situation from the information that has been furnished to the people by those representing the President, or by the testimony that was heard by the committee on this bill, there can be but one conclusion as to the reason which prompted the President in taking over the control and operation of the wire systems. It was the fulfillment of a desire, the realization of a hope, the consummation of a purpose that had been an obsession with Postmaster General Burleson for a number of years. Of course, it is well known that the Postmaster General has been an earnest advocate of Government ownership of the telegraph and telephone systems for years. He has spoken for it and advocated it in his annual reports. And when this power and authority was conferred upon the President to use whenever it should appear necessary for the national security or defense during the present war, the Postmaster General could not allow the opportunity of realizing his pet scheme to pass.

There can be no just criticism of Congress for conferring this power upon the President. His representatives came before the Congress and asked for it. They told us that it was necessary in the prosecution of the war for the President to have this power to use as he should deem necessary for the national security or defense. The Republicans of the House, in harmony with the policy of our party since the very beginning of the war, voted almost solidly to confer this power upon the President when he asked for it and told us it was necessary.

If the President made any mistake in using the authority conferred upon him, and I think he did, his mistake was in allowing the Postmaster General to dictate his policy. I claim that the Postmaster General is subject to just criticism and condemnation for taking advantage of the power conferred by Congress upon the President to use only in a national crisis for the national security and defense, in order to consummate a theory which with him had been a hobby for years.

In the last annual report of Postmaster General Burleson, he says:

In previous reports the Postmaster General has urged that legislation be enacted declaring a Government monopoly over all utilities for the transmission of intelligence and that steps be taken as soon as possible to make these utilities a part of the Postal Establishment. The experiences as a result of the present war have fully demonstrated that the principle of Government ownership of the telegraphs and telephones is not only sound but practical. It has been necessary as a war-emergency measure for the Congress to consider legislation authorizing the President to assume control of the telegraph and telephone systems of the country. While such control is temporary and will exist only until the ratification of the treaty of peace, yet the best results can be accomplished only when these systems are owned by the Government, made a part of the Postal Establishment, and operated solely with a view to serving the public and not of making profit or guaranteeing returns on the investment. Government ownership of the telegraphs and telephones should no longer be delayed, and the action of Congress in this matter is urgently recommended.

It was true, as the Postmaster General said, that it became necessary as a war-emergency measure for the Congress to consider legislation authorizing the President to assume control of the telegraph and telephone systems of the country. But it was not necessary for the President to use the power conferred upon him at the time he did, because the national security or defense was not threatened in any manner which could be improved by taking over the telegraph and telephone systems. With the Postmaster General still officially urging that the Government take over and own and operate the telegraph and telephone systems of the country the reason is quite apparent why they were taken over when they were.

If the Members of the House will read the hearings on this bill, the conclusion can not be avoided that the Government made a serious mistake in taking over the wire systems.

First. It resulted in a deterioration rather than an improvement in the efficiency of telegraph and telephone service.

Second. The great asset of any telephone or telegraph system is the morale and the spirit not only of the personnel of its management but of the employees in its organization, and every witness, I believe, who was interrogated upon that question testified that Government control and operation had resulted in a decrease in the morale of the telegraph and telephone organizations.

Third. Financially the operation of the wire systems by the Government has resulted in a deficit, and there will be a considerable deficit in the accounts when the systems are turned back to their private owners.

Fourth. There have been increases in expenses and expenditures by the wire systems which would not have occurred under private management. And these increases in current expenses have made it necessary to increase current revenues by general increases in telegraph and telephone rates and charges. These increases in rates and charges must be continued by the Government for a time after the wire systems are returned to their owners.

Fifth. The operation of wire systems by the Government has discouraged and even prevented extensions and improvements in the service to an extent which I do not believe would have happened under private management.

Sixth. The people have been given poorer service at a greatly increased price as the result of Government operation.

These facts, I think, were clearly shown in the hearings, and the result has been that there is practically a unanimous demand from all parts of the country for the immediate termination of Government control and the return of the wire systems to their owners.

As to the cables I do not think there was ever a more bold and inexcusable abuse of power by a public official than was committed by the President in taking over the cable systems after the signing of the armistice with the enemy. Everyone knew that when Germany signed the armistice with the allies she was defeated. There was no hope of her renewing the struggle, and there can be no stretch of the imagination by which it could be reasonably said that there was at that time any "necessity for the national security or defense" which would justify the taking over of the cables. Our enemies had already been defeated and were begging for peace. No outside enemy was threatening our security or defense. If there is any Member who has information of any danger that was threatening the security or defense of the Nation at the time the cable systems were taken over by the President, he should give the country the benefit of such information now. In the absence of at least some convincing facts we are entitled to conclude, as I think the country has already concluded, that the cables were taken over for some other purpose not connected with the national security or defense.

It was shown in the hearings that the current expenses of operating the wire systems have increased considerably since the beginning of the war, and particularly during Government control. The increase in wages to the employees of the Bell telephone system amounted to $20,800,000 during the year 1918, and for the first three months of 1919 was $11,200,000. There has been a considerable increase in the cost of material, both raw and manufactured, and an increase of about 2 per cent in the cost of capital. These increases in the cost of raw and manufactured materials and in the cost of capital, together with the large increases in wages that have been granted by the Postmaster General during Government control, have added enormous burdens to the wire systems, and in the judgment of the Postmaster General has made it necessary for him to increase telephone and telegraph rates, tolls, and charges.

The most serious question before the committee was as to what should be done by way of remedial legislation to protect the telephone companies in the increased tolls and rates author-

ized by the Postmaster General after the wire systems are returned to their owners. The bill provides remedial legislation. It provides in section 1 that the telephone companies may lawfully charge the rates that were authorized and established by the Postmaster General prior to June 6 for a reasonable time after the return of the systems to their owners, but not to exceed six months, unless in the meantime such rates are changed by the State, municipal, or other proper regulatory authorities.

This provision of the bill, I think, is just and fair, and should receive the sympathy and approval of the House.

Upon that question it must be remembered that the wire systems were taken over by the Government without the invitation or consent of their owners. The country was at war and the owners patriotically acquiesced in the action of the Government. But, so far as I am concerned, I am unwilling to see them punished or penalized in any way by the action of the Government. Congress can not afford to take any action that will inflict an injustice and a serious financial loss upon any part of the people.

It has been shown in the hearings that the operating expenses of the telephone companies have been very largely increased during the period of Government control, due not only to the increase in wages allowed by the Postmaster General but to the increase in the cost of materials and the cost of capital as well. To meet this increase in operating expenses the Postmaster General, as I have said, found it necessary to increase the operating revenues of the companies by at least 20 per cent, and even with that increase some of the companies are being operated at a loss. The moment that the Government control ceases and these properties revert to their owners the new schedules of tolls and rates authorized by the Postmaster General during Government control will become unlawful because they are unauthorized and unapproved by the various State, municipal, and other regulatory authorities, and the various telephone companies of the country will automatically fall back to the prewar rates authorized by the various regulatory bodies before the war unless Congress shall by remedial legislation provide that the rates authorized by the Postmaster General shall continue until changed by the various State regulatory authorities. The telephone companies claim that unless they are given this remedial legislation and allowed to continue charging the increased rates and tolls authorized by the Postmaster General until other reasonable rates can be established according to law most of them will be seriously injured financially and many of them will be forced into bankruptcy. Their claims in this respect seem to be reasonable and, so far as the hearings disclose, are undisputed.

Personally, I feel that the telephone and telegraph rates that have been authorized by the Postmaster General during Government control are too high and should be reduced. I feel that he has placed an unjust burden upon the people of the country who have to use the telegraph and telephone systems. But this is one of the penalties which the country must suffer as a result of too much Burleson.

Mr. Burleson took advantage of the power conferred by Congress upon the President and launched the Government into an experiment of socialism, and the people, as usual, have to pay the price. So long as the theorists and the dreamers are given power to try out their theories of socialism and other isms that are so prevalent in the world to-day, the people must know that, after all, the cost of the experiments must be borne by them.

In the end it may be that Mr. Burleson's little excursion into the realm of Government ownership may prove a blessing. I am sure it will do so if, as a result of it, the people learn that the Government can not conduct a business enterprise with the same economy and efficiency as can business men who conduct the business under the stimulus of competition and the fundamental advantage that comes from personal interest. Our experiment in Government ownership of the telegraphs and telephones under Mr. Burleson's plans will prove expensive to the American people. What Congress should do is to get away from it as soon as possible, remembering that we must do justice to those whose properties have been taken from them without their consent, while we at the same time endeavor to see that the loss to the public is made as small as possible.

The committee has endeavored to do justice to the owners of the telephone companies by providing in section 1 of the bill that the rates authorized and approved by the Postmaster General shall continue as lawful rates after the properties are returned to their owners for a reasonable time, not to exceed six months, unless before that time they are modified by the various State or local regulatory authorities.

The Senate bill legalizes the rates only three months after the properties are returned. We thought three months too short a time in which to allow the telephone companies to file their schedule of rates and allow the State commissions to grant hearings and determine the new rates to be authorized under changed conditions. In Minnesota, I believe, there are over 1,000 local telephone companies, and there are large numbers in other States, of course. It will be an immense task for the State commissions or other regulatory authorities to consider all of the schedules of rates proposed by the different telephone companies and determine what rates shall be reasonable. In the judgment of the committee three months was not sufficient time. If the rates authorized by the Postmaster General are only continued for a period of three months, after which the telephone companies must drop back to prewar rates automatically, the inevitable result would be that the different State commissions or other regulatory authorities would be unable or unwilling to undertake in that short time complete hearings on all of the schedules filed by the different telephone companies under their jurisdictions, and it would result in inaction upon their part, because they would know that by refusing or failing to act during that time the telephone rates would revert to prewar rates anyway at the end of the three months. Therefore, by fixing the time too short, Congress would encourage inaction on the part of the State regulatory bodies, whereas it is our purpose to encourage action upon their part as early as possible.

It was the judgment of the committee that the rates should be continued a reasonable time after the return of the properties to their owners, not to exceed six months, unless during that time the State commissions would act. And I believe that by fixing the time at six months the people themselves and the various State commissions or other regulatory bodies will be encouraged to give early consideration to the new schedules that are to be authorized, in order that the people may be quickly relieved of the burdensome rates fixed by the Postmaster General, if such rates are in fact unreasonable.

The question has been raised as to whether or not Congress has the constitutional authority to authorize telephone tolls and rates after the properties have been returned to their owners and after the Government control has ceased, and indeed after the war has ended. This is a question of constitutional law that is interesting and not entirely free from doubt. The wire control act of July 16, 1918, was passed purely as a war measure under the war powers of Congress, and it authorized the President to operate the wire systems "in such manner as may be needful or desirable for the duration of the war," and expressly provided that the "Government supervision, possession, control or operation should not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace."

This bill repeals the law before it would otherwise terminate under its provisions and before the declaration of peace. But provides that after the President's power shall terminate the rates authorized and established during the period of Government control shall continue a reasonable time thereafter, not to exceed six months. The date fixed in the bill for the return of the wire systems to their owners is the last day of the calendar month in which the act is approved by the President. If this bill is passed and approved by the President during the calendar month of June, the wire systems will, under its terms, be returned to their owners on the last day of the present month; and the telephone tolls and rates authorized and approved by the Postmaster General will continue not longer than the last day of December next, unless they are sooner changed by the State or other regulatory authorities.

If the war should not end, or if the date of the proclamation of the President of the exchange of ratifications of the treaty of peace should not happen to be before the expiration of the six months after the return of the wire systems to their owners, then the question of the constitutional authority of Congress to authorize the continuance of rates would not arise, because if Congress under its war powers had the constitutional authority to pass the original act authorizing the President to take over and control and operate the wire systems during the war, it must necessarily follow that Congress would have the authority during the continuance of the war to provide for the continuance of rates fixed by the Government during its period of control, for this bill really amounts to an amendment of the original wire-control act, in that it terminates completely the Government control and operation, but continues for a reasonable period, not to exceed six months thereafter, the rates fixed by the Federal Government. And in my judgment there can be no question as to the full authority of Congress in that respect.

But if the treaty of peace should soon be signed, as we all hope it will, and if shortly thereafter the President should issue his proclamation of the exchange of ratifications of the treaty

of peace, there might arise a serious question as to the constitutional authority of Congress to extend Federal telephone tolls and charges for a period of several months after the wire systems have been completely returned to their owners and after the war has legally ended. Inasmuch as the provision for the extension of telephone rates applies equally to intrastate as well as interstate rates, the validity of that provision would rest solely upon what is known as the war powers of Congress.

That provision of the Constitution which authorizes the Congress to declare war has been construed to include the power to carry on war that has once been declared; and the courts have uniformly held that where an express power is given to Congress by the Constitution all those powers which are necessary to or which may fairly contribute to the complete exercise of the power conferred will be implied. Whatever may be said to be reasonably necessary to enable Congress to fully carry out its express power of conducting war will be implied, and I think it is equally true that the powers which the Congress may constitutionally exercise during the actual period of hostilities it may continue to use for a reasonable period after the termination of hostilities and while the conditions growing out of the war continue to exist.

It was upon this theory that the railroad-control act authorized the President to continue in possession and operation of the railroads for a period of 21 months after the end of the war, and other acts of Congress passed in pursuance of the war power provide that the power shall continue for a reasonable time after the end of the war.

Wherefore, if it be granted, and I think it must, that under its war powers Congress could properly authorize the President to take over the wire systems and control and operate them during the continuance of the war, then it must follow that Congress can under the same power properly extend the telephone tolls and rates for a reasonable period, not to exceed a fixed time, after the end of the war and while the conditions brought about by the war continue to exist.

Chief Justice Marshall, in the case of McCulloch *v.* Maryland (4 Wheat., 316), said of the implied powers of Congress:

> Let the end be legitimate and within the scope of the Constitution, and all means which are appropriate, which are plainly adequate to that end, which are not prohibited or inconsistent with the letter and spirit of the Constitution, are constitutional.

In the case of the United States *v.* Gettysburg Electric Railway Co. (160 U. S., 668) the Government sought to condemn certain private property on the battle field of Gettysburg, Pa., for the purpose of securing title in order to enable the Government to erect monuments and markers and construct roads and boulevards through the battle field. And the action was begun under acts of Congress passed for that purpose in 1893 and 1894. The validity of the acts of Congress authorizing the Secretary of War to proceed as above indicated was challenged by the owners of the property. The court, in a unanimous decision, said:

> Congress has power to declare war and to create and equip armies and navies. It has the great power of taxation, to be exercised for the common defense and general welfare. Having such powers, it has such other and implied ones as are necessary and appropriate for the purpose of carrying the powers expressly given into effect. Any act of Congress which directly tends to enhance the respect and love of a citizen for the institutions of his country and to quicken and strengthen his motives to defend them, and which is germane to and intimately connected with and appropriate to the exercise of some one or all of the powers granted by Congress, must be valid. This proposed use comes within such description.

During the Civil War Congress passed what was known as a "stay" law, or an act suspending the limitation laws, and providing that where service could not be had on account of war conditions actions would not be barred until a certain time after war conditions had ceased. This amounted to a suspension of the period of limitation for bringing actions until a time more than a year after the end of the Civil War, and the validity of the act of Congress was questioned on constitutional grounds. It was claimed that Congress had no authority to pass a law of that kind that should continue in effect for that length of time after the end of the war. In passing upon the case the Supreme Court said, in the case of Stewart *v.* Kahn (11 Wall., 493.):

> The Constitution gives to Congress the power to declare war, to raise and support armies and navies. Congress is authorized to make all laws necessary and proper to carry into effect granted powers. The measures to be taken in carrying on war and to suppress insurrection are not defined. The decision rests fully in the discretion of those to whom the powers involved are confided by the Constitution. In the latter case the power is not limited to victory in the field and the dispersion of the insurgent forces. It carries with it the power to guard against the immediate renewal of the conflict and to remedy the evils which have arisen during its rise and progress. This act falls within the latter category. The power to pass it is really implied from its power to make war and suppress insurrection. It is a beneficent exercise of this authority.

In the recent telephone cases in which the authority of the Postmaster General to fix telephone rates under the wire-control act of Congress of July 16, 1918, was challenged, the Supreme Court held that under its war power Congress possessed the right to confer upon the President the authority it gave him, and expressed the view that the purpose was so plain that it needed nothing more than a bare statement of it without further argument.

I think Congress is clearly authorized under its war power to provide for the extension of the telephone rates authorized and established by the Postmaster General for a reasonable time, not to exceed six months, after the return of the properties to their owners, and that this is true even though the time of the extension of the rates may reach beyond the end of the war.

Mr. Chairman, when the President represented to Congress that it was necessary in the prosecution of the war that he be given power to take over the telephone, telegraph, cable, and radio systems of the country during the continuance of the war, I voted for the act which conferred upon him that authority, because I was unwilling to withhold from him any authority or power which he, as Commander in Chief of the Army and Navy, said was necessary to enable him to successfully prosecute the war. I think Congress properly granted him this authority. But I do not believe the President was justified in taking over the telegraph, telephone, or cable systems when he did so. I do not believe that the national security or defense was threatened or endangered to such an extent that it was necessary for the President to take possession and control of the telegraph and telephone systems and operate them as a Government agency. And even though the telegraph or telephone service may not have been as efficient as it should have been, or may not have fully answered the necessities of the Government, I still do not think the President acted wisely in taking the systems over, because there was no hope or promise of improving the service under Government ownership and operation.

I believe that the wire systems were taken over by the Government upon the advice and the request of the Postmaster General and other members of the Cabinet who for years have believed in the Government ownership of these utilities and who took advantage of the war power conferred upon the President to experiment with their theory and accomplish a purpose which they knew could not be accomplished under normal peace conditions. I believe that the action of the President in taking over the cables after the armistice had been signed was wholly without justification or proper excuse. It could not have been done for national security or defense and must have been done for some other purpose which the President has not yet chosen to disclose.

I think that the wire systems should all be returned to their owners at the earliest possible date. In doing so, I do not think Congress should by any action on its part punish or penalize the owners of these properties, but rather should we protect them from loss or injury as a result of their possession and control by the Government. Their properties are turned back to them by the Government with added burdens, and we should protect them for at least a reasonable time by authorizing the increased rates until such time as the State, municipal, or other regulatory authorities under which they operate have time to hear them and determine what rates they may lawfully charge. We must make the burdens of the public as light as possible, consistent with justice and fair dealings to the owners of these properties. But whatever the additional burdens of the public who use the telephones may have been during the period of Mr. Burleson's reign or whatever they may be hereafter until the rates can be properly readjusted must be charged up to the folly of Government ownership and the unfortunate determination of the Postmaster General in forcing the country into this expensive experiment.

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

Mr. SIMS. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has used 33 minutes out of 60.

Mr. SIMS. How much has the gentleman from Wisconsin left?

The CHAIRMAN. The gentleman has 18 minutes.

Mr. SIMS. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, this legislation should have been enacted at the last session. The telegraph and telephone wires should have been restored as soon as the emergency that caused them originally to be taken in hand by the Government ceased to exist.

I would like to state generally on this question of the telegraph and the Government that I had thought prior to this war and our Government experience with the telegraph and telephone lines that the argument in favor of postalizing, at least of the telegraph, was justifiable in the public interest. I am not so sure at this time whether it is not a debatable question, but certainly my faith has been very much shaken in the proposition by the experience in the operation by the Government since we took them over during the progress of this war.

I would like to make a few frank comments as to the situation that has developed out of this matter. I shall not do so with the thought that this is a political question or that it involves in the slightest degree any criticism of the distinguished gentleman who is Postmaster General.

I doubted in the first instance the actual necessity of taking over the wires, and yet upon suggestions made at the time I voted for the legislation just as did many Members on both sides of the House.

It was only a war emergency or necessity. The owners of these properties understood, the people of the country understood, that when the emergency which induced taking of them over ceased they should be returned. The Government, or the Post Office Department as the administrator of the wires, in good faith should not have attempted to scramble these properties, but should have striven to return them as far as possible in the same condition as when taken over.

I have one criticism to make of the condition that existed while these wires were being administered by the Government. It was an inappropriate time in which to attempt to postalize them or to institute a propaganda for Government ownership. Whenever we come to consider the question of the ownership of the wires and their operation by the Government it ought to be as a separate and independent proposition, not at a time when we hold the wires under the sovereign war power of the Government. It ought to be under conditions where the Government and the owners each have their rights safeguarded, so that the right of the owners to just compensation and the exercise of sovereignty by the Government may be considered and undertaken with equal justice to the Government and to the owners of the property. And with great respect to whoever is responsible for it, I believe a mistake has been made, one which was unfair, inappropriate, and untimely, in the institution of a propaganda for Government ownership while the sovereign held these wires under its power in time of war.

Government operation has been unfortunate, and if we are to take the experience of the Government as one which would follow postalization and ownership and operation of the wires, as a part of the postal administration, we have certainly experienced very little to encourage that proposition.

The service has deteriorated. The efficiency of the employees has depreciated. In other respects the public have been inconvenienced and embarrassed. I am not undertaking to fix responsibility for those deficiencies. I do not know whether it was the fault of the administration or was inherent in the fact of Government operation, but to whatever the condition may be attributed, it has been extremely unfortunate, and has created almost a universal desire on the part of the American people for a return of these properties to their owners. I do not wish to think, because I do not desire to be critical, that it was the fault of the Post Office administration, but rather that it was due inherently to the attempt of the Government to operate the telephone and telegraph wires for the public. There have been conflicts, dissensions, disagreements between the administration of these public utilities and the owners of them. Criticisms and charges have been made by one of the great telegraph companies—the Postal—as to unfair compensation paid to them, and as to the compensation paid to the other great telegraph company, the Western Union. Constant friction has existed between the administration of these utilities and the employees of these utilities. Wherever the fault has been, and I do not attribute it to the Postal administration, it has created a settled conviction in the minds of a large majority of the American people against the wisdom either of ownership or of operation of the telegraph and telegraph lines as a part of the Post Office Department.

I believe the time has come when we ought to return the wires, and ought to return them immediately. I think the committee acted wisely in not attempting to perpetuate even for a definite length of time the rates of the telegraph companies, because it has appeared in the public prints and in information which has come to the membership of the House that one of those companies, at least—the Postal Telegraph Co.—intends to restore immediately the rates which existed prior to the time they were taken over by the Government, and presumably its chief competitor—the Western Union Telegraph Co.—will be compelled to do likewise. They seem to be both of one mind upon that subject—that there should be no interference by legislation against the restoration of the rates prevailing before they were taken over by the Government.

I hope the convenience of the President may enable him to return in time to sign this bill before June 30, in order that by midnight at the end of this month these lines may be restored.

There are questions of compensation to the telegraph companies. There will be more complicated questions as to compensation to the telephone companies, and it was wise on the part of the committee to recommend full time for the adjustment of this matter by the Government. It is provided in the bill, and wisely so, that if there shall be any reduction in the rates or adjustment voluntarily, or if there shall be any adjudication by the public authorities before the end of the six months, that it take effect immediately, the period of six months being only a maximum time such existing rates may continue.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ESCH. Mr. Chairman, I yield five minutes to the gentleman.

Mr. SMALL. I am not sure that I shall consume the time. Mr. Chairman, I have great admiration for the gentleman from Tennessee [Mr. MOON], the former chairman of the Committee on the Post Office and Post Roads.

But frankness and honesty with myself leads me to disagree to the two amendments which the gentleman says he will offer to this bill. One of his amendments attempts to continue during the six months' period the rate of wages paid to employees by both the telegraph and telephone companies. Now, there is nothing in this bill continuing for six months the present telegraph rates, and presumably they will be reduced to the original rates existing prior to their taking over by the Government, and it ought to be left to the telegraph companies and their employees to fix wages just as it is between the employer and employee of every public utility company in the United States, subject only to governmental agencies by way of arbitration or otherwise as are authorized to adjust them. I do not think such amendments appropriate even to the telephone companies.

Mr. MOON. May I ask the gentleman a question?

Mr. SMALL. Certainly.

Mr. MOON. If you are going to continue the present high Government rates of telegraph and telephone companies, is it fair to the laborers to reduce their wages? If you are going to leave that question at all open, ought not you to provide in the bill for an immediate turning over of everything and let them have control of all, and so long as they are in Government control ought not the wages to be what the Government fixes them at inasmuch as you maintain the compensation which is excessive and beyond the ordinary compensation to a corporation? In other words, can the gentleman stand once for the labor interests of this country as against the corporate power?

Mr. SMALL. I will not only stand once, but I will stand all the time.

Mr. MOON. The gentleman does not do it now.

Mr. SMALL. I stand for whatever is fair and just, but I object to selecting one public utility in the United States and fixing the wages of employees by legislation, when every other public utility must fix the scale of wages by agreement with its employees. I am informed that the employees prefer to deal directly with the telegraph and telephone companies.

This does not appeal to my sense of fairness. Then there was another amendment that in the account with the telegraph and telephone companies during those months that those rates remained, or for a lesser time, I suppose the gentleman meant, that any amount they earned in excess of the former fixed compensation should be paid back to the Government for the purpose of meeting any deficit which may have been created during their operation. I am sorry any deficit was created. The gentleman from Illinois [Mr. MADDEN] stated, and I have also seen it in the public press, that the Postal Telegraph Co. have earned millions of dollars more than the compensation which the department attempted to fix for them, while the other great telegraph company has earned very much less than the department agreed to pay them as compensation.

Mr. MOON. I will say to the gentleman that he is mistaken in his facts.

Mr. SMALL. In the facts?

Mr. MOON. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Can the gentleman from Wisconsin yield me a minute more?

Mr. ESCH. I yield the gentleman one minute more.

Mr. SMALL. The gentleman says I am wrong in my statement to the effect that the Postmaster General entered into an

agreement with the Western Union to pay them a much larger sum than that company actually earned, while he offered to the Postal Telegraph Co. a sum or compensation less by several millions than this company earned. I think I am correct and that the records will sustain me. The gentleman from Tennessee is ordinarily so accurate in his statements that I hesitate to disagree with him, unless I have immediately at hand official evidence to the contrary.

Mr. MOON. May I ask the gentleman a question?

Mr. SMALL. I have only a minute more. I do not wish to ask for any more time. I do wish to say in conclusion, though, and this is the crux of the whole matter regarding this amendment and regarding the relationship of the Government to these companies, that they were taken over only by reason of the exigencies of war. Such legislation would not have been constitutional in time of peace. Now that the war has been concluded they are entitled to be returned to their owners as far as possible in the same shape as they were when they were taken over in every respect. That appeals to me as a fair and just proposition. [Applause.]

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

Mr. ESCH. Mr. Chairman, I move that the committee do now rise. This is for a temporary purpose.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOORES of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 120) to repeal the telephone and telegraph act, and had come to no resolution thereon.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, by direction of the Committee on Appropriations, I present a privileged report.

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

The Clerk read as follows:

A bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The bill is referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. BARKLEY. Mr. Speaker, I desire to reserve all points of order on the bill.

REPEAL OF TELEPHONE AND TELEGRAPH ACT.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 120.

Mr. MOORES of Indiana took the chair.

The CHAIRMAN. The Clerk will read the bill by title.

The Clerk read as follows:

An act (S. 120) to repeal the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor," approved July 16, 1918, and for other purposes.

Mr. DUPRÉ. Mr. Chairman, may I submit a parliamentary inquiry, not so much addressed to the Chair as to the gentleman from Wisconsin [Mr. ESCH] and the gentleman from Tennessee [Mr. SIMS]? Is the program here this afternoon to be pursued to the conclusion of this measure?

Mr. ESCH. I will say to the gentleman it is intended to get to the previous question and then rise and make it the unfinished business to-morrow, and thus get it out of the way of the sundry civil appropriation bill.

Mr. DUPRÉ. I had been so informed, but I wished to confirm the information which I had previously been given. I am much obliged to the gentleman.

Mr. SIMS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, at the last session of Congress a resolution somewhat similiar to this one was introduced and referred to the Committee on the Post Office and Post Roads, of which I am a member, and we went into considerable hearings on the general situation of Government operation of the telegraph and telephone lines, and also as to the proposition of turning them back to their owners, and at the end of these hearings we favorably reported a bill that would have relinquished their control on December 31st of this year. The reason that we made it of that date, and not sooner, was because the facts presented to us in our hearings had shown our committee that there were certain difficulties in the way of readjustment of rates, increased operating costs, occasioned by war conditions, and other related matters, which would seem to indicate that some degree of consideration must be given the companies in turning them back from Government operation and control. The interests of the public, the employees, and the companies, all seemed to us to demand this.

The committee that has had under consideration the present bill proposes to relinquish the operation and control of these wire systems on the last day of the calendar month in which this act is approved, and which no doubt will be the present month of June, and to keep the rates heretofore ordered by the Postmaster General in force for a period of six months, unless otherwise changed by the public utilities commissions of the several States or the municipal authorities. So I regard this bill as substantially the same solution of the problem as the bill we brought out at the last session of Congress, and therefore I shall give it my very willing support.

I am in favor of turning these companies back to their owners. I have no criticism to offer of the Postmaster General and his able subordinates in the conduct of the service during the time that the Government has had possession of these systems. They have labored under many difficulties incident to war conditions, and, now that these difficulties have passed in a large measure by reason of the signing of the armistice and the stabilizing of conditions, I believe that good faith on the part of the Government demands that there be no delay in turning these lines back. They were taken over as a war emergency, whether wisely or not, and now that emergency is past and I think we are nearly all agreed that Government control and operation should end.

A good deal of criticism has been directed at the Postmaster General in the public print and certain avenues of propaganda—not much of it on the floor of the House this afternoon—on account of the fact that he increased the rates both as to telegraph and telephone lines. But the public should bear in mind the fact that since the outbreak of the war the general level of wages in this country has increased more than 70 per cent. We have the authority of Mr. Royal Meeker, Chief of the Bureau of Labor Statistics of the Department of Labor, for that statement, and I am sure he does not overestimate it. In many industries such as the steel and textile industries this increase has been as much as 100 per cent since 1914. Now, the hearings show that during this same period of time the increase of wages to telegraph and telephone companies was only about 30 per cent. Thus we have a general level of raises of more than 70 per cent and only 30 per cent to telegraph and telephone employees during this same period of time.

Now, the telegraph and telephone companies have made a good showing, both before the Senate committee and the House committee, that in granting the 30 per cent raise in wages, to which I have just referred, they did so out of economies of administration and other savings in operation. They met those difficulties for the most part not by raising rates but by good business judgment—by economies of their own. But they had reached that point where they had about exhausted these means and could no longer meet the situation by increased economies and give the public the service that was required. I speak, of course, for the companies in general and the situation as a whole. No doubt there were some companies which could have made it all right without any increase at all. But I am sure it will be readily conceded that the Postmaster General in dealing with the situation had to deal with it as a whole and not isolated instances here and there. And, therefore, in view of the indisputable facts the Postmaster General had no alternative except to make some increases in rates.

Now, how much are these increases? A great deal of misapprehension and misunderstanding has existed throughout the country as to that fact. I think that a reading of the hearings will show that the telephone companies throughout the country will have an increase of receipts of about $40,000,000 per annum. Now, let us see what are their annual receipts. As most of us know, all telegraph companies and all telephone companies that have annual receipts of more than $5,000 have to make reports to the Interstate Commerce Commission. In their reports for the year 1917 it is shown that as to the telephone companies which received more than $5,000 annual income in any one year their total receipts amounted to $391,476,926. Therefore if there is an annual increase of $40,000,000 in their total gross receipts, it is just a little more than 10 per cent, taking it throughout the country.

Now, it is true that in some States where the public utilities commission had made low rates the percentage is much greater than 10 per cent; but when you take these rates as a blanket and spread them over the whole United States you find that the increases which the Postmaster General has made are just a little more than 10 per cent as to the telephone companies.

Now, no one is further from being an advocate of Government ownership than I am, because I have always announced my position unhesitatingly in the House on that question, and no one is in doubt where I stand; but I do not think that criticism should be hurled at the Postmaster General for things for which he is in no wise responsible. It is not just. It is not fair play.

The gentleman from North Carolina [Mr. SMALL] rather suggested the idea that the Postmaster General has attempted in a sort of a way to conduct a propaganda for Government ownership while he has had charge of the wires. I know of no such propaganda, I have heard of none, and I do not believe there has been any.

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

Mr. BLACK. Yes.

Mr. BARKLEY. Knowing, when the wires were taken over, that the Postmaster General was unqualifiedly in favor of Government ownership, would it not be presumed that he would not in advance do anything that would unpopularize that theory unless it was a thing necessary to be done?

Mr. BLACK. I think the gentleman has the correct idea about the matter. I recall very distinctly reading the Postmaster General's statement before the Committee on Interstate and Foreign Commerce of the House at the time the original bill authorizing the Government to assume control of the wires was pending, and he very frankly stated to the committee that he was in favor of Government ownership of the wire systems. "But," he said, "I am not urging that as the reason at all for taking them over at the present time."

Then, there is another question that I want to advert to just for a moment. A great deal of criticism has been heaped upon the Postmaster General on account of his attitude toward organizations of Government employees and also the employees of the telegraph and telephone companies. I think that quite a good deal of misapprehension and of misunderstanding as to the Postmaster General's position on that question exists. I believe that when his attitude is well understood, that most right-thinking men will approve it. Last week you will recall that Mr. Noonan, who is president of the Electrical Workers' Union of America, consisting of, I believe, about 130,000 members, gave order for a general strike to take place on Monday of this week, and in a statement of his, which he gave out, he set forth certain demands that would be made by the union, and among those demands the first one was this: The right of labor to organize without interference. Well, that sounds all right, and is all right, and it was entirely agreeable to the Postmaster General. I have never understood that he took any contrary position. The next demand was that "there should be no discrimination against organized employees." Now, that, too, is all right; it sounds all right, and is all right, and the Postmaster General does not object to that demand, and never has so far as I know.

But there is an inquiry that I want to submit at that point, and that is this: Is organized labor willing to indorse the reverse of the proposition, which is: That no honest, capable workman should be denied employment because he is not a member of a labor union? [Applause.] In other words, will they admit the justness and fairness of the open shop? That is what I contend for and what the Postmaster General contends for. I admire him for it, and I only wish we had more Government officials of his backbone.

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

Mr. BLACK. Will the gentleman from Tennessee yield me two minutes more?

Mr. SIMS. I have no time that I can yield.

Mr. ESCH. We have only one other speech on this side.

Mr. SIMS. Will the gentleman from Wisconsin yield one minute to the gentleman from Texas?

Mr. ESCH. Yes; I will yield him a minute.

The CHAIRMAN. The gentleman from Texas is recognized for one minute more.

Mr. BLACK. I just wanted to amplify this thought further.

In the same newspaper in which I read the demands of the electrical workers' union, to which I have already referred, I also read where four motormen and conductors in Muskogee, Okla., were beaten into insensibility by striking employees becaused they dared to exercise their free-born American privilege of working without belonging to a labor union. The account of this damnable outrage is as follows:

ISSUE WARRANTS FOR STRIKERS CHARGING INTENT TO KILL.

MUSKOGEE, OKLA., *June 11.*

Warrants charging 11 men, including J. J. Green, president of the local street car men's union, with assault with intent to kill were issued by County Attorney W. W. Cotton to-night.

The warrants resulted from an attack yesterday upon four motormen and conductors. The men were "beaten to a pulp," physicians who dressed their wounds said. The police declare they were pummeled with pieces of iron and bricks.

Mayor John L. Wisener to-day instructed Chief of Police Hughes to swear in 150 special policemen. Under the protection of these special officers, the cars will again be run Friday.

W. T. Chapman, a strike breaker, was taken from his room in a hotel to-day and severely beaten.

Lieut. Gov. Trapp has refused "temporarily" Mayor Wisener's request for State troops.

I would not refer to this act of lawlessness if it were only an isolated instance and one of rare occurrence, but every Member here knows that these things are of frequent occurrence and are symptomatic of a condition that must be corrected by a firm and unyielding enforcement of the law, or the failure to do it is going to give us serious trouble sooner or later. When strikes occur I see no objections to members of labor unions trying to induce the working employees by reason and persuasion to join the union, but the method of doing it by intimidation and violence and denouncing all workers who do not belong to the union as scabs and calling them other vile names is outrageous, un-American, and intolerable to a free people, and it is my opinion that if organized labor does not purge itself of these methods and the elements which advocate them it is going to reap the harvest of its sowing. It is sowing to the wind and will surely reap the whirlwind.

The great body of American people believe in law and order and organized government and the protection of the citizen in his life, liberty, and property, and they are going to have it if they have to deport or put in jail every anarchist and law defyer in the country. [Applause.]

By unanimous consent, Mr. BARKLEY and Mr. SMALL were given leave to revise and extend their remarks in the RECORD.

Mr. ESCH. Has the gentleman exhausted his time?

Mr. SIMS. No; I have seven minutes remaining.

Mr. ESCH. I have only one other speech on this side.

Mr. SIMS. Mr. Chairman, the course of the debate has covered almost every feature of the subject embraced in the bill. Having been chairman of the Committee on Interstate and Foreign Commerce at the time this wire-control resolution was reported by the committee and passed by the House, I remember distinctly that no witness before the committee advocated the taking over of the wires for the purpose of Government control and operation with a view of trying to popularize or advance Government ownership. The Secretary of War distinctly disclaimed anything of the sort, and so did the Secretary of the Navy; and the Postmaster General said frankly, "Government ownership of all means of the communication of intelligence is one of my hobbies, but I do not ask for the passage of this bill in support of any purpose of that kind."

Now, the resolution provided no revolving fund, no appropriation. Not a dollar of money was furnished to the Postmaster General, or to whoever was to take over and operate the wires. Under the resolution which passed the House nobody knew who the President would authorize to carry out its provisions, though it was generally supposed it would be the Postmaster General. When the Postmaster General took charge of the wires there was only one possibility in sight for him, and that was to operate the wires out of current receipts, and in order to make a success of it, of course, expenses could not be increased without a relative increase of rates, and I think I personally know that it almost broke the heart of the Postmaster General to authorize an increase in rates. He started out by reducing some of the rates on night messages and long-distance messages, as Members no doubt will remember; but the cost of wages and material advanced far beyond what it was supposed was likely to take place at the time the wires were taken over. It was impossible for the Postmaster General to advance wages and not produce a deficit, unless he could also advance rates sufficiently to cover the additional expense incurred by the advance of wages. In some instances, perhaps not all, where applications were made to advance wages, he consulted the local authorities having the power to grant increases of rates, and in nearly every case, as far as I now recall—I can not remember them in detail—the rates were authorized to be increased equal to the increase in wages for particular localities. Wages were thus advanced and rates were advanced accordingly, but suits in many cases were brought to enjoin the increases of rates, and naturally no suits were brought to enjoin the increase in wages, so it was utterly impossible for the Postmaster General to prevent a deficit unless he could increase rates to the extent of the increase in wages, and of course he could not ignore an injunction by a court of competent jurisdiction. Injunctions were granted in many jurisdictions. The Chicago case is a notable one, on account of the vast amount involved. These injunctions were granted upon the theory that the Postmaster General did not have the power to increase rates, while he might have power to increase wages. One of those suits was determined by the

Supreme Court of the United States upholding and sustaining the power of the Postmaster General to increase the rates.

Now, all the time that these injunctions have been in force no increase in rates was in effect in the jurisdictions covered by the respective injunctions, which thus produced a deficit. The object and purpose of the amendment spoken of by the gentleman from Illinois [Mr. MADDEN], which he is proposing, will have the effect to prevent the administration receiving the rate it would have received if the injunctions had not been sued out, and it will have the effect to permit the companies in those localities that sought the injunctions to receive a direct appropriation out of the Federal Treasury to the extent that the Government fails to collect the rates that were legally authorized.

Now, I suppose, such action is in the power of Congress, but it certainly would seem very unjust to the general taxpayer by such an amendment to give the localities that sued out the injunctions the benefit of the lawsuits that they lost. Certainly, I feel constrained to oppose any such amendment, because it is equivalent to a direct appropriation to these cities of the amount they have failed to pay from the time the injunctions were sued out.

I want to say that the evidence before the committee, by every witness that I remember who discussed the matter, was to the effect that the Postmaster General said all the time to the gentlemen operating the wires, "Do the best you can to protect the public interests," and that he in no instance acted contrary to and regardless of the advice that he received, except in one particular instance, and that was where he was advised by one official of the Western Union to increase the Government rates pending Government control.

Mr. Chairman, no doubt this resolution will pass, and at an early day the wire systems will be returned to their owners, therefore I think it is fitting and proper that this discussion should not close without placing in the record of this debate what the Postmaster General has to say for himself and in behalf of those who cooperated with him, covering the period of Government operation of the telephone and telegraph systems and cables. This I shall now proceed to do. But, of course, the time at my disposal will not be sufficient to do more than give a synopsis of what was done by the administration during this trying period of our country's history.

The policy of the Wire Control Board in the administration of Government control and operation of the wire systems was to establish a unified system of wire communication giving an extended service through the coordination of the various lines, facilitating service, and eliminating wasteful expenditures through duplications of operating expenses, overhead charges, and competitive duplication of lines.

As a public utility of universal necessity, the wire service was sought to be operated so as to provide a service to as large number of patrons as possible and to be as widely extended as practicable. To provide a service so extended as to meet the needs of the public at a fair charge for services, it was essential that wasteful expenditures through the multiplication of separate organizations should be eliminated. An extended survey of the situation by the Post Office Department disclosed that through unification of control and operation the inherent defects of competing and duplicating systems, which add enormously to the cost of wire operation, could be eliminated.

By far the largest items of capital invested in these public utilities are those for permanent plant and equipment. The maintenance of separate plants and equipment by each of a great number of competing companies, each with its corps of administrative and operating officials, rental charges, and construction, operation, and upkeep of competitive parallel lines involve both extravagance in operating expenditure and the inconvenience to the public of a divided and incomplete service.

By coordination and unification a very heavy duplication of expenditure could be avoided and a more extended and convenient service given to the public by the linking together of all of the wire systems. Those best qualified by long experience in the management of the wire system agree, and common sense dictates that economy, efficiency, and the widest extension of the service for public convenience can be procured only through the operation of the wires under one system as far as practicable.

On this subject Mr. Theodore N. Vail, president of the American Telephone & Telegraph Co., said in a communication to the Postmaster General:

> If the uses of combined plant can be multiplied, extended, and utilized, it will mean not only reduction in the investment relative to increased utilization, it will mean 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.

The former general manager of the Postal Telegraph-Cable Co., who was designated by Mr. Clarence H. Mackay, president of that company, to confer with the Postmaster General shortly after the President's proclamation taking over the wire systems, submitted a statement in writing, in which he said:

> In the past, under competition, a great many agencies were necessary to maintain successful competition, and under a unified management many of the agencies employed by competing companies can be discontinued to an advantage. * * *
>
> Branch offices in large cities that have been established for no other reason than to pick up business in a given locality, because the other company has maintained an office in that locality or in that building, should be discontinued and operators therein sent to other offices where their services are needed to supplement the present supply of operators.

In a statement issued July 23, 1918, on taking over the control and operation of the wires, the Postmaster General announced:

> I realize the immensity of the task which has been entrusted to me by the President's order. The telegraph and telephone service as conducted by those who have had the responsibility under conditions heretofore existing has been remarkably successful, considering the unusual additions to their task and the unprecedented difficulties in the way of its full performance which have arisen out of the war, difficulties which could be overcome only by a unity of administration, particularly a unification of the use of the telephone and telegraph lines, which could not be realized without the aid of the Government.
>
> Under the President's order conditions are changed and greater opportunity is afforded to effect improvements and economies and a larger use by the people of these facilities which have become an imperative need in their everyday life. Whether advantage can be taken of these opportunities to improve this service to the public remains to be disclosed by experience. Every effort of the department will be directed to the accomplishment of this end. It will be the purpose of the Post Office Department to broaden the use of the service at the least cost to the people, keeping in mind that a high standard of efficiency must be maintained. I shall avail myself of an early opportunity to consult with those who have heretofore had the responsibility of directing the affairs of the various wire systems taken over and I doubt not will be greatly benefited by suggestions they may be kind enough to offer me. The operation or control of what are commonly called farmers' telephone lines will be interfered with only for the purpose of facilitating their connections with the longer lines. There will be no change affecting the press-wire service, except to improve it wherever possible. Of course, no general policy has been decided upon, and will not be until a most careful survey of the whole situation is had and a grasp of conditions as they now exist secured. I shall freely avail myself of all advice and suggestions which those in a position to make same valuable may be good enough to offer me.
>
> Whenever it is necessary to inaugurate any changes of policy, announcement of such will be made through the Postmaster General.

On the 6th of August, 1918, the Postmaster General appointed a committee to investigate and determine the extent to which branch telegraph offices should be consolidated and coordinated with branch postal stations. On November 18, 1918, the Postmaster General issued the following:

> In order that the telegraph facilities may be used to the fullest extent and the transmission of messages expedited, the telegraph systems shall hereafter be operated as one, and effective December 1, 1918, all telegraph offices shall acept for transmission all classes of messages now accepted by any one of them at the prescribed tariff rates.

An operating board, of which Union N. Bethel was made chairman, was appointed December 13, 1918, for the operation of the "unified telegraph and telephone service."

In the unification and the operation of the wires as one system, as I am informed, the Postmaster General had the cooperation of all parties concerned, except the president and other executive officials of the Postal Telegraph-Cable Co.

The Postmaster General anounced in a bulletin issued August 7, 1918, that the Government operation and control of the telephone systems of the country would undoubtedly cause the coordination and consolidation of competing systems wherever possible. "Investigations by the committee in charge of telegraph and telephone services," he said, "shows that negotiations were already under way for the consolidation of a number of competing telephone systems at the time the Government assumed control. These negotiations, as well as those for changes in rates, should be continued. When an agreement is reached for changes in rates or in the matter of consolidation, it should be submitted to the Post Office Department for approval. Where consolidations should be made but negotiations have not yet been begun there is no objections to companies taking up such negotiations."

In an order issued August 15, 1918, the Postmaster General directed all telephone companies to proceed as expeditiously as possible with all plans heretofore instituted for consolidating and unification of the telephone plants and properties. Plans for consolidating the plants and properties where consolidation is manifestly desired by the public, where it can be effected on fair terms and in accordance with law, should, he said, be formulated as soon as practicable and submitted to the Post Office Department.

> Wherever two telephone systems—

The order says—

> are operated in the same area the managements concerned should cooperate in making extensions and betterments, in order that unification and the elimination of waste in money, man power, and material

may be brought about as expeditiously as possible, in an orderly way, and with due regard to the rights of the owners of the properties and the convenience of the public.

In a bulletin addressed to all telephone companies November 18, 1918, the Postmaster General said:

To enable the public to use the long-distance or toll-service facilities to the fullest extent, any telephone company not having such facilities, but desiring them, should make application therefor in writing to the Postmaster General, who will, if upon investigation it is found practicable to do so, order the connection established.

An estimate submitted by the Western Union Telegraph Co. showed that an economy of about $6,000,000 a year—equivalent to 40 per cent of the combined net earnings of both telegraph systems—could be effected by consolidation, through savings in rent, light, and heat and annual charges on equipment; by combining forces and supervisory organizations; and by stabilization, cost of getting business, and so forth.

The conditions under which Government control and operation of the wire systems was assumed, especially the uncertainty as to the duration of time within which Government authority would be exercised, compelled the department to depend upon the negotiations of the companies themselves to bring about the coordination and unification desired. Before this policy, essential to the most economic and efficient service, could be put in full operation it became apparent that Government control would not be of long duration. If the Wire Control Board, in the exercise of its authority, had ordered a complete unification of the systems many companies might have been left at a great disadvantage through the sudden return of the properties to their respective owners, out of which heavy claims for damages might have resulted. The signing of the armistice and the manifest purpose of Congress to return the wire systems to their owners at an early day rendered it impracticable for the Postmaster General to bring to completion his plans for the unification of the systems. Though much was accomplished in the way of economy of administration and the betterment of service through cooperation, many of the economies which could have been effected through a completely unified system were impossible so long as the organization of each company had to be intact with a view of the properties being returned to their owners with the same status which they occupied prior to Government control.

The earnings of the wire companies were at a low ebb when the Government assumed wire control. Increased rates of wages, high cost of material, higher interest rates, and a general increase of all operating expenses, had materially reduced the net earnings of all companies, and many were under severe strain. During Government operation the cost of labor and material was at the highest level.

No provision was made by Congress to meet any deficiency which might result from the cost of operation exceeding the revenues derived from the service. The Postmaster General was required to pay the owners of the properties a just compensation, and also to pay all operating expenses out of the revenues derived from the users of the service. The department was confronted with an insistent, and, to a large extent, a just demand for a substantial increase in the wage scale, and the requirement to pay high prices for all material needed for the upkeep and betterment of the service. The revenues were not sufficient to meet these demands. Considerable was accomplished through economy of administration by coordination of operation, but increases in the wage scale could be provided for in no other way than by an increase in the charge for service to the public. The only alternative would have been the creation of a deficiency for which there was no authority of law and no provision for liquidation. This situation necessitated careful consideration of what increase in service charges could be made without injustice to the public and what increase in the wage scale could be met by the revenues so augmented. There was a limit to the charge for service which the public could be justly called upon to bear, and consequently the increase of the wage scale had to be made to conform to this limitation. The very large increase demanded would, if granted, have been ruinous to the public service, but as large increase in the wage scale was made as the revenues, augmented by higher charge for service, would bear.

Prior to Government control the net earnings of the three groups of telephone companies whose gross revenues were $10,000 and above and the net earnings of the telegraph companies had declined steadily since 1916, and were at the lowest point when taken over by the Government in August, 1918. At the same time the gross earnings, which represent the cost of the service to the public, had increased each year, but the increase, and considerably more, of the gross revenue had been absorbed in higher wage scale, greater cost of material, interest charges, and so forth.

Destruction of the financial standing of some of the companies was threatened at the time they were taken over by the Government, August 1, 1918. The earnings of even the most prosperous companies had receded during 1917, but these were still able to stem the tide of increasing wages and labor shortage and make a fair showing during the first half of 1918. But by June and July of that year the situation had become grave, as shown by the detailed figures for specific companies made to the Interstate Commerce Commission. Some of the most prosperous companies were at that time earning hardly more than one-half of what they had earned during 1916 and 1917. Rate increases were imminent and imperative if the companies were not to lose their ability to borrow money for extensions and if their security holders were not to find the securities greatly depreciated on the market.

The reports to the Interstate Commerce Commission for class A, B, and C telephone companies show that out of 830 companies of these classes 38 did not in 1917 receive revenue sufficient to cover their operating expenses and taxes, to say nothing of interest, and 100 companies did not earn enough to pay their interest charges on bonds and other indebtedness. The law authorizing the taking over of the wire systems by the Government required that all companies should be paid a just compensation, and this had to be provided for by the Postmaster General out of the revenues of the wire service.

Figures are now available showing the earnings and expenses of the more important companies for the eight-month period under Government control from August 1, 1918, to March 31, 1919. These figures cover about 90 per cent of the telegraph and telephone field, and indicate fairly accurately the condition in which the companies would have been in the absence of Government control and the charge upon the public which was necessary to maintain the financial position of the companies during this critical period of unsettled conditions and increasing operating costs.

The gross earnings of these telegraph and telephone companies in 1916 aggregated $390,000,000; in 1917, $437,000,000; in 1918, $475,000,000. These were the gross earnings. The net earnings, without deductions for interest, were in 1916, $107,000,000; in 1917, $103,000,000; in 1918, not to exceed $95,000,000.

The net earnings for the first eight months of Government operation were approximately $43,000,000, without deducting interest. The Government has obligated itself by contracts with 42 companies for compensation during this period amounting to $55,000,000. In addition to this are the telephone companies doing a gross business not to exceed $10,000, with whom no compensation contracts are made, and who are not included in these figures. Compensation for these will approximate $3,000,000, making the Government's total obligation during the eight months about $58,000,000 as against net earnings of $43,000,000. By increased rates put into effect by the Postmaster General approximately $10,000,000 was added to the revenues collected during the eight months. Without this increase the deficiency of revenue to meet the Government's obligations would have been $25,000,000 instead of $15,000,000, as shown above.

This $25,000,000, representing revenue from increased rates and Government's obligations above the amount of revenue received, covered wage increases and has enabled the Wire Control Board to maintain an efficient wire service and to sustain the financial position of the telegraph and telephone companies and made it possible to carry the immense volume of Government business which involved a heavy loss to the telegraph companies. The Government business is carried at approximately 40 per cent of the regular commercial rate and about 50 per cent of the actual cost of service, so that the volume of business carried for the Government represents approximately a corresponding loss. The Western Union Telegraph Co. in 1916 carried $308,309; in 1917, $2,016,000; and during eight months from August 1, 1918, $3,331,000, which is at the rate of about $5,000,000 a year during Government control.

The wages of telegraph employees were increased about 28 per cent during the year 1918.

By an order dated December 31, 1918, a wage increase of between 8 and 9 per cent, amounting to $3,500,000, was made. In this order the Postmaster General said:

The above increases are made after careful investigation of a petition filed by the employees of one of the telegraph companies, through its officers, who recommended that certain increases be made. The department feels that the telegraph employees are entitled to an increase, but revenue conditions at this time would not justify these increases hereby authorized unless by a careful plan of elimination of waste incident to duplication and by effecting other economies which will not impair the efficiency of the service the revenue conditions can be made to meet such increases.

The Postmaster General announced on December 14, 1918, that he had received and approved the first report of the committee appointed by him on the standardization of rates, having for its object the equalization of toll and long-distance rates throughout the United States, removing disparities and preferences and providing a scientific basis for future reductions contemplated as unification of telephone and telegraph wires proceeded.

By this action is was provided that—

A night-service rate, which is one-half of the day rate, is established between 8.30 and 12 p. m. Between midnight and 4.30 a. m. the night rate is one-fourth the day rate. These are greater reductions in night rates than have ever been made in any country and doubtless will be extensively used, especially for social and family purposes. A person might talk from San Francisco to New York for about $4, whereas the day rate is approximately $16.

A station-to-station service is established such as now exists in the balance of the world; that is, when a connection is established with a man's house or office the opportunity to converse is provided and the station-to-station rate, which is the basic rate, applies and is payable whether the particular person desired responds or not. This rate up to 24 miles is at the rate of 5 cents for 6 miles and for greater distances 5 cents for each 8 miles, or about 6¼ mills a mile. The distance is computed by air-line methods and not by pole line or public highways. The air-line distances are commonly about 100 miles, when the others would run 150 miles. It is stated by the committee that more than 60 varieties of toll rates have existed in the United States up to the present time. The effect of this uniform or basic rate in the station-to-station service is to reduce or not affect about 70 per cent of the rates though necessarily slightly raising about 30 per cent in the process of standardization.

It requires about two and one-half times as much work to establish connection with a particular person than the station-to-station service. Hitherto the rates have been the same for both kinds of services, nothing being paid, however great the services performed, on the failure of the telephone institution to secure the particular person. The particular-person service has also been used to defraud the Government out of its toll revenues. Designing persons employ codes under which, although the desired telephone is reached, the particular person is said not to be there, but words of explanation given from his phone answer all the purposes of the call under the code arrangements. The particular-person service is not discontinued, but the rate therefor is so modified as to prevent these abuses and compensate the telephone service in part for the extra expense of labor and plant involved, and a charge of 25 per cent of the station-to-station rate is made for such service when the particular person is secured, and a report charge of 25 per cent of the station-to-station rate is made when the house or office telephone is obtained and his whereabouts or refusal to talk reported. It is pointed out that the system of making no charge whatever in such cases when the man's telephone had been reached and the answer given was like expecting the street-car fare to be refunded to the visitor when he did not find his party in when he arrived, although all the work of carrying him from one point to another had been done.

In many large sections of the country the smallest toll rate has been not less than 15 cents. Under the new scheme for short distances the rates are reduced to 5 cents and 10 cents, and for the cheapest form of service the person can talk 5 minutes, as compared with 3 minutes now, or in some cases only 2 minutes or 1 minute. Free-toll areas, where the exchange rates were designed to cover the free service or a low charge therefor, are not affected by this order, which will go into effect on the 21st day of January, 1919.

The extraordinary increase in cost of operation and maintenance of the systems and demands for wage increases, together with the uncertainty of the period of Government control, which rendered complete unification impracticable, made a reduction of wire rates out of the question. On the contrary, these increased burdens had to be met by an increase in the charge made upon the public for service.

A most careful survey of the entire situation by the Wire Control Board showed that while the price of products and service of various industrial, mercantile, and miscellaneous corporations of the United States has increased 100 per cent, telegraph service has been rendered to the country at prewar prices throughout a period when industrial and business profits were unprecedented. The increase of 20 per cent in telegraph rates should be considered in comparison with the 100 per cent increase in other prices, and it is less than that found necessary to add to the railroad freight rates and is no greater than has been made generally in other public utility rates, in order to obviate financial collapse.

The purpose of the Wire Control Board is to make the lowest rate that will maintain the service required by the public. In making a rate sufficient to maintain the telegraph service of the country discrimination could not be made between two companies performing this service.

A service might be maintained within certain limited fields, where the cost of operation is light in comparison with the volume of concentrated business, at a considerable less rate than is necessary to cover a service extensive enough to meet the public needs.

During the six months from August, 1918, to January, 1919, the Postal Telegraph System carried only approximately one-sixth, or about 17 per cent, of the business of the country; and only about one-twelfth, or 8½ per cent, of the Government business, which is unprofitable. The Western Union therefore carried approximately five-sixths, or about 83 per cent, of the business of the country, and eleven-twelfths, or 91½ per cent, of the Government business.

The extension of the telegraph service into fields that are less profitable than are the great business centers, and the handling of Government business claimed by both companies to be at a loss of 50 per cent of the operating cost, are a charge upon the gross revenues which is escaped by a company which avoids the rendering of this necessary public service. If all telegraph operations that are not sufficiently profitable were done away with regardless of the public needs, no increase of rates would be necessary to maintain a service limited to the profitable fields, as is the acknowledged plan of the Postal System. If both telegraph companies so limited their service it would be disastrous to the industries and business of the country.

If the telegraph rates were made sufficient to meet only the cost of operations covering one-sixth of all the service of the country so arranged as to tap only the most profitable business, much of the telegraph service for all the rest of the country would be destroyed. This would be advantageous to those who luxuriated in the cream of business, but would be disastrous to the public.

The increase of the business of the Western Union Telegraph Co. in 1918 over 1916 was 38 per cent; that of the Postal System was only 9 per cent. Yet the earnings of the Postal System for the month of January last, after adjustment for depreciation and wage increase, were $222,297. During 1919 the increase in the operating expenses of the Western Union, due to an increase in the number of employees and in the wage rate combined, will be $13,000,000 in excess of the increase in its gross revenues.

The number of employees of the Western Union was increased 59 per cent while the gross revenues increased but 54 per cent. The reason why the increase of traffic was proportionately greater than the increase of gross revenues was that the Government business, which is carried at approximately 40 per cent of the commercial rates, was fourteen times greater in January, 1919, than in January, 1916. We are informed that the Postal Telegraph avoided carrying the unprofitable Government business as far as it was possible for it to do so, and the Western Union carried about eleven-twelfths of the entire volume, and that in some instances instructions were issued by the officials of the Postal System to their subordinates to avoid this Government business whenever it could be done, a plausible excuse being suggested, such as shortage of operators, and so forth.

If the policy of operating the wire service at only such points of concentrated business as would make the service highly profitable and of eliminating Government messages were applied to both telegraph companies there would probably be no occasion for an increase of telegraph rates to meet the increased cost of material and wages in the operation of the system.

The burden of increased cost of labor and material has been rendered heavier by the fact that the volume of business has fallen off since the signing of the armistice, and has produced a situation where it is no longer possible to render telegraph service at prewar rates.

Under the stimulus of war demands, American prices, as shown by the index number of wholesale prices prepared by the United States Bureau of Labor Statistics, have risen steadily since the latter months of 1915. By July, 1917, the price level had risen to 185 per cent of the 1914 prices. At this point price fixing by the Government agencies checked the rise for some months. But by January, 1918, the level of 185 per cent had been recovered and the prices continued to advance until they reached 207 per cent in September. Despite the signing of the armistice they have receded but slightly from this point.

During all this period the prices for telegraph service have remained at the prewar level. Materials and supplies which the telegraph companies purchase have, however, followed the course of general prices. Public regulation does not limit the prices which utilities must pay for material and supplies; they must therefore pay the same price upon the market as other buyers. They were confronted by a steady and enormous increase of all costs entering into their operation while retaining a fixed low price for service.

It requires only common sense and elementary arithmetic to disclose that this course inevitably brought the properties to a point where revenues were no longer adequate to cover cost. Following the signing of the armistice the telegraph business fell off.

The question of necessity for a rate increase to meet past wage increases is answered by a review of the Western Union Telegraph Co.'s operation. In January, 1916, the land-line revenues of this company amounted to $3,805,000. The total pay

roll for the employees in the commercial and traffic departments and in nonfunctional offices amounted to $1,408,226. The pay roll at that time amounted to 37 per cent of the gross revenues, and was at the rate of $51.92 per employee per month. By January, 1919, the revenues from the land line had increased to $5,860,000, and the pay roll of these employees had increased to $3,300,867, or an average of $76.63 per employee. The pay rolls of these employees amounted to 56.3 per cent of the total revenues, as against 37 per cent in January, 1916. The number of employees increased by 59 per cent and the gross revenues of the company by 54 per cent.

The average increase per employee per month on commercial, traffic, and nonfunctional pay rolls was $24.71, or approximately 48 per cent. The number of employees at present averages 45,000. The increase in rate of pay therefore amounts to $13,343,400 per year. The increases since June, 1918, amount to $7,786,000, and since January, 1918, to $9,277,000. The monthly pay roll has increased from $1,408,226 to $3,300,867. This is an annual increase of $22,711,692. If the rate of wages of these employees had remained the same as on January 1, 1916, the increase in the pay roll would have been at the rate of $914,155 per month, or $10,969,865 per year. The company would then have had a profit larger by the difference between $22,711,692 and $10,969,865, or $11,741,827. In addition to the increase of wages for this class of employees, that for those in the plant department amounted to $2,438,830. Therefore the increases in operating expenses traceable to wage increases alone amount to more than $14,000,000.

The increase in operating expenses due to the larger number of employees and the higher wage rate combined will amount to $27,608,000. The gross revenues of the Western Union for 1919 under the old rates are estimated at $68,000,000, as against $54,000,000 for 1916. The increase in the revenues is $13,000,000 short of the increase in wages. The 20 per cent rate increase now made will yield approximately $12,000,000 additional revenue per annum on this property.

The wage increases during the year 1918, including the increase effective December 31, brought wages in January, 1919, to the point where they are $10,500,000 per annum in excess of a year ago and $8,500,000 in excess of June, 1918. The operations of the company have been carried on with this increased wage schedule since January 1, 1919. The increase in the telegraph rates now made is estimated to add $9,000,000 to the revenues of the Western Union for the remaining nine months of the calendar year.

The Postal System has not had a similar increase in operating expenses. No figures are available as to the pay roll, but the total operating expenses amounted in 1916 to $9,543,972, in 1917 to $10,401,876, and in 1918 to approximately $10,500,000. This smaller increase is explained principally by the smaller growth of business of the Postal System.

The following table shows the gross revenues of the Postal and of the Western Union for the years 1916, 1917, and 1918:

Land line gross revenues.

Year.	Western Union.	Postal System.	Total.
1916	$54,016,171	$13,644,987	$67,661,158
1917	66,528,711	14,907,097	81,435,808
1918	74,505,512	14,930,896	89,436,408
Increase, 1918 over 1916	38 per cent.	9 per cent.	32 per cent.

The relative growth of traffic on the Western Union was even more rapid than the figures of gross revenues indicate, because its increase in the volume of Government business carried was much more rapid than that of the Postal System.

Even with its small increase of business it is clear that the increase in the operating expenses of the Postal Telegraph System could not have been limited to 10 per cent if the same increase in wage rate had been made by that system which was made by the Western Union.

The net earnings of the Postal Telegraph System have not fallen to the same extent as have those of the Western Union. During the six months August, 1918, to January, 1919, the net earnings of the Postal, as shown by their accounts, were $1,832,821. After adjustment for depreciation awarded them by the Postmaster General and for the wage increase for the month of January these earnings were $1,652,821. The earnings for the month of January, after wage and depreciation adjustment, were $222,296.

Some persons jump to the conclusion, since the earnings of the Postal Telegraph System were still substantially under the old rate, that the increase in rates was unnecessary. The Postal Telegraph System is not a national system in the sense that it furnishes service at all points where it is desired in the public interest. It has approximately one-tenth as many offices as the Western Union and carries one-sixth of the telegraph business of the Nation. It competes for much more than one-sixth of the Nation's business, however, because its offices are located in the larger cities. Two-thirds of the telegraph business of the country originates in these business centers. The Postal Telegraph System is therefore in a position to select from all the business offered that which can be most profitably handled, and this it seems to have done in most efficient manner. The fact that the Postal Co. could continue to carry business at the old rates and still earn its compensation is of practically no significance in constructing a fair schedule of rates for the country as a whole. Such rates must cover the cost of rendering service to all points, including just compensation for the property used.

The Postal System reaches only a fraction of the points at which telegraph service is rendered, and at the points which it does reach it could not carry one-half the business offered. Sound public policy dictates a schedule of rates which shall give all the people telegraph service. Under such a schedule of rates the Postal System will reap the benefits that come to the competitor who strives only for the more profitable business, but this situation is inevitable as long as this condition exists in the telegraph field. The fact that the Postal Co. could operate at its present rates and still make profits is of little significance in passing upon the general schedule of rates.

A comparison of the effect of increased prices upon general business profits with that upon the telegraph profits is enlightening. The net income of the industrial, mercantile, and miscellaneous corporations reported to the Commissioner of Internal Revenue increased from $2,897,618,000 in 1913 to $6,697,000,000 in 1916, to $8,300,000,000 in 1917, to $7,500,000,000 in 1918, and, it is estimated, will not fall below $5,000,000,000 in 1919. While there has been a rise of 70 per cent in the general wage schedule, this is more than offset by the rise of 100 per cent in the price of products and service sold by the corporations. During this period our national dividend, which represents income of all the people, including wage earners, has increased from $35,000,000,000 to $72,000,000,000. The number of people reporting incomes of $3,000 and over increased from 357,598 to 697,055, while their incomes amounted to $7,500,000,000 in 1917 as against $3,900,000,000 in 1913.

As against this, the earnings of the telegraph company which renders a national service have been extinguished for the year 1919 unless rates are increased. These comparisons are the more significant when we realize that 80 per cent of the telegraph service is rendered to the very industries and establishments which have made these large profits in 1916 and subsequent years. It should also be noted that it is these industries which have sold to the telegraph companies the materials and supplies at largely advanced prices, and it is their competition for labor, together with the increased cost of living brought about by the high prices of their products, which has been directly responsible for the increase in wages and has necessitated the present advance in rates.

In response to an inquiry from Representative Dudley Doolittle the Postmaster General, February 5, 1919, said:

The purpose of the new schedule of telephone toll rates is to standardize the long-distance service throughout the country and to establish uniform charges. The toll service is not local in character, and, unlike exchange service, is largely conducted over the lines of more than one company and across State boundaries. When the Postmaster General took over the operation of the telephones the differences in toll rates and in the methods of handling toll business on many routes were such as greatly to complicate the quoting of through rates. The result was unnecessary delay and waste of effort in handling long-distance traffic and corresponding inconvenience and expense to the public. Under the toll rates now established the toll service is an intercommunity, interstate, and interregional service, available to all Americans at all times, everywhere.

In preparing the new toll rates the telegraph and telephone administration has endeavored to introduce additional forms of service required by the public, to establish conditions with respect to the long-distance business which will result in economies of operation, to make substantial reduction in rates where they were excessive, and to increase the charges for certain kinds of service where rates were inadequate. For example, the distinction between calls for a particular person and those for any person at a particular station was established for the whole country. This distinction is based on sound engineering principles. Messages handled by the person-to-person method requires more labor on the part of the telephone operators than those handled by the station-to-station method. The former also tie up the lines, which in the case of many long-distance calls represent a heavy investment in copper wire and other equipment for a longer period of time. Heretofore the telephone caller who was satisfied to reach any party at a particular station often contributed toward the extra cost of serving the particular personal long-distance talker. Hereafter the charges in such cases will be better proportioned to the cost of service and to its value to the user.

The introduction of station-to-station service is not a new departure. A large part of the toll business of the country has long been handled by this method. The basic schedule under the new rate order is that for this class of service. The rates are generally lower than the toll rates formerly in effect throughout the country. This reduction was

possible only through the economies in the method of operation which have been accomplished.

Similar considerations justify the new report charges. The information reported to the telephone user, who pays the report charge, may not always be of value to him, but it has been obtained at considerable expense. It is fairer to charge the expense against the party who originated the call than against other completely innocent parties. Moreover, in many cases, regrettably, reports from stations that the particular person called for was not available have been made a medium of conveying important information. Thus the parties were enabled to evade payment, and gross fraud was successfully perpetrated upon the company. From every standpoint it seems desirable to make a reasonable charge for this class of service.

Charges for particular-person service under the new schedule, unlike those for station-to-station service, are generally higher than the former rates. But it ought not to be forgotten that many users of this class of service formerly escaped a portion of the charge that should have been made if other users had not been helping to meet the cost. Moreover, the Government took over the telephones in a period of advancing rates. Already in 1918, during the period preceding Government operation, several of the telephone companies had secured the approval of the State public-service commissions having jurisdiction over their lines to substantial rate increases. Many had applied for permission to make increases. Others would shortly have been compelled to seek authority for similar increases if the Government had not come to their relief.

The Postmaster General is required, under the terms of the resolution authorizing the Government control of the wire systems, to pay a just and reasonable compensation to each of the companies whose lines have been taken over. This is an imperative obligation. Any adjustment of rates should therefore be on such a basis as to guarantee sufficient revenue to meet these requirements. The policy of the Postmaster General is to make the rates for service as low as possible, keeping in view the operating cost and the obligation of compensation to the companies.

The standardized rates are not only based on the requirement of revenues to meet definite obligations, but also are designed to bring about a more equitable distribution of charges with respect to the kind of service required by the subscriber. By reducing night rates to from one-quarter to one-half the standard day rates an extraordinarily cheap service is provided for those to whom economy is the prime consideration. Those who demand the best service will, on account of improvements in operation which the new schedule makes possible, receive a better service than ever before. In short, the new toll service is the most economical and efficient that the present-day science of telephony can provide. If the telephone users will study their own needs and all the conditions pertaining to their toll calls, they will be able to benefit greatly by the new schedule.

The new rates are tentative. They can be reduced as fast as conditions will warrant. The whole subject of the relation between toll rates and local exchange rates is under investigation. The Postmaster General is in a position to make readjustments between the rates for the different kinds of service with a single eye to the good of the whole body of telephone users throughout the country. He does not intend to collect tolls which are higher than is necessary to maintain a satisfactory standard of service; and he will not permit the quality of the service to suffer on account of insufficient revenue.

On the taking over of the cable systems by the Government, the Postmaster General made the following statement:

Originally the cable systems were organized and operated independently of the land-line systems. The transmission of messages commenced and ended at the termini of the cables and the communications destined to points beyond the terminal were physically transferred to other lines. To-day the transmission is continuous for land and cable lines. The distance of continuous transmission is bounded neither by continents or oceans.

Effective communication, therefore, demands intimate relations under which a continuous circuit can be established, not from one terminal to another, and, so far as authorized under the joint resolution from destination to destination. The effectiveness of the service is dependent upon the extent of the common control of circuits which should be to the farthest point possible.

This necessity of continuity and common control between land and cable lines is most conclusively shown by the fact that each of our telegraph systems have their independent cable systems.

The Mackay Co., originally a cable system, finding that the land lines were indispensible to the cable system, constructed a land system to make more effective its cable system.

The Western Union, while organized primarily as a land company, although there were large cable facilities working in connection with it belonging to other companies, yet for its own interest were forced into constructing and otherwise obtaining effectual control of the trans-Atlantic cable companies which had theretofore been independent, but which worked in connection with the Western Union and which did not belong to or work in connection with the Commercial or Mackay interests. The other cable companies through their contractural relations became more or less a part of the telegraph system so far as transmission and continuity were concerned and their operation in this way was made as effective as it would be through ownership or common control.

There never was a time in the history of this war for which this joint resolution was passed giving the President the right to control the wire and cable systems which called for such a close control of the cable system as to-day and will continue during the period of readjustment. The absolute necessity of uninterrupted, continuous communication should be apparent to all. The Postmaster General is now operating all the telegraph and telephone lines in one system. The recent breakdown in connection with one of the cable systems has demonstrated the absolute necessity of being able to utilize at will the facilities of either cable system with all of the land-line systems in order that traffic may be adjusted in the same hands as it is on the land lines.

There are many other reasons for taking over the cables which have been suggested by the experience so far in Government control of land lines, but I only think it necessary to state the determining factors.

In a statement on April 29, 1919, announcing the return of the cable systems to their owners and the contemplated return of the land wires as soon as suitable legislation could be had, the Postmaster General said:

For a number of years the Postmaster General has advocated the Government ownership of the telegraph and telephone systems and has urged that they should be blended with and become a part of the Postal Establishment as essential agencies of communication. He is firmly convinced if such a policy were entered upon that where there are now three telegraph and telephone pole lines, and sometimes four, occupying the same highway, entailing immense waste, better and cheaper service could be given by one coordinate wire agency; that by the abolition of various supervisory forces of the wire systems, which would then be unnecessary; by complete unification of the systems, thereby eliminating the operating cost of the useless system; by thoroughly coordinating the remaining telegraph and telephone services; by the consolidation of offices and the utilization of post-office buildings where practicable; by the use of stamps as a means of eliminating costly and complicated accountings; and the utilization of the auditing and accounting forces of the Post Office Department, thereby largely eliminating those of the wire systems, that such savings could be effected that would enable those in authority during normal times to materially reduce the cost of the wire service to the people.

As to the wisdom of this course the Postmaster General has not changed his views. At the time the Government took over the control of the wires extraordinary and abnormal conditions existed, resulting in a constantly increasing and very high operating cost, which has necessarily continued. The early coming of the armistice, the accentuated cost of operation and diminishing revenues, the uncertainty in the period of Government control presented such a situation that those in charge for the Government were able to accomplish but little by way of unification or to go forward with their policies of economy, and consequently were soon brought face to face with a very serious but quite simple problem, to wit: Given increasing cost of operation, plus diminishing revenues, equals what? There can be but one answer—increase of rates. This action was taken. It was quite unfortunate and was taken with deepest regret, but it was imperative. To an intelligent mind this increase of rates constitutes no sound reason for a change of view on the original proposition that it is economically wise for the Government to own the wire systems as a part of the Postal Establishment, and in no sense tends to refute the soundness of the contention that through such ownership savings would be effected that would result in a reduction of rates. For example, street car companies and other public-utility organizations throughout the country which are being operated under private control are in many cases on the verge of bankruptcy and are petitioning for an increase in rates for their services, and when having been granted the increases sought often return with petitions for still further increase, basing their claims upon the higher wages and increased cost of material. The Wire Administration could not escape this condition, which extended throughout the country in relation to every form of service, public or private.

There is quite a difference between Government ownership and Government control for a limited and very uncertain period. The present control affords no more a test of the virtues of Government ownership than could be had through a temporary receivership in a court proceeding.

That the contention of the Postmaster General for a complete unification of the various wire systems is both wise from an economic standpoint and supported by sound business principles has been confirmed by the ablest experts on electrical transmission in America. That it should be brought about the Postmaster General still believes, preferably through Government ownership and operation as a part of the Postal Establishment; but if this is not done, then through some means of unified control by private ownership, over which the Government should at all times exercise a wholesome regulatory supervision. About the desirability of this the Postmaster General has had no reason to undergo a change of mind. However, for some time it has been apparent that the first of these alternatives does not meet with the approbation of the new Congress. Such being the case, there is but one course to pursue, and that is to return the various wire properties to their respective owners after urging proper legislation to safeguard the interest of all the properties, in fairness to the investors, and to insure proper service to the public.

In a letter to my colleague, Hon. JOHN A. MOON, May 22, 1919, with reference to legislation essential to the proper maintenance and operation of the wire systems on being returned to their owners, the Postmaster General said that the wire properties could not in fairness to their owners or to the general public be returned under the burden of increased cost of operation imposed by war conditions without assurance of revenue sufficient to meet such increased cost. Otherwise deterioration of the properties and service would inevitably result, affecting disastrously the service to the public as well as the interests of the investors in the securities of the companies.

It was given as the unanimous opinion of the Wire Control Board that in order to provide the most efficient wire service the various companies should be coordinated as to operation. This, in their opinion, does not require monopoly of ownership, but is necessary so that there can be a consistent and harmonious regulatory policy. Through this means only can the attempts at wasteful competition and the economic loss occasioned by duplication of plant and force be avoided. It is believed that this desirable end can be reached by amending the law so as to provide that, subject to the approval of the Interstate Commerce Commission, any telegraph or telephone company doing an interstate business may purchase the property of any telegraph or telephone company, or any part thereof, or consolidate with any other telegraph or telephone company, or pool its traffic and facilities with any other telegraph or telephone company under provisions which will protect the interests of the public and of near-by companies.

The Wire Control Board is also convinced that it is impossible to secure any uniformity of rates or to maintain adequate revenue for the service where a multiplicity of unassociated, independent authorities or commissions with full authority to act are attempting to function. Whereas it is recognized that the State has control over traffic purely intrastate, yet it is believed

that it is no longer open to the question that this power can not be exercised so as to interfere with interstate traffic.

In the matter of electrical communications the intrastate and interstate activities are so interdependent that what affects one affects the other, and the character of this traffic has so changed through development that the interstate features have become the dominant and controlling factors. Hence it is believed that the law should be so amended as to empower the Interstate Commerce Commission to fix rates for telegraph and telephone companies subject to the provision of the act, and that any telegraph or telephone company whose lines are located entirely within a State but which transacts direct interstate business through switching or other arrangements with other lines should be made subject to the act.

The public interests demand the most efficient wire service possible. In order that this end may be attained, adequate revenue must be provided. The plant and equipment must be of the best construction and of the very latest development of the art and must be properly maintained, and depreciation and obsolescence, with reasonable reserves for surplus and contingencies, must be provided and also a reasonable return on the value of the property used to furnish the service. In order to make certain the maintenance of these conditions the rates of the telegraph and telephone companies falling under its jurisdiction should be fixed by the Interstate Commerce Commission, so that they shall produce revenues sufficient to yield a reasonable return on the value of the property used in rendering service, after paying operating and maintenance expenses and providing for depreciation, obsolescence, and maintenance of such adjuncts as may be necessary for the development of the art and reservation out of income for surplus and contingencies.

The board is also convinced that in order to provide satisfactory wire service the most efficient personnel must be secured. In order to secure and retain the service of such employees there must be assured proper working conditions, advancement of wages on the basis of demonstrated efficiency or capability, and these conditions can only be brought about by the adoption of a sound policy in the treatment of such employees. In order to assure this a tribunal should be provided upon which the public, the employee, the managerial force, and capital shall be fairly represented, and before which all parties may be heard, so that prompt redress may be had for just grievances.

The Wire Control Board also suggests that it be provided by legislation that hereafter when any change of wage schedules for employees is contemplated the same shall not become effective until submitted to and approved by the Interstate Commerce Commission, and that when same has been given approval by the Interstate Commerce Commission the commission shall contemporaneously order such modification of rates as will meet the proposed changes in the wage schedule.

The adjustment of wage questions has required the most scrupulous care on the part of the Postmaster General to insure justice and fairness to both the wage earners and the public, and to protect all classes of labor against discrimination, interference, or injustice of any character.

On November 19, 1918, the Postmaster General announced that he had had a committee at work for some six weeks considering the subject of wages and conditions of employment of the telephone and telegraph employees.

"The subject," he said, "is not an easy one to deal with. Both wages and conditions differ materially in different parts of the country and even in the same State. Added to this are the violent disturbances of employment conditions occasioned by the war and the circumstances that telephone rates have not been generally readjusted to meet rising costs as in other employments. It is my wish to be just to these faithful workers, and to act as promptly as an intelligent disposition of the subject will permit. Meanwhile the employees should keep in mind that just as public employees are paid higher and enjoy better conditions in the long run than private empolyees, so changes can not be made as rapidly as by an individual employer. I have urgently requested the committee to reach a report without avoidable delay."

Mr. ESCH. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Chairman, I am heartily in favor of this resolution which proposes to turn the telegraph and telephone wires back to private operation. There can be no question about the proposition that there was no necessity for ever taking over the telephone and telegraph wires. There has been some defense of the Cabinet members who appeared before the House committee originally urging the permanent policy of Government ownership. I do not know just how much the Cabinet members expected the views expressed before the committee to bear upon the policy to be pursued by the Government in taking over the telegraph and telephone wires, but I do know that what they said was definite and clearly pointed to the fact that they believed in the Government-ownership policy.

The ranking minority member of the Committee on Interstate and Foreign Commerce, now our distinguished chairman, the gentleman from Wisconsin, asked the Postmaster General at that time this question: "And do you agree with the other Secretaries that this resolution is primarily a war necessity?" to which the Postmaster General replied, "Undoubtedly, the necessity for action now grows out of the exigencies of the war, and if the same efficient management and direction is given to the telegraph and telephones that has been given to the Postal Service the probability is that they never will be returned to private control."

That was an expression of opinion by the Postmaster General. And then he said later in his testimony, "And if Government control was a failure they would undoubtedly be returned."

The Postmaster General, after the present Senate committee had reported a bill compelling him to return the wires and after a similar committee of the House was just ready to report a similar bill, made a partial return of the wires to private control. This was a confession that the Government control was a failure.

Another Cabinet member of the present administration, Secretary Baker, during the same hearing, said this, and this is pretty definite: "If I had my way about it, there would not be any limitation of time put in. That is the position I would have taken on the subject of railroad legislation." That is not so strong as the Postmaster General's, but the Secretary of the Navy was as forcible in his views as the Postmaster General. He made this statement: "If you wish my view, I would say that it ought to last forever" (referring to Government control).

There are two pretty clear statements and one pretty clear intimation. The purpose may have been to aid the war. I say the result has shown that it did not aid in any way in the conduct of the war, and the only useful purpose that I see in the Government operation of these wires was to convince the country at large, and perhaps some of the Cabinet members in the present administration, that Government operation as a permanent policy is not wise.

I do not believe that the Government ought to be in business. I think the function of a government is to deal with governmental matters, and whenever the Government of the United States steps out of that sphere into the sphere of dealing with the business of the country just so far the Government cripples its own function and just so far the business of the country suffers. [Applause.]

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

Mr. SANDERS of Indiana. Yes.

Mr. SIMS. To the extent that the parcels post carries merchandise, it is not purely a business arrangement? And is the gentleman opposed to it?

Mr. SANDERS of Indiana. I am sure that I would not want to launch out from this discussion of Government ownership onto the question of parcels post, but I do know this, that the Postmaster General who had charge of this whole matter has given very unsatisfactory service to the public so far as the results are concerned. There has been inefficiency in the operation of the telegraph and telephone lines. The millions of laboring people who have been under his control are dissatisfied, as shown by a resolution passed by the American Federation of Labor this afternoon. I do not say this for the purpose of criticizing the Postmaster General, but for the purpose of criticizing the policy of Government ownership and Government operation. He has been dealing with these employees, and while some them, like the rest of us, may not always be fair, yet this resolution passed this afternoon by the American Federation of Labor was passed unanimously, according to reliable reports. I do not read it for the purpose of criticizing the Postmaster General, as I say. After reciting a number of facts in the case, the resolution passed to-day by the American Federation of Labor at Atlantic City, concludes as follows:

Resolved, That the American Federation of Labor, in convention assembled, speaking directly for 4,000,000 organized wage earners, and firm in the belief that this reflects the vast majority of the American people, requests that President Wilson immediately remove Postmaster General Burleson from office.

There you have the Postmaster General controlling the telephone and telegraph wires, and you have the public served by these telegraph and telephone wires dissatisfied. No one can deny that, and here you have the laboring men employed in the operation under the Government control asking for the removal of a Cabinet officer under whom they are doing their work.

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

Mr. SANDERS of Indiana. No; I have not the time. There is not any great difference of opinion as to whether these wires should be returned to private control, but I think that Congress, in the face of a great sentiment in favor of the immediate return of these wires, and in face of criticism of some of the rates, needs to guard very carefully to see to it that in the return of the wires justice is done, not only to the people but to the companies who have owned and operated the wires and whose property we have taken.

Last August we took over these properties, and great advances have been made in the expense of running them. They were in no position to apply to the State regulatory bodies for advances, for the Postmaster General had exclusive jurisdiction to fix rates. If we are to return these wires immediately, and these rates are immediately to go back to what they were prior to the taking of them over by the Government, it would be an injustice. It may be that these rates are not exactly correct in all particulars, but these rates now established by the Postmaster General are the only rates that we have fixed by a governmental agency after the great increase in operation. We can not, of course, go into the rate question and fix them pending this adjustment. We must either turn them back to prewar rates—which would be unjust, because great increases in the operating expenses have occurred—or else we should leave the rates until the State regulatory bodies have time to fix the rates. I am not in favor of these rates established by the Postmaster General enduring for one moment after any municipality or other regulatory body can go into the hearings and determine what is just. I think those questions ought to be determined. I know the Postmaster General could not go into them thoroughly, and he has not done so. If the city of Chicago one week after this bill is passed can determine the proper rates, then I think the rates in the city of Chicago should be as the regulatory body provides. I think if the State of Tennessee or the State of Wisconsin in two weeks after this bill goes into effect can consider and determine what rates are proper, that immediately those rates should be adopted; and the provisions of the Senate bill, as amended by the House Committee on Interstate and Foreign Commerce, makes just that provision. There is not any keeping of the rates in effect for six months. There is merely provision that these rates shall endure until the regulatory body can pass on the question, and in no event more than six months. So six months is not a time given for the rates made to remain in effect, but six months is the limitation put upon these companies and the regulatory bodies within which they must act.

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That chapter 154 of the acts of the second session of the Sixty-fifth Congress, being the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor," approved on the 16th day of July, 1918, be, and the same is hereby, repealed: *Provided, however*, That the existing toll and exchange telephone rates as established or approved by the Postmaster General on or prior to June 6, 1919, shall continue in force for a period of 90 days, but not longer, after this act takes effect, unless they shall be sooner modified or changed by the public authorities—State, municipal, or otherwise—having control thereof prior to the time the Government took possession of the telephone systems under the act of July 16, 1918, or by contract or by voluntary reduction, it being the intent that after the approval of this act the jurisdiction of the Interstate Commerce Commission and all the authority of the States, municipalities, or other public control over the properties of which the United States assumed the possession and operation under the act of July 16, 1918, shall be immediately restored.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

One page 2, line 5, after the word "repealed," insert the words "to take effect on midnight on the last day of the calendar month in which this act is approved."

The CHAIRMAN. Without objection, the amendment will be agreed to.

Mr. HASTINGS. Mr. Chairman, I think the motion ought to be put. A good many Members might want to vote against it. I shall not vote for that amendment.

The question was taken, and the Chair announced the ayes had it.

The CHAIRMAN. The Clerk will report the next amendment.

Mr. NEWTON of Missouri. Division, Mr. Chairman.

The CHAIRMAN. The gentleman is too late.

The Clerk read as follows:

Page 2, line 10, at the beginning of the line, insert the word "reasonable," and after the word "period" strike out the words "of 90 days, but not longer," and insert "not to exceed six months."

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

The Clerk read as follows:

Page 2, line 11, after the word "unless," strike out the words "they shall be."

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

The Clerk read as follows:

Page 2, line 12, after the word "authorities," strike out the language "State, municipal, or otherwise."

Mr. ESCH. Mr. Chairman, I move to reinsert those words.

Mr. HASTINGS. Just vote down the amendment to strike out. There has been no action taken.

Mr. ESCH. Very well.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Page 2, line 13, after the word "control" strike out the words "thereof prior to the time the Government took possession of the telephone systems under the act of July 16, 1918," and insert, "or jurisdiction of such tolls and rates."

Mr. ESCH. Mr. Chairman, I wish to offer an amendment to the amendment just read by striking out the word "such," being the last word in line 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment, page 2, line 15, at the end of the line strike out the word "such."

The amendment was agreed to.

The amendment as amended was agreed to.

The Clerk read as follows:

Page 2, line 16, after the word "reduction" strike out the remainder of the paragraph.

Mr. MOON. Mr. Chairman, after the word "reduction" I propose to offer an amendment. I make the parliamentary inquiry whether the committee amendment should be completed before the amendent is offered at this point or not.

The CHAIRMAN. The committee amendment comes first.

Mr. HASTINGS. Mr. Chairman, I want to be heard in opposition to the committee amendment. I am not going to detain the House but a minute. Mr. Chairman, I am jealous of State control of intrastate rates. I do not see that it will do any harm to leave that language in. It makes it absolutely clear what jurisdiction the Interstate Commerce Commission has and that all the authority of the State, municipal, and other public control, local or otherwise, over the properties of which the United States assumed the possession and operation under the act of July 16, 1918, shall be immediately restored. There can not be any doubt about it if that language is left in and we can not make any mistake by leaving the language in the bill. By striking out the language there may be some ambiguity, but I assume there is not as much since we have left in the language above in lines 12 and 13 and voted down that amendment which leaves in "State, municipal, or otherwise." Mr. Chairman and gentlemen of the committee, I am in favor of leaving this language in here at the end of section 1 so as to make it absolutely certain that the State corporation commissions and the various municipal authorities shall have the same jurisdiction and control of rates, supervision and control of these properties that they had before July 16, 1918. We all know that if there is any dispute about it and jurisdiction is assumed by the Interstate Commerce Commission that the average citizen can not get the ear of the Interstate Commerce Commission like they can the members of their own State corporation commission. I desired to use this opportunity to express my opposition to this amendment and I hope it will be voted down. There should be no doubt about the language. I would rather use too much language than too little on a matter of such importance to the people.

Mr. DENISON. Mr. Chairman, the only purpose of the committee in striking out the last part of the paragraph was simply because they thought it was unnecessary to have it in there, and it was not exactly in proper form for a bill. Now, the House is passing a bill which ought itself to show what its intention is, and it seemed to the committee that the bill, after it has gone ahead and expressed the will of the Congress, ought not to contain a further clause stating what the intention of Congress is.

If the language of this first section of the bill is not plain enough to state the legislative intention we ought to amend the language so that it will state it. We ought not to have to repeat and state what our intention is.

Mr. HASTINGS. What does the gentleman say to striking out the words "it being the intent" and leaving the rest of it, so that you would have after the semicolon "that, after the approval of this act," and so forth, "the jurisdiction would be the same?" So it would be absolutely clear the jurisdiction is retained. Then you make it absolutely clear that the various State commissions retain the control they had before July 16, 1918.

Mr. DENISON. In reply I will state that if you should strike out the words "it being the intent," then the language following would have no meaning at all, because the language above states that these rates shall continue unless the various regulatory authorities, the State regulatory authorities, the municipal regulatory authorities, or the Interstate Commerce Commission shall otherwise change them. Now, that can not be misunderstood.

Mr. HASTINGS. You can not misunderstand it if you leave it in there.

Mr. BARKLEY. If the gentleman will yield, Congress has no power, either legislatively, affirmatively, or by implication, to say either of these various regulatory powers is not restored, either upon the ending of the six months' period or the readjustment of rates. So as a matter of authority of law this authority is restored; and if not, the language of the bill as we have already adopted it, certainly it leaves no ground of mistake as to what Congress intended.

Mr. DENISON. I think the gentleman from Kentucky is right. If the bill said nothing about it at all, then the jurisdiction of the State regulatory authorities are restored automatically. With the language of this section above as plain as it is, the committee thought this provision that was stricken out was wholly unnecessary and if omitted would leave the bill in better form.

The CHAIRMAN. The question is on the committee amendment.

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

Mr. MOON. Mr. Chairman, I desire to offer an amendment.

Mr. MERRITT. Mr. Chairman——

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. I have an amendment which I wish to offer, but I notice there is still another amendment pending to that section. Would it be proper for my amendment to be offered at this point or to wait until the committee amendment below is acted upon?

The CHAIRMAN. The gentleman from Connecticut [Mr. MERRITT] has an amendment to offer.

Mr. MOON. Who has the floor?

The CHAIRMAN. By agreement, the gentleman from Tennessee has the floor. The Clerk will report the amendment of the gentleman from Tennessee.

Mr. MOON. Mine is a proviso. I have no objection to yielding to the gentleman from Connecticut.

Mr. ESCH. Mr. Chairman, the gentleman from Connecticut has an amendment to the text of the bill.

Mr. MOON. Very well.

The CHAIRMAN. The gentleman from Tennessee yields, and the Clerk will report the amendment offered by the gentleman from Connecticut.

The Clerk read as follows:

Amendment offered by Mr. MERRITT: Page 2, line 7, after the word "existing," insert the words "telegraph rates."

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

Mr. MERRITT. Mr. Chairman, the resaon for suggesting that amendment is obviously only to do justice to all the wire companies. The telegraph companies have been subjected to the same increase of expenses in every way that the telephone companies have, and there is no reason that I can see why the telephone rates should be continued and the telegraph rates returned to the prewar scale.

On that subject I venture to read some of the testimony of Mr. Carlton, the president of the Western Union Telegraph Co., because it relates partly to the company and is partly an argument on this amendment. He says:

As to wages, I know in the year 1918 my own company increased wages almost $11,000,000, which amounted to 25 per cent increase in pay roll. Everybody knows what has happened to material prices.

This bears on the point the gentleman from Tennessee raised.

Everyone who possesses a spark of national feeling knows also that unless we find some way to treat labor better than we have been treating it in the past democracy will be nothing but a name. I do not need to lecture you gentlemen on that. We of the Western Union are ambitious to give labor a greater participation in the fruits of the telegraph business. Heretofore, and up to the present time, the telegraph employee has been very modestly paid, too modestly paid.

And then he quotes Mr. Vail, the president, as saying:

There is no use trying to have a decent telegraph system until we get some spirit into the heart of our workers. They are dispirited. They are discouraged. They have only stuck to the telegraph business because there were no other means of livelihood open to them.

Then he goes on to ask, if the rates are not retained what will be the effect? He says the necessary effect will be to reduce the rates, and, he asks:

Who is to pay for this reduction? Labor is going to pay for most of it. If the public service companies and the workers are to adopt a system of participation in the profits, whatever form that participation may take, there must be reasonable profits for distribution. We can not treat labor as it deserves to be treated by starting reprisals on our competitor.

That relates to the proposition of the Postal Telegraph to reduce their rates 20 per cent. He suggests another factor, alluding to the fact that the Western Union Co. differs from the Postal Telegraph Co. in that it strives to reach every town in the United States. His testimony shows that the Western Union Co. has some 26,000 offices, of which some 20,000 do not pay, whereas the Postal Co. does not try to reach small towns. He shows that the Postal Co. competes for 80 per cent in dollars of the business but only receives 15 per cent of the business. Then he goes on to show how a reduction in the rates, brought about by a reduction under the law, would affect the service, and then he says that if the rates were reduced it would affect wages, and he shows how it would affect the service. Then he adds:

If they are successful in carrying out this reduction and we are successful in instituting reprisals to do them damage, and they build a plant in time to carry an important volume of traffic, we shall have to curtail by closing many small offices which do not pay, thereby depriving almost 50 per cent of the population of this country of adequate telegraph service.

Now, Mr. Chairman, it seems to me that this is not a question that admits of very elaborate argument. I think a plain statement of the facts carries its own conclusion. It seems to me that—it being evident to all of us that, owing to increased rates and increased expenses, the expense of carrying telegrams has been increased, and they have been operating under the rates established by the Postmaster General—there is no reason whatever why the same fair treatment that is accorded to the telephone companies should not also be accorded to the telegraph companies, and therefore it seems to me that the amendment I have proposed is not only just to the companies but just to the employees and just to the country. [Applause.]

Mr. SIMS. Mr. Chairman, is there going to be any opposition to the amendment? If there is no opposition to it, I do not care to occupy the time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut [Mr. MERRITT].

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

Mr. HASTINGS. Mr. Chairman, I think we ought to have a division on that important amendment.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 39, noes 9.

So the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment.

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

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

The Clerk read as follows:

Amendment offered by Mr. MOON: After the word "reduction," on line 16, page 2, insert:

"*Provided further*, That no reduction of wages of telegraph or telephone employees now in effect shall be made so long as the rates fixed by the Postmaster General are effective."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee. Does the gentleman care to discuss it?

Mr. MOON. I do not care to discuss it unless some one else does.

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

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

Mr. MOON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 29, noes 32.

The CHAIRMAN. So the amendment is rejected.

Mr. MOON. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Missouri moves that the committee do now rise.

Mr. MOON. I made the point that there was no quorum before that point was made.

The CHAIRMAN. We can rise without a quorum.

Mr. ESCH. Mr. Chairman, I move a call of the House.

Mr. CLARK of Missouri. You can not do it in committee.

The CHAIRMAN. You can not have it in Committee of the Whole. The question is on agreeing to the motion of the gentleman from Missouri [Mr. CLARK] that the committee do now rise.

The question was taken, and the motion was rejected.

The CHAIRMAN. The point of no quorum is raised. The Chair will count. [After counting.] Sixty-seven gentlemen are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Alexander	Fordney	Little	Rodenberg
Anderson	Foster	Longworth	Rogers
Andrews, Nebr.	Frear	Luce	Rowan
Anthony	Freeman	McArthur	Rubey
Bacharach	French	McClintic	Rucker
Baer	Fuller, Ill.	McCulloch	Sabath
Bankhead	Fuller, Mass.	McDuffie	Sanders, La.
Barbour	Gallagher	McFadden	Sanders, N. Y.
Begg	Gallivan	McKenzie	Sanford
Benson	Ganly	McKeown	Saunders, Va.
Blackmon	Gard	McKiniry	Scully
Bland, Ind.	Garland	McKinley	Sears
Bland, Mo.	Glynn	McLaughlin, Nebr.	Sells
Booher	Godwin, N. C.	McPherson	Sherwood
Britten	Goldfogle	MacGregor	Shreve
Brooks, Ill.	Good	Magee	Sinclair
Browne	Goodall	Maher	Sisson
Brumbaugh	Goodykoontz	Major	Slemp
Burdick	Gould	Mann	Smith, Idaho
Burke	Graham, Pa.	Mansfield	Smith, Ill.
Burroughs	Graham, Ill.	Martin	Smith, Mich.
Butler	Griest	Mason	Smith, N. Y.
Byrnes, S. C.	Griffin	Mays	Smithwick
Byrns, Tenn.	Hamill	Monahan, Wis.	Snell
Campbell, Kans.	Hamilton	Montague	Snyder
Cannon	Hardy, Colo.	Moore, Va.	Steele
Cantrill	Hardy, Tex.	Morin	Steenerson
Carter	Haugen	Mott	Stephens, Miss.
Clark, Fla.	Hawley	Mudd	Strong, Pa.
Coady	Heflin	Murphy	Sullivan
Copley	Hersey	Neely	Summers, Wash.
Crago	Hicks	Nicholls, S. C.	Taylor, Ark.
Cramton	Hill	Nolan	Taylor, Colo.
Crisp	Hoch	O'Connell	Thompson, Okla.
Crowther	Huddleston	O'Connor	Tilson
Dallinger	Hulings	Oldfield	Tincher
Davey	Hull, Iowa	Oliver	Tinkham
Davis, Minn.	Hull, Tenn.	Olney	Towner
Dempsey	Husted	Overstreet	Treadway
Dent	Ireland	Padgett	Vaile
Dewalt	James	Paige	Vinson
Dickinson, Mo.	Johnson, Ky.	Parker	Volstead
Dickinson, Iowa	Johnson, Miss.	Pell	Walters
Dominick	Johnson, Wash.	Peters	Ward
Donovan	Jones, Pa.	Phelan	Wason
Dooling	Kahn	Platt	Watson, Va.
Doremus	Kearns	Pou	Weaver
Drane	Kelley, Mich.	Purnell	Webb
Dunn	Kendall	Quin	Welty
Dyer	Kennedy, R. I.	Ragsdale	Whaley
Eagan	Kettner	Rainey, H. T.	White, Me.
Eagle	Kiess	Rainey, J. W.	Williams
Echols	King	Ramseyer	Wilson, Ill.
Evans, Mont.	Kitchin	Randall, Calif.	Wilson, La.
Evans, Nebr.	Knutson	Rayburn	Wilson, Pa.
Evans, Nev.	Lampert	Reavis	Wingo
Fairfield	Lazaro	Reed, W. Va.	Wise
Fess	Lee, Ga.	Rhodes	Woods, Va.
Fields	Lesher	Riddick	Woodyard
Fitzgerald	Lever	Riordan	Yates
Flood	Linthicum	Robinson, N. C.	Young, N. Dak.

The committee rose; and the Speaker having resumed the chair, Mr. MOORES of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill (S. 120) to repeal the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor," approved July 16, 1918, and for other purposes, found itself without a quorum; whereupon he caused the roll to be called, when 186 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and the RECORD.

Mr. McCULLOCH. Mr. Speaker, I desire to be recorded as present.

The SPEAKER. The gentleman is too late. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. MOORES of Indiana in the chair.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

Mr. MOON. I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read the amendment, as follows:

Amendment offered by Mr. MOON: After the word "reduction," in line 16, page 2, insert:

"*Provided further*, That no reduction of wages of telephone or telegraph employees now in effect shall be made so long as the rates fixed by the Postmaster General are effective."

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

Mr. MOON. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. ESCH and Mr. MOON.

The committee divided; and the tellers reported—ayes 58, noes 83.

Accordingly the amendment was rejected.

Mr. MOON. Mr. Chairman, I offer another amendment.

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

The Clerk read as follows:

Amendment offered by Mr. MOON: Page 2, line 16, after the word "reduction," insert:

"*Provided further*, That until the rates fixed by the Postmaster General are changed as authorized herein, any excess of net revenue arising from the operation of each telegraph or telephone system in excess of an amount equal to the compensation fixed by the Postmaster General during Federal control shall be applied to any deficiency which may result from Government operation.

Mr. ESCH. Mr. Chairman, I make the point of order to the amendment that it is not germane to the subject matter of the bill.

Mr. MOON. What has the gentleman got to say in favor of his point of order?

Mr. ESCH. The bill relates to the return of the wire system, and prescribes a period for the operation of rates made by Federal control. It has no relation to the matter of wages, no relation to excess rates, or the application of such rates to a reduction of any deficiency which the Government would be subjected to by reason of Federal control.

Mr. MOON. Mr. Chairman, this bill is a general bill on the subject of telephone and telegraph wires and turning them over from Government control back to the individual corporate control. It deals with the question of rates, it deals with the question of wages, it deals with the whole question affecting the telegraph system. Any language is germane and in order that pertains to the disposition of this question. The Government has got the wires now, and under the very law we are holding them now it provides the company shall have a certain fixed compensation according to the value, and the excess goes into the Federal Treasury under the general law.

Mr. BARKLEY. Mr. Chairman, in the original act by which the property was taken over the Government entered into contracts with the various companies for compensation during the period of Government control. Now, the Government is bound by that contract which it entered into between various companies, and the terms of the contract end when the Government control ends. Therefore this is an amendment, not providing for anything cared for in the bill, but reaches over into the period beyond Government control and adds to the contract they made under the law by which the properties were taken over.

Mr. MOON. It does not do anything of the sort; it provides for the period during Government control.

Mr. BARKLEY. The Government control ends whenever the property is turned back, and the rates continue after Government control ceases. I think the point of order is well taken.

Mr. WALSH. Mr. Chairman, in response to the contention made by the gentleman from Tennessee that this is to apply to the period during which the Government is in control, I beg to direct the Chair's attention to the fact that the very language of this paragraph repeals the act, not the paragraph, but the entire act under which Government control was instituted. The amendment which the gentleman has offered is seeking to reduce the amount received in excess of that received before Government control was put into operation, and it is not germane to this particular paragraph or to the bill which is repealing the act providing for Government control.

Mr. YOUNG of Texas. Mr. Chairman, the only justification that this committee can have for extending these rates for six months is the justification that we had for passing the wire legislation. This Congress has no jurisdiction to fix rates for telephones or telegraph companies unless it is a continuous jurisdiction arising out of the war measure by which we took over the wire lines. That is the only authority we can conceive by which we can extend the rates now in existence for the next six months, although the wires have gone back to the rightful

owners. Since we assumed jurisdiction to continue the rates for six months, the gentleman from Tennessee offered an amendment applying certain sums out of funds over which we have assumed jurisdiction, and therefore I think the amendment is pertinent and germane to this legislation, and I think the point of order ought to be overruled. [Applause.]

The CHAIRMAN. The Chair is ready to rule, and the point of order is sustained.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 8, after the word "General" insert the words "and being charged."

Mr. MADDEN. Mr. Chairman, the adoption of the language proposed in the amendment would have this effect. The paragraph now reads:

That the existing toll and exchange telephone rates as established or approved by the Postmaster General on or prior to June 6, 1919, shall continue in force—

And so forth.

As amended the paragraph would read:

That the existing toll and exchange telephone rates as established or approved by the Postmaster General and being charged on or prior to June 6, 1919, shall continue in force.

Now, the purpose of that is to prevent the inauguration of new rates fixed by the Postmaster General after June 6, 1919. The rates were put into force by the Postmaster General before that period in many of the States, and some of the States sued out injunctions against the enforcement of the rates.

These injunctions are still pending. Immediately after the Postmaster General loses control of these wires the injunctions will be set aside, but notwithstanding the fact that the rates have not yet gone into effect, unless the words are put into the bill, the rates fixed by the Postmaster General at some date in the past before the 6th of June will become operative in about 18 additional States, and it seems to me that that ought not be permitted. These words "and being charged" will prohibit the institution of new rates where they are not already in existence, after the control of the wires has passed from under the jurisdiction of the Postmaster General. I hope the amendment will be adopted.

Mr. SIMS. Mr. Chairman, I wish to ask the gentleman from Illinois [Mr. MADDEN] if the effect of his amendment will not be to prevent the collection of the rates that were enjoined from the time they were enjoined or from the time of their effective date until June 6.

Mr. MADDEN. No; not before June 6, but after June 6.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the amendment be again reported, not to be taken out of the time of the gentleman from Tennessee.

The CHAIRMAN. The Clerk will again report the amendment, without objection.

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

Mr. SIMS. What I want to ask the gentleman is this: Let us take Chicago. That is one of the places it applies to.

Mr. MADDEN. That is only one, and that went into effect on the 16th of June. This applies to 18 different States.

Mr. SIMS. But one case illustrates all. If the amendment is not adopted, when would this rate apply to Chicago?

Mr. MADDEN. It would apply to Chicago, if the amendment is not adopted, from the time the injunction was set aside, or whatever prevented the collection of the rates, if there was an injunction. Do not make this illustration apply to Chicago, for I do not want it to be understood that I am pleading for Chicago.

Mr. SIMS. Oh, no; not alone.

Mr. MADDEN. I am pleading for 18 different States.

Mr. SIMS. But those States or localities that did not enjoin the rates have been paying them from the time they became effective under the order of the Postmaster General. Is not that true?

Mr. MADDEN. If they slept on their rights—yes.

Mr. SIMS. But I am not talking about sleeping. The Supreme Court having decided that the Postmaster General had the power to put in the rates, lawfully, then if they did not go into effect at the time they were ordered to go into effect, the Government of the United States will lose the difference in the rates that would have been collected and what will be collected.

Mr. MADDEN. The Government of the United States never ought to have put the rates into effect, to begin with.

Mr. SIMS. But I am not talking about that. It amounts to this. It increases the deficit to the extent that the gentleman's amendment prevents the collection of rates that would have been collected had the injunction not been sued out. The injunction having been held to be void, illegal, then the gentleman, speaking for these 18 States—and I am using his expression——

Mr. MADDEN. Yes; that is correct.

Mr. SIMS. The effect of his amendment is to give those States and localities that sued out an improper injunction all the benefits they would have had if the supreme court had held otherwise.

Mr. MADDEN. Yet at the same time the gentleman from Tennessee is willing to impose the burden upon the people unjustly.

Mr. SIMS. Not unjustly. The Supreme Court has said that the Postmaster General had the right to do it, and the States and localities that did not sue out injunctions have had to pay the rates that were fixed by the Postmaster General, and to adopt the amendment means to increase the deficit, which is to increase the amount that has to come out of the pockets of the general taxpayer, for the benefit of these 18 States, and, I am informed, though the information may not be reliable, that in the case of Chicago alone it will amount to about $2,000,000.

Mr. MADDEN. I do not know how much it amounts to.

Mr. SIMS. Does the gentleman think we ought, in effect, to sustain the illegal action of a lower court, which has been overruled by the highest court in the land, that we should ignore the action of the Supreme Court of the United States and relieve every locality that sued out and obtained unlawful injunctions of the burden of paying the tolls and charges thus lawfully authorized, to be taken eventually out of the general taxpayers' pockets?

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

Mr. SIMS. Yes.

Mr. MADDEN. Does the gentleman think because the Postmaster General entered into contract with the telegraph and telephone companies to pay them an amount far in excess of the earnings of those companies that therefore the American people ought not to complain but submit to the excessive charges and that we ought not to legislate to relieve them?

Mr. SIMS. The gentleman is taking up my time. If the amendment applied to all people and all rates had been enjoined then it would be equal, but the gentleman's amendment will have the effect of awarding those who obtained injunctions which they had no right under the law to obtain and give them the benefit that the decision of the Supreme Court otherwise deprives them of. Now I want to appeal to every honest man in this House and ask if he wants to tax the people to make good the results of an illegal court proceeding, and that is exactly what this means——

Mr. MADDEN. Will the gentleman submit to one more question?

Mr. SIMS. I can not refuse the gentleman.

Mr. MADDEN. What percentage of the membership of this House does the gentleman appeal to in appealing to every honest man in the House?

Mr. SIMS. All of them, and especially to the superhonest man who has just taken his seat, for I have often heard him fight dishonesty, or what he thought was in effect dishonesty. To take money out of the Treasury that is put in by everybody and give it to Chicago or any other city or State is not honest, is not right, is not legal, and is unjust. [Applause.]

Mr. ESCH. Mr. Chairman, I move to strike out the last word. The rates fixed by the Postmaster General were applied to 90 per cent of the telegraph and telephone business of the United States and were applied in practically all the States. In 18 of those States in this country injunctional orders were secured which restrained the Postmaster General from putting in force the increased rates. The other 25 States acquiesced in the rates fixed by Government authority under the war power. Now, then, it happens that in those 18 States that sought and secured the injunctions restraining the enforcement of these increased rates we find that their position is untenable, because the Supreme Court has held on June 2 that those rates were legal rates and were legal because they were granted under the war power. Now, those 18 States since they got injunctional orders have not been paying the increased rates which were ordered by the Postmaster General. What is the consequence? The A. T. & T. has fallen $9,000,000 behind the amount it was entitled to under its contract with the Government; the Western Union $1,000,000. Had those rates fixed by the Postmaster General way back in March been enforced in those 18 States there would be to-day little or no deficit under the Government contracts with the A. T. & T. and with the Western Union. To come in now and say that these advances in rates shall not be made subsequent to the 6th of June would result in putting a burden upon the Treasury of the United States and an additional burden upon the people in the 25 States who have already paid their respective share of this burden. [Applause.]

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

The question was taken and the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment

The Clerk read as follows:

Page 2, line 16, after the word "tolls" insert the word "charges."

Mr. MADDEN. Now that, Mr. Chairman, would add to the language so as to make it read "tolls, charges, and rates." Tolls happen to be one thing, rates another thing, and charges still another thing. Now, for example, the telephone companies make a charge for being ready to serve the public. They make a charge under the direction of the Postmaster General which they never made before for the installation of a telephone, and it seems to me that the State authorities or the municipal authorities ought to have control not only over the tolls and rates but also over the charges, and if the House or the committee adopts the amendment which I have introduced it will give control not only over the tolls and over the rates but over the charges as well.

Mr. BARKLEY. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BARKLEY. In other words, whereas the bill only provides that the exchange charges, which include regular rental for telephones for residence and business places, and the daily charges for messages, shall remain in effect, the gentleman wants to continue the charges for installing new telephones and taking them out?

Mr. MADDEN. I do not want to continue that.

Mr. BARKLEY. That is what the effect of the gentleman's amendment would be.

Mr. MADDEN. I do not think so.

Mr. DUPRÉ. Where does it come in?

Mr. MADDEN. After the word "tolls," in line 16, page 2. The mere fact that the committee left the word out and made no mention of the charges is no indication that it abolishes the charges when the lines go back to the owner. It does not give anybody the power to regulate it and my judgment is they have given, by the language of this section of the bill, jurisdiction to the public utilities commissions of the States and municipalities over everything but the charges. That is the way it reads to me.

Mr. SIMS. May I ask the gentleman a question?

Mr. MADDEN. Yes.

Mr. SIMS. Now then, your idea is, as I caught it, that the tolls and rates may continue as established by the Postmaster General, but that the charges for installing telephones shall not continue?

Mr. MADDEN. What I want to do is to give control over the regulation of the charges as well as the tolls and rates.

Mr. SIMS. All authority of the Postmaster General over these rates and fares and charges ceases the very moment that the State or other regulating body acts.

Mr. MADDEN. I understand that, but you have not given them any power to act.

Mr. BARKLEY. May I make another suggestion?

Mr. MADDEN. Yes.

Mr. BARKLEY. Under this bill the only charges that are continued are the tolls and rates, and therefore all other items of expense automatically follow when the properties are turned back. Therefore the State commissions and municipal regulatory bodies automatically have power to regulate any charges or any expense not continued by this act.

Mr. MADDEN. I know that is the opinion of the committee that reported the bill, and I am quite sure they were sincere in that opinion, but I differ with them.

Mr. WALSH. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WALSH. Does not the gentleman's amendment simply add descriptive language—that is, simply describing authorities that have jurisdiction of all the rates and charges?

Mr. MADDEN. Surely.

Mr. WALSH. It does not increase or curtail them?

Mr. MADDEN. No. It puts it within the power of the State utility commissions and of the local commissions to know exactly what they have charge over, and there is no harm in inserting the words. It can not hurt anything and it may do a lot of good.

Mr. SIMS. It does not take any money out of the Treasury that would otherwise go into it?

Mr. MADDEN. Not a cent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MADDEN].

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

The Clerk read as follows:

SEC. 2. That the President be, and he is hereby, authorized and directed to return and deliver forthwith to the respective owners thereof all of the systems, lines, and property taken possession of or received, operated, supervised, or controlled by him under authority of said joint resolution.

The following committee amendment was read:

Page 2, line 24, after the word "directed," insert the words "upon the taking effect of this act."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Also, the following committee amendment was read:

Page 2, line 25, after the word "deliver," strike out the word "forthwith."

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the first proviso of said joint resolution prescribing the just compensation to be paid for and on account of said Acts shall continue in full force and effect until such just compensation shall be fully paid and adjusted to and with the owners of said systems, lines and property, in the manner and according to the terms and conditions therein set forth.

Also, the following committee amendment was read:

Page 3, line 6, strike out the word "Acts" with a capital "A" and insert the words "acts" with a small "a."

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

The amendment was agreed to.

Also, the following committee amendment was read:

Page 3, line 8, strike out the words "to and with the owners of said systems, lines, and property."

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

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That within 60 days after this act shall take effect the President shall cause to be made a detailed and itemized account and report of all his acts and proceedings in connection with the supervision, possession, control, and operation of the telephone, telegraph, and marine cable systems of the United States under the proclamations referred to in section 1, and of all moneys received and expended, and all property and assets acquired or held, and all liabilities or obligations incurred, including contracts relative to compensation awards, such report to show in detail the financial results of the operation of each separate wire system up to and including March 31, 1919, and the financial results of the operation of each separate wire system between March 31, 1919, and the date when the said system shall have been returned to the owners thereof.

With committee amendments as follows:

Page 3, line 11, strike out the word "sixty" and insert in lieu thereof the word "ninety."

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

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 13, strike out the words "and itemized."

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

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 21, strike out the words "each separate" and insert "such."

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

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 22, strike out the word "system" and insert the word "systems."

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

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 23, strike out the words "each separate" and insert the word "such."

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

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 24, strike out the word "system" and insert the word "systems."

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

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 1, strike out the words "to the owners thereof."

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

The amendment was agreed to.

Mr. ESCH. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 3, line 22, after the word "systems," insert the words "from August 1, 1918," and strike out the balance of line 22, all of line 23, and all of line 24 to the word "and," and insert after the word "and" the words "up to."

Mr. ESCH. So that it will read, Mr. Chairman——

The Clerk read as follows:

So that it will read: "Such report to show in detail the financial results of the operation of such wire systems from August 1, 1918, and up to the date when the said systems shall have been returned."

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

The amendment was agreed to.

Mr. ESCH. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOORES of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 120) to repeal the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor," approved July 16, 1918, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ESCH. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

Mr. SMALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMALL. I desire to have a separate vote in the House on the amendment offered by the gentleman from Connecticut [Mr. MERRITT].

The SPEAKER. There will be opportunity for that.

Mr. SMALL. When will that come?

The SPEAKER. When the previous question is ordered. The question is on agreeing to the motion for the previous question.

The previous question was ordered.

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.

An act (S. 1028) to amend section 8 of an act entitled "An act to amend the laws for preventing collision of vessels and to regulate the equipment of certain motor boats on the navigable waters of the United States," approved June 9, 1910; to the Committee on the Merchant Marine and Fisheries.

ADJOURNMENT.

Mr. ESCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Thursday, June 19, 1919, 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 the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for headstones for graves of soldiers, fiscal year 1920 (H. Doc. No. 115); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a tentative draft of a bill relating to the marine hospital at Baltimore, Md. (H. Doc. No. 116); to the Committee on Public Buildings and Grounds and ordered to be printed.

3. A letter from the Secretary of War, transmitting request that section 73, paragraph 36 of the printing act of January 12, 1895 (28 Stats., p. 616), be amended so as to permit of the printing and distribution of 1,000 copies of the publication Tests of Metals instead of 500 copies, as provided under the present law (H. Doc. No. 117); to the Committee on Printing 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. MONDELL: A bill (H. R. 6136) authorizing the Secretary of the Interior to sell certain lands to School District No. 21, of Fremont County, Wyo.; to the Committee on the Public Lands.

By Mr. BOX: A bill (H. R. 6137) authorizing and directing the Secretary of War to donate and deliver to each of the 14 counties of the second congressional district of Texas one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COLE: A bill (H. R. 6138) to increase the limit of cost of the public building to be erected at Kenton, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HERNANDEZ: A bill (H. R. 6139) to provide for an investigation to ascertain the feasibility of the construction of a reservoir and irrigation project in the Santa Fe River, Santa Fe County, N. Mex.; to the Committee on Irrigation of Arid Lands.

By Mr. SHREVE: A bill (H. R. 6140) for the relief of the survivors of McLean's Pennsylvania regiment and their widows and children; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 6141) for the relief of the Philippine Scouts; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 6142) authorizing the Secretary of War to donate to the city of Great Falls, State of Montana, four German cannons; to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 6143) to provide for the erection of a post-office building at Brinkley, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6144) to provide for the erection of a public building at Clarendon, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6145) authorizing the Secretary of War to donate to the borough of Liberty, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6146) authorizing the Secretary of War to donate to the borough of Glassport, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6147) authorizing the Secretary of War to donate to the borough of Braddock, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6148) authorizing the Secretary of War to donate to the borough of Port Vue, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6149) authorizing the Secretary of War to donate to the township of Elizabeth, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6150) authorizing the Secretary of War to donate to the borough of Pitcairn, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6151) authorizing the Secretary of War to donate to the borough of East Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6152) authorizing the Secretary of War to donate to the city of McKeesport, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 6153) authorizing the Secretary of War to donate to the borough of Wilkinsburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 6154) to permit the exchange of certain lands for the improvement of the Santiam National Forest of Oregon; to the Committee on the Public Lands.

Also, a bill (H. R. 6155) to permit the exchange of certain lands for the improvement of the Siskiyou National Forest of Oregon; to the Committee on the Public Lands.

By Mr. LANGLEY: A bill (H. R. 6156) for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. KENDALL: A bill (H. R. 6157) for the purchase of a site and the erection of a public building thereon at Somerset, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 6158) authorizing the Secretary of War to donate to the city of Louisburg, Franklin County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6159) authorizing the Secretary of War to donate to the city of Nashville, Nash County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6160) authorizing the Secretary of War to donate to the city of Raleigh, Wake County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6161) authorizing the Secretary of War to donate to the city of Smithfield, Johnston County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6162) authorizing the Secretary of War to donate to the city of Pittsboro, Chatham County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6163) authorizing the Secretary of War to donate to the city of Henderson, Vance County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LARSEN: A bill (H. R. 6164) providing for the purchase of a site and the erection of a public building thereon at Eastman, Dodge County, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6165) providing for the purchase of a site and the erection of a public building thereon at Hawkinsville, Pulaski County, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6166) providing for the purchase of a site and the erection of a public building thereon at Fort Valley, Houston County, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6167) providing for the purchase of a site and the erection of a public building thereon at Vidalia, Toombs County, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. SHREVE: A bill (H. R. 6168) to amend the act of Congress approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," and including the amendment thereto; to the Committee on Pensions.

By Mr. BRITTEN: A bill (H. R. 6169) intended to equalize status and pay of officers in the National Naval Volunteers and Fleet Reserve of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 6170) to pay retired naval officers in accordance with the duty they are performing during the period of the war; to the Committee on Naval Affairs.

Also, a bill (H. R. 6171) to authorize the refund of duties collected on field kitchens imported during the year 1916; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 6172) to provide for the purchase of a site and the erection of a public building thereon at Derby, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. NELSON of Wisconsin: A bill (H. R. 6173) authorizing the Secretary of War to donate to the village of Rib Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 6174) for the purpose of providing credits for honorably discharged soldiers, sailors, and marines who are not owners of homes; to the Committee on Appropriations.

By Mr. FITZGERALD: A bill (H. R. 6175) to repeal the penalty clause of that portion of section 6 of chapter 433 of the act of the Sixty-fourth Congress relating to the failure to pay gas bills; to the Committee on the District of Columbia.

By Mr. GOOD: A bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered printed.

By Mr. McCULLOCH: Resolution (H. Res. 119) requesting the State Department to submit to the House of Representatives a complete report in connection with the reported detention of Dr. William T. Ellis by the British Government, particularly with regard to the attitude of American consular officers in Egypt; to the Committee on Foreign Affairs.

By Mr. UPSHAW: Resolution (H. Res. 120) calling for investigation of telephone and telegraph strike; to the Committee on Rules.

By Mr. FITZGERALD: Joint resolution (H. J. Res. 122) protesting against the interference of any foreign power in the affairs of Mexico; to the Committee on Foreign Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 123) proposing an initiative and referendum amendment to the Constitution of the United States extending the right of its citizens when they so desire to vote upon constitutional amendments and laws; to the Committee on the Judiciary.

By Mr. GOULD: Joint resolution (H. J. Res. 124) to provide for a joint select committee of the Senate and House to investigate the Mexican situation; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 125) commending the Secretary of War in sending soldiers across the Mexican border to protect the lives and property of United States citizens; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHBROOK: A bill (H. R. 6177) granting a pension to Annie Myers; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 6178) granting a pension to Mary A. Strome; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6179) granting a pension to Catherine Foddrill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6180) granting a pension to Robert W. Hayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6181) granting an increase of pension to Simon T. Hickman; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 6182) granting an increase of pension to John Collins; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 6183) granting an increase of pension to Charles H. Ubert; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 6184) granting an increase of pension to Robert J. Bingaman; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 6185) granting a pension to Charles A. Hartley; to the Committee on Pensions.

Also, a bill (H. R. 6186) granting an increase of pension to Stamford W. Rife; to the Committee on Invalid Pensions.

By Mr. HOUGHTON: A bill (H. R. 6187) granting a pension to Ellen W. Carpenter; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 6188) authorizing the Secretary of the Interior to permit Amy E. Hall to select any tract of land lying within the Oregon and California land grant which is not otherwise appropriated or reserved in lieu of the homestead entry heretofore lost by her, and authorizing the Secretary of the Interior to issue a patent to her for the lands described in her selection; to the Committee on the Public Lands.

By Mr. HICKS: A bill (H. R. 6189) for the relief of Mrs. W. Sharp; to the Committee on Claims.

By Mr. IRELAND: A bill (H. R. 6190) granting an increase of pension to William A. Taylor; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 6191) granting a pension to Frank Swartz; to the Committee on Pensions.

Also, a bill (H. R. 6192) granting an increase of pension to Charles H. Jackson; to the Committee on Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 6193) granting a pension to Joseph H. Klopp; to the Committee on Pensions.

By Mr. McANDREWS: A bill (H. R. 6194) granting a pension to James Prosek; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 6195) granting a pension to George H. Haverkate; to the Committee on Pensions.

Also, a bill (H. R. 6196) granting a pension to Florence F. Wellington Washburn; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 6197) granting a pension to Adaline A. Perry; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 6198) authorizing the payment of compensation for personal injuries to Swanhild Sims; to the Committee on Claims.

By Mr. MONDELL: A bill (H. R. 6199) granting a pension to Samuel M. Deets; to the Committee on Pensions.

Also, a bill (H. R. 6200) granting a pension to Stanley S. Courtright; to the Committee on Pensions.

Also, a bill (H. R. 6201) granting a pension to Frank Bradley; to the Committee on Pensions.

Also, a bill (H. R. 6202) granting an increase of pension to Joseph D. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6203) granting an increase of pension to George Edward Blackmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6204) granting an increase of pension to Foster D. Brown; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 6205) granting a pension to Olive K. Jeffries; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6206) granting a pension to Mamie K. Miller; to the Committee on Pensions.

Also, a bill (H. R. 6207) granting a pension to Mary V. Sterling; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 6208) granting a pension to Kate Cobb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6209) granting a pension to Samuel M. Vawter; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 6210) granting an increase of pension to George Poff; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 6211) granting an increase of pension to William H. Salisbury; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 6212) granting an increase of pension to Magna Samson; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 6213) granting an increase of pension to Mattie L. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6214) granting an increase of pension to Joseph A. Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6215) for the relief of Jeremiah McCraith; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 6216) granting an increase of pension to Sarah A. Surface; 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 the SPEAKER (by request): Petition of J. P. Heyman, Robert Day, Mrs. L. J. Smith, sr., Alma Warnke, Mrs. W. H. Pollock, Women's Christian Temperance Union, Mr. and Mrs. J. Dewhiest, Mrs. C. J. Sprowl, Mrs. D. H. Welch, M. G. Delamatre, C. A. Wekel, and A. E. Thurston, all of Huron, Ohio, against repeal of war-time prohibition act; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 35 members of the Park Avenue Baptist Church, of Mansfield, Ohio, protesting against the lifting of the ban on wine and beer; to the Committee on the Judiciary.

By Mr. BRIGGS: Petition of 534 citizens of Galveston County, Tex., requesting the repeal of the luxury tax; to the Committee on Ways and Means.

Also, resolutions by the Farmers' League of Texas, requesting Congress to amend section 13 of the Federal reserve act so as to permit Federal reserve banks to loan money on agricultural commodities certificates issued against stored nonperishable products while in the hands of the producer; also, asking amendment of sections 5200 and 5202 of the Revised Statutes of the United States, so as to permit national banks to make larger loans on longer time upon such certificates; to the Committee on Banking and Currency.

By Mr. BROOKS of Pennsylvania: Petition of citizens of Arendtsville and Biglerville, Adams County, Pa., for repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CALDWELL: Petition of Woodside Baptist Church and congregation for strong enforcement of prohibition law; to the Committee on the Judiciary.

Also, petition of Bronx Board of Trade, New York, opposing the prohibition clause against beers and light wines; to the committee on the Judiciary.

By Mr. CAREW: Petition of New York Pharmaceutical Conference of Greater New York and Westchester County opposing tax on soft drinks, sodas, and toilet articles; to the Committee on Ways and Means.

Also, petition of American Wholesale Coal Association, assembled at Cleveland, Ohio, and representing 30 States, against repeal of daylight-saving law; to the Committee on Agriculture.

Also, petition of National Committee of the Fur Industry, New York, for repeal of tax on furs; to the Committee on Ways and Means.

By Mr. CASEY. Petition of George Y. Webber and sundry citizens of Pennsylvania, for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CLARK of Missouri: Petition of numerous citizens in various localities in Missouri, asking repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. CULLEN: Petition of sundry citizens of New York, Brooklyn, etc., protesting against tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. DYER: Petition of A. T. Bellis, of St. Louis, Mo., for repeal of the zone advances law; to the Committee on the Post Office and Post Roads.

Also, petition of Nettie Lasar, of St. Louis, Mo., against the repeal of the war-time prohibition law; to the Committee on the Judiciary.

Also, petition of Rotary Club of St. Louis, Mo., and other clubs against the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of Ernest Sommer, and sundry other men of St. Louis, Mo., for the repeal of the war-time prohibition law; to the Committee on the Judiciary.

By Mr. ESCH: Petition of Woman's Christian Temperance Union of La Crosse, Wis., urging enforcement of prohibition laws and against repeal of war-time prohibition; to the Committee on the Judiciary.

Also, petition of National Association of Retail Druggists for repeal of sections 630 and 907 of revenue act; to the Committee on Ways and Means.

Also, petition of the Biscuit and Cracker Manufacturers' Association of the United States, urging retention of zone advances; to the Committee on the Post Office and Post Roads.

By Mr. FESS: Petition of First Methodist Episcopal Church, West Liberty, Ohio, in behalf of the persecuted peoples of Korea; to the Committee on Foreign Affairs.

Also, petition of Friends' Christian Endeavor, Spring Valley, and United Presbyterian Church of Clifton, both in the State of Ohio, against modification of war-time prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of biscuit and cracker manufacturers of the United States, opposing the repeal of the zone advances on second-class mail; to the Committee on the Post Office and Post Roads.

By Mr. FREEMAN: Petition of Dr. M. K. Rose and sundry other citizens of New York and New London, Conn., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of J. W. Higgins and others, protesting against the repeal of the war-time prohibition; to the Committee on the Judiciary.

By Mr. GLYNN: Petition of citizens from the town of Torrington, Conn., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petition of National Association of City Editors, demanding that Postmaster General Burleson immediately restore second-class mailing rights to daily and weekly newspapers in the United States; to the Committee on the Post Office and Post Roads.

By Mr. GANDY: Petition of Croatian Fraternal Lodge, No. 227, of Terry, S. Dak., on the subject of the territorial differences between the Jugo-Slavs and the Italians; to the Committee on Foreign Affairs.

Also, petition of Velebit Society, No. 298, of Lead, S. Dak., on the subject of the territorial differences between the Jugo-Slavs and the Italians; to the Committee on Foreign Affairs.

By Mr. HADLEY: Petition of Jesus The Good Shepherd Society, of Washington, relating to Jugo-Slav question; to the Committee on Foreign Affairs.

By Mr. HAYS: Petition of the Methodist Church, Presbyterian Church, First Baptist Church, Methodist Episcopal Church, and First Christian Church, all of Cape Girardeau, Mo., protesting against the repeal of the war-time prohibition act; to the Committee on the Judiciary.

By Mr. HERNANDEZ: Petition of Local Federation of All Shop Crafts, Albuquerque, N. Mex., demanding the entire elimination of all aliens from the shops of the Railway Administration except where they have already taken out citizenship papers, and that their places be filled by Americans; to the Committee on Labor.

Also, petition of Rotary Club of Albuquerque, N. Mex., that the State of New Mexico and other public-land States be given

unreserved public domain within their boundaries; to the Committee on the Public Lands.

Also, petition of American Hampshire Sheep Association, urging retention of zone advances; to the Committee on the Post Office and Post Roads.

Also, petition of Presbyterian Church of Taos, N. Mex., protesting against the repeal of the war-time prohibition law; to the Committee on the Judiciary.

Also, petition of Local Federation of All Shop Crafts, Atchison, Topeka & Santa Fe Railway, Albuquerque, N. Mex., representing more than 1,000 railway employees, supporting the Plumb plan for Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL: Petition of residents of Unadilla, N. Y., for repeal of tax on soda water, ice cream, and soft drinks; to the Committee on Ways and Means.

Also, petition of residents of Delhi, N. Y., for repeal of tax on soda water, ice cream, and soft drinks; to the Committee on Ways and Means.

Also, petition of residents of Binghamton and Johnson City, both in the State of New York, for the repeal of the tax on ice cream, soda water, and soft drinks; to the Committee on Ways and Means.

Also, petition from residents of Worcester, N. Y., against the repeal of war-time prohibition, etc.; to the Committee on the Judiciary.

By Mr. HUDDLESTON: Resolution adopted by Local No. 26 of Commercial Telegraphers' Union of America, Birmingham, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, petition of T. S. Sheppard and others, customers of United Cigar Stores Co., Birmingham, Ala., for repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of Fred L. Beavers and other patrons of Fulton Drug Co., Bessemer, Ala., for repeal of tax on soft drinks, sodas, and ice cream; to the Committee on Ways and Means.

Also, petition of F. A. Davis and others, customers of Robert W. Murray, 4101 North First Avenue, Birmingham, Ala., for repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of T. M. Howard and other customers of Garlington's Pharmacy, Pratt City, Ala., for repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. KAHN: Petition of military affairs committee of Chamber of Commerce of El Paso, praising Maj. Gen. Cabell and Brig. Gen. Erwin for their action in taking necessary measures to protect American citizens in El Paso on June 14 and 15; to the Committee on Foreign Affairs.

By Mr. KELLEY of Michigan: Petition of Methodist Episcopal Church of Wayne, Mich., protesting against the repeal of war-time prohibition act; to the Committee on the Judiciary.

Also, resolution of Presbyterian Church of Northville, Mich., urging Congress to pass, as quickly as possible, an adequate, permanent code for the enforcement of the eighteenth amendment to the Constitution of the United States and of the war-time prohibition act; to the Committee on the Judiciary.

Also, petition of Homedale Woman's Christian Temperance Union of Flint, Mich., protesting against the wine and beer amendment; to the Committee on the Judiciary.

By Mr. KETTNER: Appeal of the Associated Dairymen of California, Sacramento, Calif., to support a bill to amend section 6 of the act of October 15, 1914, entitled "An act to supplement the existing laws against unlawful restraints and monopolies, and for other purposes"; to the Committee on Agriculture.

Also, request of the California Manufacturers' Association of Oakland, Calif., for discontinuance of Federal Employment Service; to the Committee on the Judiciary.

Also, protest of the California White and Sugar Pine Manufacturers' Association of San Francisco, Calif., against transfer of the national forests to Department of Interior; to the Committee on Agriculture.

Also, petition of Women's Christian Temperance Union of Corona, Calif., protesting against the repeal of the war-time prohibition; to the Committee on the Judiciary.

By Mr. McDUFFIE: Petition of George Glover and others of Mobile, Ala., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. MERRITT: Petition of the Federation of Men's Clubs of the East Side Churches of Bridgeport, Conn., opposing the repeal of the war-time prohibition act; to the Committee on the Judiciary.

Also, resolutions adopted at a mass meeting of the employees of Lake Torpedo Boat Co., of Bridgeport, Conn., condemning Bolshevism; to the Committee on Foreign Affairs.

By Mr. MONTAGUE: Petition for repeal of tax on sodas, soft drinks, and ice cream, signed by sundry citizens of Richmond, Va.; to the Committee on Ways and Means.

By Mr. MURPHY: Petition by citizens of Salem, Ohio, praying for the repeal of section 904 of the 1918 Federal income-tax law (H. R. 12863); to the Committee on Ways and Means.

By Mr. NELSON of Missouri: Petition from citizens of Eldon, Mo., eighth congressional district of Missouri, asking for the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. O'CONNELL: Petition of sundry citizens of the State of New York for the repeal of prohibition law; to the Committee on the Judiciary.

Also, petition of The Bronx Board of Trade, New York, opposing prohibition clause prohibiting the manufacture and sale of beers and light wines; to the Committee on the Judiciary.

Also, petition of M. B. Suevilly, President Oil Seeds Co., New York City, favoring Senate bill 692; to the Committee on Labor.

By Mr. PLATT: Petition of W. E. Ridgeway and other citizens of New York protesting against the repeal of the so-called war-time prohibition act; to the Committee on the Judiciary.

By Mr. RIDDICK: Resolution passed by First Baptist Church of Lewistown, Mont., urging Congress to pass a permanent and adequate code to carry into effect both war-time prohibition and the eighteenth amendment; and petitions of citizens of Opheim, of Chouteau County, and of Hysham, all in the State of Montana, protesting against repeal of war-time prohibition law; to the Committee on the Judiciary.

Also, resolution of Assembly No. 339, Slovak League of America, urging that Congress recognize the present Lithuanian de facto government; to the Committee on Foreign Affairs.

By Mr. ROWAN: Petition of several thousand citizens of New York State, protesting against the luxury taxes; to the Committee on Ways and Means.

Also, petition of Bronx Board of Trade, New York City, against measure prohibiting the manufacture and sale of light wines and beers; to the Committee on the Judiciary.

Also, petition of Double Seal Ring Co., of New York City, asking repeal of tax on automobiles; to the Committee on Ways and Means.

Also, petition of Biscuit and Cracker Manufacturers' Association of United States, urging retention of zone advances; to the Committee on the Post Office and Post Roads.

Also, petition of M. B. Snevily, president Oil Seed Co., favoring Senate bill 692; to the Committee on Labor.

By Mr. SANDERS of New York: Petition of the congregations of the Methodist Episcopal churches in Conesus and Scottsburg, N. Y., urging the passage of legislation enforcing the eighteenth amendment to the Constitution, without any exception of beer and wine; to the Committee on the Judiciary.

Also, petitions of Orleans District Lodge No. 16 and Albion Lodge No. 15, International Order of Good Templars, urging the passage of legislation enforcing the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of Miss Hattie L. Manning and 10 other residents of Albion, N. Y., urging the passage of a bill defining as intoxicating all liquors containing one-half of 1 per cent of alcohol, and also urging the passage of legislation enforcing the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of 1,600 residents of Cohoes, N. Y., protesting against the war-time prohibition act and favoring its repeal as applied to beer and wine; to the Committee on the Judiciary.

Also, protest of 29 members of Admiral Coghlan Post, No. 36, against the enforcement of the eighteenth amendment to the Constitution; also of numerous residents of Troy, N. Y., against the eighteenth amendment; to the Committee on the Judiciary.

By Mr. SEARS: Petition of Mr. Charles A. Schucelm, 2123 Market Street, Jacksonville, Fla., and others in re tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. SMITH of Illinois: Petition by citizens of the seventeenth district of Illinois in behalf of the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. STEELE: Petition of residents of Northampton County, Pa., for the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. STINESS: Petition of Rhode Island State Council Knights of Columbus, against the Smith-Towner bills (S. 1017 and H. R. 7), providing for promotion of education; to the Committee on Education.

By Mr. TEMPLE: Petition of Louis Glaser and others of Lawrence, Pa., protesting against the terms of the treaty of peace offered by the peace conference at Paris to the representatives of Austria-Hungary, and particularly protesting against the proposed transfer of certain territory inhabited by

Serbs, Slovenes, and Croatians to the jurisdiction of Italy; and petition addressed to the Sixty-sixth Congress, relating to the controversy between Italy and the Jugo-Slavs; to the Committee on Foreign Affairs.

Also petitions protesting against the repeal of the war-time prohibition law; to the Committee on the Judiciary.

Also, protest against the repeal of the daylight-saving law, and a petition urging the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. TINKHAM: Petition of St. Brendan Society, composed of citizens of Boston, Mass., for rejection of any league of nations which does not recognize the republic of Ireland, as well as the self-determined government of other oppressed nations; to the Committee on Foreign Affairs.

By Mr. UPSHAW: Petition of numerous citizens of Atlanta, Ga., against the repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. WATSON of Pennsylvania: Petition signed by Ellis Mills et al., citizens of Pottstown, Pa., protesting against the luxury-tax law; to the Committee on Ways and Means.

By Mr. WEAVER: Petition of sundry citizens of Asheville, N. C., asking repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

SENATE.

THURSDAY, *June 19, 1919.*

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

Almighty God, the God of nations, we come before Thee with our national problems. We thank Thee that we can stand upon the traditions of our people and follow the light that shines along the pathway inspired by Thy truth, followed by men of vision in our day. Grant us, we pray Thee, a due appreciation of the ever-increasing responsibility that is upon us as a Nation, a responsibility proportionate to the blessings that we enjoy, the power that has been committed to us, the wisdom that Thou hast given to us, and the splendid opportunities to which Thou dost call us. Guide us by Thy counsel into the large service for all mankind. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. JONES of Washington and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 34)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting a supplemental estimate of appropriation in the sum of $2,000 required by the War Department for "Incidental expenses, Tank Corps Schools," for the fiscal year 1920, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SALE OF CONDEMNED PROPERTY (S. DOC. NO. 33).

The VICE PRESIDENT laid before the Senate a communication dated May 19, 1919, from the Sergeant at Arms of the United States Senate, transmitting, in compliance with law, a statement showing the proceeds from the sales of condemned property of the United States in his charge, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, one of its clerks, announced that the House had passed a bill (H. R. 3854) for the repeal of the daylight-saving law, in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3478) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, further insists upon its disagreement to the amendment of the Senate No. 21 to the bill, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina managers at the further conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. I have a resolution adopted at a mass meeting of citizens of Seattle. It recites that the resolution was introduced by former United States Senator Piles, seconded by Gov. Louis Hart and Mayor Ole Hanson. The resolution relates to the reported outrages against the Jews in Poland. I ask that it may be read to the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

SEATTLE, WASH., *June 18, 1919.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.:

At a public mass meeting held in Metropolitan Theater to-night the following resolution, introduced by former United States Senator Samuel Piles and seconded by Gov. Louis Hart and Mayor Ole Hanson, was unanimously adopted:

"Whereas we citizens of the State of Washington in mass meeting assembled in the Metropolitan Theater at the city of Seattle on this 18th day of June, 1919, are satisfied that organized massacres have been directed against Jewish communities in eastern Europe, especially in Poland; and

"Whereas the atrocities committed have been so frequent and cruel that the Congress of the United States has been moved to pass resolutions deploring the acts of violence and cruelties inflicted upon men, women, and children because of their race or religion; and

"Whereas the Right Hon. Cecil Harmsworth, British undersecretary of state, after submitting statistical data with respect to the lives lost and property plundered, intimates that if the Polish-Jewish situation is to be ameliorated concerted action of all the Allies and associate powers is necessary; and

"Whereas Poland was admitted into full membership of the family of nations by the allied and associated powers as a free and independent State upon condition that her responsible Government would protect the rights of all races and religions within her borders; and

"Whereas 746,000 men of the Jewish faith willingly offered their lives in the allied and associated armies that the principles of democracy might be perpetuated, the oppressed nations made free, and to make certain that all would thereafter be protected in their civil and religious liberty; and

"Whereas we, as a free people, are imbued with the old-fashioned idea that those who fought that all might be free are entitled to live and worship according to their dictates of their own unfettered conscience, irrespective of race or creed: Now, therefore, be it

"*Resolved*, That it is the sense of this people that Congress, in order to safeguard the interests of civilization and further the cause of humanity in the present assault upon both, should take such action as to it may seem proper to prevent a recurrence of the cruel and wicked outrages that have recently been committed against the Jewish people, and that in the meantime the Department of State be requested to bring to the attention of the Government of Poland our abhorrence of the atrocious wrongs which have so far been inflicted upon, and which even now threaten, those who are unable to defend themselves against the cruel and monstrous outrages that have so profoundly shocked the conscience of civilized people everywhere.

"*Resolved further*, That copies of these resolutions be telegraphed to the Department of State and to our Representatives in both branches of Congress."

NATHAN ECKSTEIN, *Chairman.*

Mr. JOHNSON of California. I present a memorial on Federal paved highways addressed to the President and the Congress of the United States by Leon F. Moss, of Los Angeles, Calif. I move that it be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. FLETCHER presented a resolution adopted by the City Council of Fort Myers, Fla., favoring the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. SHERMAN presented memorials of sundry citizens of Illinois, remonstrating against the repeal or any modification of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. KING. I have received a large number of letters, statements, and telegrams in opposition to the continuation of the Federal Employment Bureau or Service. One letter, which is a type of many I am receiving, and which has come from the Utah Associated Industries, is before me. I ask that it be read and referred to the appropriate committee having that matter in charge.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

UTAH ASSOCIATED INDUSTRIES,
Salt Lake City, Utah, May 26, 1919.

Re Federal Employment Bureau.

Hon. WILLIAM H. KING,
Washington, D. C.

DEAR SENATOR KING: You will remember that some weeks ago we communicated with you relative to the attitude of the Utah Associated Industries on the continuation of the Federal Employment Bureau. At that time we had occasion to urge that the appropriations solicited by the heads of the Federal Employment Bureau be not allowed; that the best interests of the country can be conserved by the abolition of the Federal Employment Bureau; that the bureau, being created as a war-time emergency, has fulfilled its mission, and that its continuation would be a burden upon the taxpayers, and that the problems which they have outlined can and are being successfully dealt with by the individual communities and States.