

By Mr. KAHN: A bill (H. R. 11584) to authorize the Secretary of the Treasury to cause to be erected a suitable building or buildings for marine hospital purposes on the present marine hospital site at San Francisco, Calif., and to remove all or any of the present structures on said site; to the Committee on Public Buildings and Grounds.

By Mr. HUDSPETH: A bill (H. R. 11585) to amend the Federal plant quarantine act of August 20, 1912, so as to provide that all expenses incident to the fumigation of importations be paid by the United States Government; to the Committee on Agriculture.

By Mr. STEENERSON: Resolution (H. Res. 433) authorizing the consideration of certain new legislation in H. R. 11578, a bill making appropriations for the support of the Post Office Department for the fiscal year 1921; to the Committee on Rules.

By Mr. EDMONDS: Concurrent resolution (H. Con. Res. 43) requesting the President of the United States to reopen certain cases where men in military service were imprisoned during war; 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. 11586) for the relief of Frederick Salzman; to the Committee on Military Affairs.

By Mr. BRUMBAUGH: A bill (H. R. 11587) granting a pension to James H. Turner; to the Committee on Pensions.

Also, a bill (H. R. 11588) granting an increase of pension to William Vollrath; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 11589) granting an increase of pension to Mary C. Titman; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 11590) granting a pension to Abbie Davis Morang; to the Committee on Pensions.

By Mr. GARD: A bill (H. R. 11591) granting a pension to James Bartram; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 11592) granting a pension to Mary Benson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 11593) granting an increase of pension to Sarah E. Totten; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 11594) for the relief of John M. Higgins; to the Committee on War Claims.

Also, a bill (H. R. 11595) granting an increase of pension to Isaac Edgington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11596) granting an increase of pension to Gurney E. Hall; to the Committee on Invalid Pensions.

By Mr. MCKENZIE: A bill (H. R. 11597) granting a pension to John C. Prestin; to the Committee on Pensions.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 11598) granting an increase of pension to George B. Pearl; to the Committee on Invalid Pensions.

By Mr. PELL: A bill (H. R. 11599) for the relief of Peter A. Kearney; to the Committee on Claims.

Also, a bill (H. R. 11600) for the relief of Mrs. Gussie Husak; to the Committee on Claims.

By Mr. STEPHENS of Ohio: A bill (H. R. 11601) granting a pension to George W. Keith; to the Committee on Pensions.

#### PETITIONS, ETC.

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

726. By the SPEAKER (by request): Petition of National Lumber Council of the National Lumber Manufacturers' Association, urging a revision of the antitrust acts; to the Committee on the Judiciary.

727. Also (by request), petition of State board of trustees of the Anti-Saloon League of Illinois, regarding war-time prohibition; to the Committee on the Judiciary.

728. Also (by request), petition of acting secretary of the Florida State Nurses' Association, favoring Senate bill 1737 and House bill 2492, to secure relative rank for Army nurses; to the Committee on Military Affairs.

729. By Mr. ASHBROOK: Petition of Chamber of Commerce of Mansfield, Ohio, favoring House bill 10650; to the Committee on the Judiciary.

730. By Mr. JAMES: Petition of Marquette Lodge, No. 405, Marquette, Mich., favoring the deportation of I. W. W. and other disloyal organizations; to the Committee on Foreign Affairs.

731. By Mr. LONERGAN: Petition of Chamber of Commerce of Waterbury, Conn., favoring the treaty and the league of nations; to the Committee on Foreign Affairs.

732. By Mr. MACGREGOR: Petition of City Council of the City of Buffalo, regarding the high cost of living; to the Committee on Ways and Means.

733. Also, petition of F. A. Dirnberger, secretary of the Buffalo Flour Club, favoring the return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

734. By Mr. MCGLENNON: Petition of Chamber of Commerce of Bayonne, N. J., regarding the return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

735. By Mr. MEAD: Petition of George S. Buck, mayor of the city of Buffalo, N. Y., regarding the Lever food and fuel control act; to the Committee on Agriculture.

736. Also, petition of Daniel J. Sweeney, city clerk of Buffalo, N. Y., regarding the Lever food and fuel control act; to the Committee on Agriculture.

737. By Mr. O'CONNELL: Petition of the New York State Forestry Association, favoring increased appropriation for the United States Forest Service; to the Committee on Agriculture.

738. By Mr. RAKER: Petition of Lodge No. 743, Brotherhood of Railway Trainmen, protesting against the Cummins bill and indorsing the Esch bill with the Anderson amendment; to the Committee on Interstate and Foreign Commerce.

739. Also, petition of California Manufacturers' Association, in connection with a revision of the antitrust laws; to the Committee on Revision of the Laws.

740. Also, petition of city council of Oakland, Calif., advocating allocation of ore shipped to the Pacific coast for the Far Eastern trade; to the Committee on Naval Affairs.

741. Also, petition of Kern County Chamber of Commerce, Bakersfield, Calif., urging passage of House bill 10650, the Davey sedition bill; to the Committee on the Judiciary.

742. Also, petition of committee of engineers, architects, and allied professions of California, urging passage of Senate bill 2232 and House bill 6649; to the Committee on Expenditures in the Interior Department.

743. Also, petition of Union Hardware & Metal Co., of Los Angeles, Calif., urging support of the Kettner bill (H. R. 6044); to the Committee on Railways and Canals.

744. Also, petition of Los Angeles County Farm Bureau, of California, urging support of the Kenyon and Hersman bills; to the Committee on Agriculture.

745. Also, petition of County Farm Bureau, of Los Angeles County, Calif., urging appropriation of \$25,000 for the investigation and suppression of certain pests in the pecan industry; to the Committee on Agriculture.

746. Also, petition of California Manufacturers' Association, of Oakland, Calif., indorsing the labor provisions of the Cummins bill; to the Committee on Interstate and Foreign Commerce.

747. By Mr. RANDALL of Wisconsin: Petition of citizens of Oconomowoc, Wis., urging two years' extension of Government control of the railroads; to the committee of conference on the Esch and Cummins bills.

748. Also, resolution of the Wisconsin Game Protective Association, indorsing House bill 8939; to the Committee on the Merchant Marine and Fisheries.

749. Also, resolution of citizens of Clinton, Wis., urging the revenue act of 1918 be modified to exempt Chautauqua tickets from taxation; to the Committee on Ways and Means.

750. By Mr. WOODYARD: Petition of Huntington Post, No. 16, American Legion, Huntington, W. Va., pledging its organization to the maintenance of law and order in the United States of America; to the Committee on Military Affairs.

#### SENATE.

FRIDAY, January 9, 1920.

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

Almighty God, in this restless age of ours, appealing to the highest powers of constructive statesmanship, we do not forget the North Star that has guided safely our fathers over all the troubled waters of the past. Thy Word, unchanging, eternal, divine, we look to it for our guide, and pray that Thou wilt give to us the inspiration of heart to know Thy Word, to read Thy will, to follow Thy commandments, to build upon the foundations that Thou hast laid down for us. Do Thou bless us in this divine enterprise. For Christ's sake. Amen.

On request of Mr. CURTIS and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

## WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate a resolution of the General Assembly of the State of Rhode Island ratifying the Susan B. Anthony amendment to the Constitution of the United States extending the right of suffrage to women, which will be placed on file.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendment of the Senate to the bill (H. R. 10137) to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAPES, Mr. GOULD, and Mr. Woods of Virginia managers at the conference on the part of the House.

## PETITIONS AND MEMORIALS.

Mr. SPENCER. I present the memorial of Frank J. Page and sundry other citizens of Doniphan, Mo., which I ask may be printed in the RECORD.

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

*"To the honorable body of the United States Senate, greeting:*

"We, the undersigned, red-blooded American citizens, composed of both old-line parties, beg leave to congratulate you—especially the majority of your membership—upon your patriotism and wise vote on the reservations to the league of nations.

"For, when we see daily in the papers accounts of what a great per cent of the foreign element in this country are doing and are trying to do to disorganize our country and make of it a mass of thieves and murderers without any law or order, then when we reflect upon what this great country cost our forefathers in lives, blood, money, suffering, and tears and grief for the mothers of that day, and the loss of hundreds of thousands of our fathers, grandfathers, and brothers, as well as billions of dollars, tears, and suffering to keep our Union whole in the sixties, capped off by the loss of hundreds of thousands of our own boys in death and crippled for all time, as well as over \$20,000,000,000 of expense in defending the honor and even the future existence of our flag and country in the World War—the grandest and best country by far that God Almighty in His wisdom ever permitted His sun to shine upon—we say that after reflecting upon all these sacrifices made by our people for our great Government, the United States of America, we feel that the people of these United States, every red-blooded American man, woman, and child, of every color and every creed—yes, even those that are to come after us, perhaps, as long as the world stands—are to be congratulated upon having at this time and during the Congress just ended a few days ago, sufficient men in the United States Senate, composed of both old-line parties, whom an All-Wise Providence had endowed with the brains, the honor, the patriotism, the nerve, the backbone, the ability, the fearlessness, and will power to do their own thinking, to prevent this great and priceless Government of ours from being handed over, either in whole or in part, into the hands of foreign governments, to manipulate as they thought best. Oh, but it was grand, and we love every one of you for it that gave a vote for the reservations regardless of your political views, for you have proven yourselves to be red-blooded Americans of the first magnitude, and that is what counts more than all else, at this time especially.

"And be assured, our dear sirs, that the great mass of all red-blooded American people are backing you to the limit regardless of all political views.

"Sincerely, yours,

FRANK J. PAGE

"(And others)."

Mr. POMERENE. I have before me a petition to the Senate from Rev. Dr. Charles F. Thwing, president of the Western Reserve University, Cleveland, Ohio, and 66 members of the faculty, urging the ratification of the peace treaty. I ask that it be incorporated in the RECORD without reading. I do not mean by that the signatures other than that of President Thwing.

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

WESTERN RESERVE UNIVERSITY,  
Cleveland, Ohio, December 11, 1919.

To the Senate of the United States of America,  
Washington, D. C.

GENTLEMEN: We, the undersigned, officers of Western Reserve University, are convinced of the supreme importance of the ratification by the Senate as soon as possible of the treaty of peace,

with such interpretative reservations as may be proper and necessary, and we urge the Senators from Ohio to promote such action. We believe that a majority of the most intelligent and public-spirited citizens of all parties in the State will support them in favoring a resolution ratifying the treaty of peace with the league of nations covenant in terms that will readily permit the other signatories to acquiesce in the conditions stated by the United States.

CHAS. F. THWING, *President*  
(And others).

Mr. NEWBERRY presented a petition of the Michigan State Normal College, Ypsilanti, Mich., praying for the ratification of the treaty of peace with Germany, which was ordered to lie on the table.

He also presented a petition of the Northeastern Michigan Association of Credit Men, of Bay City, Mich., praying for the enactment of legislation for the adoption of a budget system, which was referred to the Special Committee to Devise a Plan for a National Budget System.

He also presented a petition of the Woman's Progressive League, of Niles, Mich., praying for the enactment of legislation to establish a Department of Education, which was referred to the Committee on Education and Labor.

Mr. HALE presented a petition of the Maine State Grange, Patrons of Husbandry, praying for the enactment of legislation providing for the reimbursement to farmers for cattle slaughtered because of reaction in tuberculin tests, which was referred to the Committee on Agriculture and Forestry.

## REPORTS OF COMMITTEES.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3682) to regulate the filling of vacancies in the Corps of Cadets at the United States Military Academy not otherwise provided for by existing law, and for other purposes, reported it without amendment.

Mr. NEW, from the Committee on Territories, to which was referred the bill (H. R. 8953) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes, reported it without amendment and submitted a report (No. 360) thereon.

He also, from the same committee, to which was referred the bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor, reported it with an amendment and submitted a report (No. 361) thereon.

## DRAINAGE OF PUBLIC LANDS IN ARKANSAS.

Mr. SMOOT. From the Committee on Public Lands I report back favorably without amendment the bill (H. R. 3175) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill. A similar bill passed the Senate in the last Congress. The bill as reported by the committee was prepared by the Department of the Interior and has the unqualified indorsement of that department.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

*Be it enacted, etc.,* That all of those unentered, unreserved public lands and all of those entered lands for which no final certificates have been issued within the areas hereinafter described are hereby made and declared to be subject to the laws of the State of Arkansas relating to the organization, government, and regulation of drainage districts to the same extent and in the same manner, except as hereinafter provided, in which lands held under private ownership are or may be subject to said laws: *Provided,* That the United States and all persons legally holding unpatented lands under entries made under the public-land laws of the United States shall be accorded all the rights, privileges, and benefits given by said laws to persons holding lands in private ownership, said lands being those public lands in Mississippi County, Ark., in townships 14, 15, and 16 north, range 9 east, and townships 15 and 16 north, range 10 east, fifth principal meridian, according to the official surveys thereof approved October 12, 1915, and all of those unentered public lands and all of those entered lands for which no final certificates have been issued in Poinsett County, Ark., in townships 11 and 12 north, range 6 east, fifth principal meridian, according to the official surveys thereof approved July 30, 1913.

SEC. 2. That the construction and maintenance of canals, ditches, levees, and other drainage works upon and across the lands subject to the operation of this act are hereby authorized, subject to the same conditions as are imposed by the laws of the State of Arkansas upon lands held in private ownership, and that the cost of construction and maintenance of canals, ditches, levees, and other drainage works incurred in connection with any drainage project under said laws shall be equitably apportioned among all lands held in private ownership, all unentered public lands, and all lands embraced in unpatented entries affected by such



project. Officially certified lists showing the amount of charges assessed against each smallest legal subdivision of such lands shall be furnished to the register and receiver of the United States land office of the district in which the lands affected are situated as soon as said charges would become a lien if the lands were held in private ownership.

Sec. 3. That all charges legally assessed pursuant to the drainage laws of the State of Arkansas by a drainage district against any unentered public lands, or against any lands embraced in unpatented entries, subject to the provisions of this act, shall be a lien upon said lands, which may be enforced by sale in the same manner and subject to the same conditions, except as hereinafter set forth, under which said charges shall be enforced against lands held in private ownership, and whenever any of said lands shall be sold for nonpayment of such charges, inclusive of lands bid in for a drainage district, a statement showing the name of the purchaser, the price at which each legal subdivision was sold, the amount assessed against it, together with penalties and interest, if any, and the cost of the sale, and the amount of excess, if any, over and above all lawful assessment charges and the cost of sale, shall be officially certified to the register and receiver of the United States land office of the district in which the lands are situated immediately after the completion of such sale, but nothing in this act shall be construed as creating any obligation on the United States to pay any of said charges.

Sec. 4. That all moneys received from the sale of entered or unentered lands subject to the operation of this act which shall be in excess of assessments due thereon, together with penalties and interest and the costs of the sales, shall be paid by the proper county officer to the receiver of the United States land office of the district in which the lands are situated, and such excess moneys shall be covered into the United States Treasury as proceeds from the sales of public lands.

Sec. 5. That at any time within 90 days after the sale of unentered public lands and at any time within 90 days after the expiration of the period of redemption provided for in the drainage laws under which the lands are sold, no redemption having been made, after the sale of lands embraced within unpatented entries, the purchaser at such sale, a drainage district being herein expressly excepted from the operation of this provision, shall, upon the filing of an application therefor and an affidavit containing proof of necessary qualifications with the register and receiver of the United States land office, and upon payment to the receiver of the price of \$5 per acre, together with the usual fees and commissions charged in entry of lands under the homestead laws, be entitled to receive a patent: *Provided*, That such purchaser shall have the qualifications required in making entry of lands under the homestead laws, and any such purchase shall exhaust any further homestead right of the purchaser to the extent of the amount of lands thus purchased by him. Not more than 160 acres of such lands shall be sold and patented to any one purchaser under the provisions of this act. This limitation shall not apply to lands subject to the operation of this act which may be bid in for a drainage district, but no patent shall be issued to a drainage district or to anyone bidding in said lands for a drainage district. The proceeds derived by the Government shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

Sec. 6. That unless the purchaser shall, within the time specified in section 5 of this act, file with the register and receiver of the United States land office an application for a patent, together with the required affidavit, and make payment of the purchase price, fees, and commissions as provided in said section 5, any person having the qualifications of an entryman under the homestead laws may file an application for a patent, together with the required affidavit, and upon payment to the receiver of the purchase price of \$5 per acre, fees, and commissions, and in addition thereto an amount equal to the drainage charges, penalties, interest, and costs for which the lands were sold, and if the lands were bid in for the drainage district, an additional amount equal to 6 per cent per annum on the sum for which the lands were sold from the date of such sale, said applicant shall become subrogated to the rights of such purchaser and shall be entitled to receive a patent for not more than 160 acres of said lands. When payment is made to effect subrogation as herein provided the register and receiver of the United States land office shall serve notice upon the purchaser that an application for patent for the lands purchased by him has been filed, and that the amount of the drainage charges, penalties, interests, and costs of the sale will be paid to him upon submission of proof of purchase and payment by him of said sums. The receiver shall make such payment as soon as said requirement shall have been fulfilled. If the lands were bid in for a drainage district, the receiver will pay to the proper county officers the amount of the drainage charges, penalties, and interests and costs of sale, together with the additional sum of 6 per cent per annum, to which said drainage district is entitled. All remaining moneys to which the United States may be entitled shall be covered into the United States Treasury and applied as provided by law for the disposal of the proceeds from the sale of public lands.

Sec. 7. That a copy of all notices required by the drainage laws of the State of Arkansas to be given to the owners and occupants of lands held in private ownership shall, as soon as such notice is issued, be delivered to the register and receiver of the United States land office of the district in which the lands are situated where any of the lands subject to the operation of this act are affected, and the United States and the entryman claiming under the public-land laws of the United States shall be accorded the same rights to be heard by petition, answer, remonstrance, appeal, or otherwise, as are given to persons holding lands in private ownership, and all entrymen shall be given the same rights of redemption as are given to the owners of land held in private ownership.

Sec. 8. That this act shall not be effective as to any lands involved in suits instituted on behalf of the United States with a view to quieting title in the Government to such lands until and unless such suits shall be finally determined in favor of the United States.

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

#### BILLS INTRODUCED.

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

By Mr. NEWBERRY:

A bill (S. 3689) granting a pension to Mary S. Woolman (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 3690) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G.

Landis, administrator of David B. Landis, deceased; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 3691) to prohibit certain persons from accepting compensation for prosecuting claims against the United States or for performing services in relation to a matter in which the United States is interested or a party, and for other purposes; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 3692) granting an increase of pension to Versa E. Conn; to the Committee on Pensions.

#### ARMY REORGANIZATION.

Mr. WADSWORTH. Mr. President, a subcommittee of the Committee on Military Affairs of the Senate has completed the draft of a tentative bill looking toward the reorganization of the Army and the adoption of the military policy of this country. I present the bill and ask that it be referred to the Committee on Military Affairs, the subcommittee having completed its labors.

The VICE PRESIDENT. That action will be taken.

The bill (S. 3688) to reorganize and increase the efficiency of the United States Army, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

#### SEDITIONOUS ACTS AND UTTERANCES.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 3317) to prohibit and punish certain seditious acts against the Government of the United States and to prohibit the use of the mails for the purpose of promoting such acts, which was ordered to lie on the table and be printed.

#### WATER-POWER DEVELOPMENT.

Mr. NORRIS. I offer an amendment to the so-called water-power bill, providing for the development of the Great Falls of the Potomac, which I ask may be printed and lie on the table.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, that order will be made.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes, which was ordered to lie on the table and be printed.

#### COMMITTEE ON NAVAL AFFAIRS.

Mr. PAGE submitted the following resolution (S. Res. 274), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the resolution of the Senate, No. 62, agreed to June 6, 1919, authorizing the Committee on Naval Affairs of the Senate, or any subcommittee thereof, to send for persons, books, and papers, and to report such hearings as may be had in connection with any subject which may be before said committee, or any subcommittee thereof, be, and the same is hereby, amended to empower said committee to sit and act at such time and place as it may deem necessary; the expenses of travel incident to the sessions of said committee, or any subcommittee thereof, to be paid from the contingent fund of the Senate.

Mr. CALDER, subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it favorably without amendment, and it was considered by unanimous consent and agreed to.

#### AMENDMENT OF THE RULES.

Mr. SHEPPARD. Mr. President, pursuant to the notice I gave yesterday, I offer the following resolution proposing an amendment to the Standing Rules of the Senate.

The resolution (S. Res. 273) was read and referred to the Committee on Rules, as follows:

*Resolved*, That Rule XXV, Standing Rules of the Senate, be, and the same is hereby, amended by changing the paragraph therein now reading as follows:

"A Committee on Pacific Islands and Porto Rico to consist of 12 Senators."

So as hereafter to read:

"A Committee on Pacific Islands, Porto Rico, and the Virgin Islands, to consist of 12 Senators."

#### INTERNATIONAL LABOR CONGRESS CONTROL.

Mr. THOMAS. Mr. President, I am in receipt of a communication from the Farmers' Educational and Cooperative Union of America—Atlanta, Ga., division—insisting upon the exemption of all farmers and agricultural workers from the International Labor Congress control, under the treaty recently pending before the Senate of the United States. I ask that it may be inserted in the RECORD.

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

THE FARMERS' EDUCATIONAL AND  
COOPERATIVE UNION OF AMERICA,  
GEORGIA DIVISION, ATLANTA, GA.

Senator C. S. THOMAS,

Washington, D. C.

A resolution by Martin F. Amorous, president the Cobb County Farmers' Union, Marietta, Ga.

"Whereas the treaty of peace with Germany contains a proposal to create an international labor congress, which when ratified by the United States Senate limits labor to '8 hours a day, 48 hours a week, and 24 hours' rest each week,' and also taxes landowners with old-age pensions, disability pensions, and unemployment wages; and

"Whereas the enforcement of these conditions will be ruinous to the farming industry of the country: Therefore be it

"Resolved, That the Georgia Division of the Farmers' Educational and Cooperative Union of America, in convention assembled in Atlanta, Ga., this 26th day of November, 1919, does hereby request the President of the United States and the United States Senate to exempt all farmers and agricultural workers from the international labor congress control; be it further

"Resolved, That the president and secretary of this convention mail to the President of the United States and each Member of the United States Senate a certified copy of these resolutions."

The above resolution is a correct copy of the original resolution, which was read to the convention, discussed, and unanimously adopted.

J. H. MILLS, *President.*

ANDREW J. FLEMING,

*Secretary and Treasurer.*

#### LETTER OF THE PRESIDENT.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD the text of the letter addressed by the President of the United States to the Jacksonian banquet last night.

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

TEXT OF PRESIDENT'S LETTER DEFINING HIS TREATY STAND.

THE WHITE HOUSE,

Washington, January 8, 1920.

MY DEAR MR. CHAIRMAN: It is with keenest regret that I find that I am to be deprived of the pleasure and privilege of joining you and the other loyal Democrats who are to assemble to-night to celebrate Jackson Day and renew their vows of fidelity to the great principles of our party, the principles which must now fulfill the hopes not only of our own people but of the world.

The United States enjoyed the spiritual leadership of the world until the Senate of the United States failed to ratify the treaty by which the belligerent nations sought to effect the settlements for which they had fought throughout the war. It is inconceivable that at this supreme crisis and final turning point in the international relations of the whole world, when the results of the Great War are by no means determined and are still questionable and dependent upon events which no man can foresee or count upon, the United States should withdraw from the concert of progressive and enlightened nations by which Germany was defeated, and all similar Governments (if the world be so unhappy as to contain any) warned of the consequences of any attempt at a like iniquity, and yet that is the effect of the course which the United States has taken with regard to the treaty of Versailles.

Germany is beaten, but we are still at war with her, and the old stage is reset for a repetition of the old plot. It is now ready for a resumption of the old offensive and defensive alliances which made settled peace impossible. It is now open again to every sort of intrigue.

The old spies are free to resume their former abominable activities. They are again at liberty to make it impossible for governments to be sure what mischief is being worked among their own people, what internal disorders are being fomented.

Without the covenant of the league of nations there may be as many secret treaties as ever, to destroy the confidence of governments in each other, and their validity can not be questioned.

None of the objects we professed to be fighting for has been secured, or can be made certain of, without this Nation's ratification of the treaty and its entry into the covenant. This Nation entered the Great War to vindicate its own rights and to protect and preserve free government. It went into the war to see it through to the end, and the end has not yet come. It went into the war to make an end of militarism, to furnish guaranties to weak nations, and to make a just and lasting peace. It entered it with noble enthusiasm.

Five of the leading belligerents have accepted the treaty and formal ratifications will soon be exchanged. The question is whether this country will enter and enter wholeheartedly. If it does not do so, the United States and Germany will play a lone hand in the world.

The maintenance of the peace of the world and the effective execution of the treaty depend upon the whole-hearted participation of the United States. I am not stating it as a matter of power. The point is that the United States is the only Nation which has sufficient moral force with the rest of the world to guarantee the substitution of discussion for war. If we keep out of this agreement, if we do not give our guaranties, then another attempt will be made to crush the new nations of Europe.

I do not believe that this is what the people of this country wish or will be satisfied with. Personally, I do not accept the action of the Senate of the United States as the decision of the Nation.

I have asserted from the first that the overwhelming majority of the people of this country desire the ratification of the treaty, and my impression to that effect has recently been confirmed by the unmistakable evidences of public opinion given during my visit to 17 of the States.

I have endeavored to make it plain that if the Senate wishes to say what the undoubted meaning of the league is I shall have no objection. There can be no reasonable objection to interpretations accompanying the act of ratification itself. But when the treaty is acted upon, I must know whether it means that we have ratified or rejected it.

We can not rewrite this treaty. We must take it without changes which alter its meaning, or leave it, and then, after the rest of the world has signed it, we must face the unthinkable task of making another and separate treaty with Germany.

But no mere assertions with regard to the wish and opinion of the country are credited. If there is any doubt as to what the people of the country think on this vital matter, the clear and single way out is to submit it for determination at the next election to the voters of the Nation, to give the next election the form of a great and solemn referendum, a referendum as to the part the United States is to play in completing the settlements of the war and in the prevention in the future of such outrages as Germany attempted to perpetrate.

We have no more moral right to refuse now to take part in the execution and administration of these settlements than we had to refuse to take part in the fighting of the last few weeks of the war which brought victory and made it possible to dictate to Germany what the settlements should be. Our fidelity to our associates in the war is in question and the whole future of mankind. It will be heartening to the whole world to know the attitude and purpose of the people of the United States.

I spoke just now of the spiritual leadership of the United States, thinking of international affairs. But there is another spiritual leadership which is open to us, and which we can assume.

The world has been made safe for democracy, but democracy has not been finally vindicated. All sorts of crimes are being committed in its name, all sorts of preposterous perversions of its doctrines and practices are being attempted.

This, in my judgment, is to be the great privilege of the democracy of the United States, to show that it can lead the way in the solution of the great social and industrial problems of our time, and lead the way to a happy, settled order of life as well as to political liberty. The program for this achievement we must attempt to formulate, and in carrying it out we shall do more than can be done in any other way to sweep out of existence the tyrannous and arbitrary forms of power which are now masquerading under the name of popular government.

Whenever we look back to Andrew Jackson we should draw fresh inspiration from his character and example. His mind grasped with such a splendid definiteness and firmness the principles of national authority and national action. He was so indomitable in his purpose to give reality to the principles of the Government, that this is a very fortunate time to recall his career and to renew our vows of faithfulness to the principles and the pure practices of democracy.

I rejoice to join you in this renewal of faith and purpose. I hope that the whole evening may be of the happiest results as regards the fortunes of our party and the Nation.

With cordial regards,

Sincerely, yours,

WOODROW WILSON.

To Hon. HOMER S. CUMMINGS,

Chairman Democratic National Committee,

Washington, D. C.



SPEECH OF HON. WILLIAM JENNINGS BRYAN.

Mr. McCORMICK. Mr. President, I ask unanimous consent to have printed in the RECORD in juxtaposition to the letter of the President the speech of Hon. William Jennings Bryan, delivered last night at the Jackson Day banquet, since it has been announced that there is no difference between the two.

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

COMMONER ADVISES YIELDING ON RESERVATIONS.

"Seldom has such an opportunity for great service come to any party as now presents itself to our party. But opportunity brings responsibility. Much is required of those to whom much is given. A soldier is a soldier until his day of opportunity comes; after that he is either a hero or a coward. So with the party, opportunities improved become stepping stones to success; opportunities neglected are millstones about the party's neck.

"The opportunities now offered are as large as the Nation and as wide as the world. In this hour, when we take counsel together for the coming campaign, it is the duty of each member of the party, as I take it, to present the situation as he sees it, without stopping to inquire whether his views are shared by others. One can not call a mass meeting to determine what to think. The theory of democracy is that all think and give expression to their thought, and then conclusions are reached by comparison of views.

"Permit me, therefore, to present the more important of these opportunities as I see them. The nations are entering upon a new era; old systems are passing away; democracy is dawning everywhere. Our Nation is the only great nation in a position to furnish the moral leadership required. The nations of Europe are busy with their own problems; our people are the only ones disinterested enough to be trusted by all, and the Democratic Party is the party whose ideas best fit for the task of leadership in such a work.

"A Democratic President was the spokesman of the United States in holding out to a war-worn world the hope of universal peace, and he brought back from Paris the covenant of a league of nations that provides means for settling international disputes without a resort to force. He did the best he could, and succeeded better than we had any right to expect, when we remember that he fought single handed against the selfish interests of the world.

BLAMES C. O. P. FOR DELAY.

"The Republican Party, in control of the Senate, instead of ratifying at once or promptly proposing changes that it deemed necessary, has fiddled while civilization has been threatened with conflagration. It could have adopted its reservations as well five months ago as later, but it permitted endless debate while suffering humanity waited.

"The Democratic Senators stood with the President for ratification without reservation, and I stood with them, believing that it was better to secure within the league, after it was established, any necessary changes than to attempt to secure them by reservations in the ratifying resolutions. But our plan has been rejected and we must face the situation as it is. We must either secure such compromises as may be possible or present the issue to the country. The latter course would mean a delay of at least 14 months, and then success only in case of our securing a two-thirds majority in the Senate.

"We can not afford, either as citizens or as members of the party, to share with the Republican Party responsibility for further delay; we can not go before the country on the issue that such an appeal would present. The Republicans have a majority in the Senate, and therefore can by right dictate the Senate's course. Being in the minority, we can not demand the right to decide the terms upon which the Senate will consent to ratification. Our Nation has spent 100,000 precious lives and more than \$20,000,000,000 to make the world safe for democracy, and the one fundamental principle of democracy is the right of the majority to rule. It applies to the Senate and to the House as well as to the people.

"According to the Constitution, a treaty is ratified by a two-thirds vote, but the Democratic Party can not afford to take advantage of the constitutional right of a minority to prevent ratification. A majority of Congress can declare war. Shall we make it more difficult to conclude a treaty than to enter a war?

CAN NOT IMPAIR CONGRESS.

"Neither can we go before the country on the issue raised by article 10. If we do not intend to impair the right of Congress to decide the question of peace or war when the time for action arises, how can we insist upon a moral obligation to go to war which can have no force or value except as it does impair the

independence of Congress? We owe it to the world to join in an honest effort to put an end to war forever, and that effort should be made at the earliest possible moment.

"A Democratic Party can not be a party of negation; it must have a construction program. It must not only favor a league of nations but it must have a plan for the election of delegates and a policy to be pursued by these delegates. What plan can the Democratic Party have other than one that contemplates the popular election of those delegates who, in the influence they will exert, will be next in importance to the President himself? And what policy can the Democratic Party have within the league of nations other than one of absolute independence and impartiality between the members of the league?

"Our Nation's voice should at all times be raised in behalf of equal and exact justice between nations as the only basis of permanent peace. It should be raised in defense of the right of self-determination and in proclaiming a spirit of brotherhood as universal as the peace which we advocate.

"We have domestic problems also which offer an opportunity to render large service, and one objection to thrusting the treaty into the campaign is that it would divert attention from questions demanding immediate consideration. We are confronted with the organization of new parties, on the theory that the old parties do not meet the issues that have arisen. Our party is the one party that can qualify for the meeting of these issues. It can oppose a class party because it is not itself the party of a class, but the party of the whole people, regardless of class.

"The Republican Party has become a capitalistic party and has permitted tariff barons to write the tariff laws, trust magnates to direct the policy of the party on the trust question, railroad presidents to dictate its policy on the railroad question, while packing-house companies and other profiteers have used it as their own. It would divide the country into class parties and by its own attitude compel the formation of a farmers' party and a laborers' party.

"THE PARTY OF ALL CLASSES."

"The Democratic Party, on the contrary, stands for the protection of the rights of every class, dealing with each citizen as an individual instead of as a member of a class. It has since it has been in power given a splendid currency law to the commercial classes. It has given a farm-loan law to the farmers. It has given an eight-hour day and greater security in its rights to labor, and has given relief from the high tariff burdens to all the people. Democracy contemplates cooperation between all elements and the promoting of the welfare of society in general.

"It would prevent strikes not by prohibitory laws but by the creation of machinery which will investigate disputes and thus secure a peaceful settlement of differences before the controversy reaches the stage of strike or lockout.

"The Democratic Party will distinguish between evolution and revolution, guaranteeing freedom of speech and press to everyone who advocates governmental changes by constitutional methods, and at the same time prevent the use of either freedom of speech or freedom of the press for the overthrow of constitutional government.

"The Democratic Party has for 20 years denounced private monopoly as indefensible and intolerable. It can not surrender its position on the subject now when the beneficiaries of all the private monopolies are mobilizing under the banner of the Republican Party for a united attack upon the right of the people to own and operate all necessary monopolies in the interest of the public.

"The Democratic Party will continue its fight against the profiteer. A government that restrains the individual from the use of force in the protection of his rights assumes the solemn obligation to protect the disarmed citizen from every arm uplifted for his injury. We need machinery in every State and in each community that will give to the consumer a tribunal before which a dealer accused of profiteering can be brought for examination. The Federal Trade Commission is a step in the right direction. But the subject is too big to be handled by the Nation alone or by a national commission. The remedy must be as complete as the evil, and it can not be complete unless States and communities as well as the Federal Government are prepared to deal with this subject.

"I assume that the party will accept prohibition as the permanent policy of the country. Three-fourths of the Democrats in the Senate and two-thirds of the Democrats in the House voted to submit the national amendment, and every Democratic State voted for ratification—and every Republican State except three. It is inconceivable therefore that our party should antagonize the moral sense of the Nation. John Barleycorn is dead. The Democratic Party can not tie itself to a corpse or become the champion of an outlawed traffic.

"I assume that the party will accept woman's suffrage also as an accomplished fact. The women saved our party from defeat in the last campaign, and we need their aid to hasten the triumph of every righteous cause.

"I venture to suggest three new propositions for which I ask consideration:

"1. A national peace way, running into every State, wide enough to accommodate both passengers and freight and permanent, so that it will be a lasting tie binding together the 48 Commonwealths. It will be a memorial to the soldiers and to all others who took part in the war and a monument in commemoration of peace restored. It will not only be an expression of patriotism but it will be educational as well as useful. It will bring the word peace into the thought and conversation of all our people for centuries.

"2. We need above all other things just now a national bulletin—not a newspaper, but a bulletin—under bipartisan control, furnished to all who desire it at a nominal cost, a bulletin which will present to the people the issues upon which they must act, with editorials presenting the arguments for and against the action proposed, so that every citizen may intelligently exercise the duties of citizenship and give to his Government the benefit of his judgment and his conscience. The avenues of information are at present in private hands, and the editors, being human, have a bias, which makes it impossible for them to present both sides fairly; and to make the situation worse the great predatory interests are in position to influence many newspapers in addition to those which they absolutely control. If there is anything for which a Government like ours can afford to spend money it is to inform those upon whose will the Government rests.

"3. The initiative and the referendum are not new. For a quarter of a century the idea has been growing and spreading; since the reform has been put into operation in States like Ohio, Illinois, Missouri, and Massachusetts it has ceased to be a thing to be ridiculed. Instead it now excites the determined opposition of those who are not willing that the people shall be the masters of their own destiny through a Government entirely within their control. The progress that democracy is making throughout the world ought to encourage our party to make the adoption of the principle of the initiative and referendum its next great reform, a reform entirely in harmony with the election of Senators by the people and the primary. The people are the source of authority, and any machinery which obstructs the popular will and puts into the hands of the minority the right to determine the course of the Government is antagonistic to our institutions and must give way before the progress of popular government.

"We have become the world's teacher in the science of government, and we must not hesitate to express in practice our own faith in the principles that we proclaim. Our party must respond to the call that comes from every State and from across the sea to apply to every problem the principles of democracy. Faith in the people, faith in their capacity for self-government, as well as in their right to self-government, must be our party's policy now and always."

#### LEAGUE OF NATIONS.

Mr. WALSH of Massachusetts. Mr. President, I ask to have read and printed in the RECORD a letter which I have recently received from President A. Lawrence Lowell, of Harvard University, from which it would seem that this able and distinguished champion of the league plan, whom many people believed to regard article 10 as the most important and, indeed, the one indispensable feature of the plan, now regards it as of minor importance and does not object to the reservations which the Senate has adopted limiting the obligations which this Nation would assume under it. In fact, he points out that there are cases where article 10 would lead to mischievous results. He cites a typical example of cases where "neither we nor any other nation would undertake the obligations fixed by article 10."

Considering how pronounced an advocate of the league President Lowell is, it is a most important and illuminating contribution to the discussion on this subject to have him declare "that article 10 is not well adapted to promote peace and does involve obligations which it is not wise to accept." Many of us who have for some time been making this claim are strengthened and heartened in our convictions by the position now taken by this leading covenanter and accepted authority on American government.

Mr. BORAH. Mr. President, while the Senator from Massachusetts is on the floor and discussing the question of article 10 of the league and the change of view of President Lowell, as to the inadvisability of adopting article 10, he would not overlook the view of Mr. Bryan, either, would he?

Mr. WALSH of Massachusetts. I have been aware of Mr. Bryan's opinion and views for some time; in other words, his position is not a new one, as I understand.

Mr. BORAH. The Senator from Massachusetts is, of course, closer to Mr. Bryan than are many of the rest of us. We learned of his opinion only last night.

The PRESIDING OFFICER (Mr. NUGENT in the chair). The Secretary will read the letter presented by the Senator from Massachusetts.

The letter was read, as follows:

HARVARD UNIVERSITY, PRESIDENT'S OFFICE.  
Cambridge, Mass., December 31, 1919.

HON. DAVID I. WALSH.

DEAR SENATOR WALSH: As one of the stumblingblocks in the way of a compromise on the treaty appears to be article 10, I take the liberty of writing to you about it; the more so as I was the person who introduced into the program of the League to Enforce Peace its third article, declaring that the "signatory powers shall jointly use forthwith both their economic and military forces against any one of their number that goes to war or commits acts of hostility against another of the signatories before any question arising shall be submitted to arbitration." I say this to show you that from the beginning I was in favor, and always have been in favor, of the use of a forcible sanction to maintain peace under the league. For this purpose it seems to me that the real strength of the covenant to prevent war rests upon article 16 and not article 10. The latter seems to me to proceed from the wrong end. Instead of seeking to prevent war directly, it strives to do so indirectly, by making predatory war unprofitable; but the difficulty in this lies in the fact that it would be virtually impossible to snatch the prey from the jaws of a victorious belligerent. Nor would a great nation like Germany, for example, be deterred from going to war by any agreement among the members of the league to prevent her annexing territory in case of victory, because she knows very well that if defeated she would have no chance to seize territory, and if victorious she would not be prevented from doing so.

Moreover, as the treaty of peace leaves Europe there are cases where article 10 would lead to mischievous results. For example, a tract of country in the Tyrol, inhabited exclusively by German-speaking people, has been given to Italy. If German Austria should have a grievance against Italy—let us say about the treatment of shipping—should bring it before the council of the league and have a unanimous decision in her favor with which Italy refused to comply, she would have a right to go to war with Italy. If in this war she were victorious and then should propose to take back this German-speaking region, we should be obliged by article 10 of the covenant to go to war with her to prevent it. Neither we nor any other nation would do so, nor ought we to do so. It seems to me, therefore, that article 10 is not well adapted to promote peace, and does involve obligations which it is not wise to accept. I say this because many of the Democrats I know feel that the whole force at the back of the league lies in article 10, and Senator HITCHCOCK has said this to me. I think, however, they are mistaken. The real strength in preventing war lies in article 16; and the agreement to boycott as it stands, if not as strong as we should have liked, seems to me not inadequate, for such a boycott would be completely effective with a small nation, and with a great power it would immediately lead to war. For these reasons it seems to me that it would be a mistake for the Democrats to stand too firmly against a reservation on article 10.

Very truly, yours.

A. LAWRENCE LOWELL.

#### FIRE DEPARTMENT OF THE DISTRICT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 10137) to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CALDER. I move that the Senate insist upon its amendment, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SHERMAN, Mr. CALDER, and Mr. SHEPPARD conferees on the part of the Senate.

#### MARION C. RAYSOR.

Mr. DIAL. I ask leave to call up the bill (S. 3176) to authorize the President of the United States to appoint Marion C. Raysor an officer of the Army. The bill is unanimously reported from the Committee on Military Affairs, and if there is no objection I should like to have it put upon its passage.



Mr. SMOOT. Let the bill be read first.

The VICE PRESIDENT. It will be read.

The bill as reported from the committee was read, as follows:

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized to appoint Marion C. Raysor, formerly a captain of Cavalry of the Regular Army, to that grade in the Cavalry branch of the Regular Army; but no back pay or allowances shall accrue and the total number of officers now authorized by law shall not be increased by reason of the passage of this act.

Mr. SMOOT. Of course, merely from the reading of the bill no one can judge whether it is a just measure or not. I should like to understand some of the reasons why this proposed legislation ought to be passed. On its face it seems to be a bill to appoint Marion C. Raysor an officer in the Army and give him a rank which no doubt he is not holding to-day.

Mr. DIAL. No.

Mr. SMOOT. So I should like to have the Senator explain some of the reasons why the bill should become a law.

Mr. DIAL. This man entered the Army many years ago, I believe 18 or 20 years ago. He went to Cuba with the Regular Army and later went to the Philippines and engaged in various battles in the Philippines. He then returned to this country and went to the border with the Regular Army. Some irregularities occurred there and he was dismissed from the service about 1911, I believe.

When the recent war broke out he asked to be allowed to join the Army as a private, which permission was granted to him. He then went to France and made good in every capacity there. He came back to this country with high recommendations from all the officers under whom he served. He is exceedingly anxious to have this stigma removed from his name. He has been employed in the District of Columbia in the Government storehouse, and has been promoted at various times.

The bill went to the Committee on Military Affairs, and after hearings they unanimously reported it favorably. It carries no back pay and merely authorizes, it does not direct, the President to restore him. He was over the age limit and did not have to go to war, but volunteered and went to fight in behalf of our country. There have been many bills of the sort passed, some 800 I believe, and I should like very much indeed to have the bill passed. If there is objection, I will ask that it may go over at this time, but I presumed that after the committee had heard the case and had unanimously reported it favorably there would be no objection.

Mr. SMOOT. Mr. President, I notice from the report that Marion C. Raysor, formerly a captain in the Army, was court-martialed and convicted of certain charges, and as a result dismissed from the Army. I will say to the Senator from South Carolina that in the report on the bill there is nothing from the War Department. Did the committee ask for a report from the War Department?

Mr. DIAL. Yes; and the War Department reported against restoring him, which I understand is the universal procedure.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

#### COAL CORPORATION TAXES.

Mr. HARRIS. Mr. President, I ask unanimous consent to call up the resolution (S. Res. 247) requesting information from the Secretary of the Treasury relative to income and profits tax returns of coal corporations.

Mr. SMOOT. I object.

The VICE PRESIDENT. Objection is made.

#### SEDITIONS ACTS AND UTTERANCES.

The VICE PRESIDENT. The morning business is closed.

Mr. STERLING. I move that the Senate proceed to the consideration of Senate bill 3317.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 3317) to prohibit and punish certain seditious acts against the Government of the United States and to prohibit the use of the mails for the purpose of promoting such acts.

Mr. NORRIS. Mr. President—

Mr. STERLING. Before the Senator from Nebraska proceeds, I send to the desk and ask to have read a letter just received from the Solicitor of the Post Office Department relative to the amendment offered by the Senator from Idaho [Mr. BORAH].

The VICE PRESIDENT. Is there objection? The Chair hears none, and it will be read.

Mr. NORRIS. Before the Clerk starts to read, I notice that the Senator from Idaho [Mr. BORAH] is not in his seat. I have just talked with him over the telephone, and he is going to be here very soon. Would the Senator from South Dakota just as soon withhold the letter until the Senator from Idaho is present? He will be here by the time I finish.

Mr. STERLING. I think it may be withheld for the present if the Senator from Nebraska so desires.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Harris	Nelson	Smoot
Bankhead	Harrison	New	Spencer
Calder	Henderson	Newberry	Sterling
Capper	Hitchcock	Norris	Sutherland
Colt	Johnson, S. Dak.	Nugent	Swanson
Culberson	Kellogg	Overman	Thomas
Curtis	Keyes	Page	Tammell
Dial	King	Phipps	Wadsworth
Dillingham	Kirby	Pomerene	Walsh, Mass.
Elkins	Lenroot	Robinson	Walsh, Mont.
Fernald	Lodge	Sheppard	Watson
France	McCormick	Sherman	Wolcott
Frelinghuysen	McKellar	Simmons	
Gerry	McLean	Smith, Ga.	
Hale	McNary	Smith, S. C.	

Mr. NELSON. The Senator from Florida [Mr. FLETCHER] and the Senator from Louisiana [Mr. RANDELL] are absent, being engaged at a hearing of the Committee on Commerce.

Mr. CURTIS. I have been requested to announce that the Senator from North Dakota [Mr. GRONNA], the Senator from Iowa [Mr. KENYON], and the Senator from Wyoming [Mr. KENDRICK] are absent on official business. The Senator from Washington [Mr. JONES] is detained by illness in his family, and the Senator from Michigan [Mr. TOWNSEND] is absent on account of the death of his wife.

I have also been requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Senate by illness. I ask that this announcement may stand for the day.

Mr. BANKHEAD. My colleague [Mr. UNDERWOOD] is detained from the Senate on official business.

Mr. GERRY. The Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Florida [Mr. FLETCHER], the Senator from Arizona [Mr. SMITH], the Senator from Maryland [Mr. SMITH], and the Senator from Nevada [Mr. PITTMAN] are absent on official business.

The Senator from Arizona [Mr. ASHURST] and the Senator from Kentucky [Mr. STANLEY] are detained from the Senate on public business.

The Senator from Tennessee [Mr. SHIELDS] is detained by illness in his family.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present. The bill is in the Senate and open to amendment.

Mr. STERLING. Mr. President, I should like to have read at this point the letter which I sent to the desk a while ago. I have a copy of the letter here and will furnish it to the Senator from Idaho [Mr. BORAH] when he appears in the Chamber.

Mr. NORRIS. That is perfectly satisfactory, Mr. President.

The VICE PRESIDENT. The Secretary will read as requested.

The letter was read, as follows:

POST OFFICE DEPARTMENT,  
OFFICE OF THE SOLICITOR,  
Washington, January 8, 1920.

Hon. THOMAS STERLING,  
United States Senate, Washington, D. C.

MY DEAR SENATOR STERLING: You ask my views with respect to the necessity for and the practicability in operation of the following proposed amendment to your bill, No. 3317, now pending in the Senate:

*Provided, That any author, publisher, or party affected or aggrieved by the action of the Postmaster General in excluding materials from the mails under this section shall, upon filing a bond to cover the actual cost of such proceeding, be entitled to a hearing de novo before the judge either of the Federal court or of a State court of record of the district or circuit in which the party affected or aggrieved resides. But in case the party aggrieved or affected is successful in securing the admission of his mail matter to the mails, he shall not be liable for the cost of the proceedings, and during the pendency of the proceedings in court the order of the Postmaster General shall be suspended.*

There would seem to be no occasion for this amendment, as anyone aggrieved at an order of the Postmaster General may now at once file a bill in equity to restrain the execution of the order of the department and in this way bring before the court the identical matter upon which the department has ruled. In such proceeding a temporary restraining order may be issued by the court upon the filing of such a bill. In such cases there can be no dispute as to the facts, because the matter to be passed upon, both by the department and the court, is the document

itself, and the question of law as to whether or not it is non-mailable is raised upon the face of the document. The remedy proposed substitutes a court of law for the existing equity jurisdiction over the subject matter without providing any protection to the public against the dissemination of nonmailable matter in the mails while the proposed legal proceedings are pending.

The proposed amendment would also place the execution of a Federal statute and the acts of a Federal officer under the supervision of State courts, which would be quite a departure in laws of this character and would not seem to be necessary for the convenience of the public, because the Federal courts throughout the country now have jurisdiction in equity and may restrain the postmaster at any place from carrying out any order of the Postmaster General which may have been issued to him with respect to any publication, and the trial de novo provided for in the amendment would not give the courts greater power in reviewing the acts of the Postmaster General than the equity courts now have; in fact, the procedure in a court of law could not afford the broad powers now exercised by a court of equity. My judgment is that in the present condition of affairs in this country equity courts alone can properly protect the public interests.

That the Federal courts have equity jurisdiction over this class of cases has been passed upon on numerous occasions by the Supreme Court of the United States in such cases as *Public Clearing House v. Coyne* (194 U. S. 497) and cases there cited.

Respectfully,

W. H. LAMAR, *Solicitor*.

Mr. NORRIS resumed and concluded the speech begun by him on yesterday. His speech entire is as follows:

Mr. President, I desire to say at the beginning of my remarks on this bill that I want to discuss it entirely in a nonpartisan manner. If I use the name of the present Postmaster General, or refer to the department as it is now organized, it is only for the purpose of illustrating the evils that I desire to point out. I have no more desire to find fault with the present administration of the office, under the present Postmaster General and his various assistants, than I would were anyone else in charge. I shall have occasion to refer to some of the acts of the present Post Office Department, but I want it understood that I do so only by way of illustrating the argument that I desire to make.

I should like to say to the Senator from South Dakota [Mr. STERLING], who has been so diligent in the prosecution of this bill, that I do not find fault with him or criticize him in any way in his desire to meet, if he can, by proper legislative action, any case of sedition. Sedition is a form of treason. There is no disagreement on this floor as to the desirability of properly punishing it. I do not disagree with the Senator from South Dakota in his remarks of yesterday, when he so eloquently described the crime of sedition, and very truthfully said that it was greater than any of the crimes that he enumerated. It is greater. I can not conceive of anything except treason that is greater. Those of us who do not agree with the bill as it stands simply do not agree with those who favor the method by which they expect to accomplish the purposes of the bill.

Most of my remarks will be confined to section 3 of the bill, although under present conditions, with the excitement that prevails and the unrest that exists, I doubt the wisdom of legislating at all upon the subject at this time. I do not believe it is necessary. I believe that existing law covers the matter as fully as it is necessary that it should be covered.

It is a dangerous thing to legislate if we are going to encroach in any way upon free speech and a free press. Free speech and a free press are the fundamental corner stones of every Government where the liberty and the freedom of the citizen are properly protected, and no Government can long exist and be free unless these rights are properly protected. Our forefathers had it so much in mind that they have provided in the fundamental law of the land what I presume they thought was as explicit as they could make language explicit in defining the position of the Government upon this subject.

The first amendment to the Constitution of the United States, which was adopted soon after the Constitution itself was adopted, reads as follows:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Section 3 of the pending bill, in my judgment, places in the hands of the Postmaster General the power to coerce both a free press and free speech, because you can not prevent free press without interfering with free speech. We to-day get all the news, in all lines of human endeavor, through the newspapers.

I believe it was the intention of the forefathers, when they adopted that amendment to the Constitution, absolutely to prohibit Congress from making any law that would in any way suppress it. The history of the world, the history of civilization, from the very beginning, when light was first dawning upon a barbarous world, is full of instances of the failure of government where free speech was denied and free press interfered with.

In connection with this fundamental proposition, before I get to the concrete parts of it, I want to read from an article by Mr. Roosevelt. He said:

Free speech, exercised both individually and through a free press, is a necessity in any country where the people are themselves free. Our Government is the servant of the people, whereas in Germany it is the master of the people. This is because the American people are free and the German people are not free. The President is merely the most important among a large number of public servants. He should be supported or opposed exactly to the degree which is warranted by his good conduct or bad conduct, his efficiency or inefficiency, in rendering loyal, able, and disinterested service to the Nation as a whole. Therefore it is absolutely necessary that there should be full liberty to tell the truth about his acts, and this means that it is exactly as necessary to blame him when he does wrong as to praise him when he does right. Any other attitude in an American citizen is both base and servile. To announce that there must be no criticism of the President, or that we are to stand by the President right or wrong, is not only unpatriotic and servile but is morally treasonable to the American public. Nothing but the truth should be spoken about him or anyone else. But it is even more important to tell the truth, pleasant or unpleasant, about him than about anyone else.

Mr. President, I think any legislator or citizen who will give it candid thought must agree that criticism of a public official, of any organization, or of an individual, particularly one occupying a public or a semipublic position, ought to be constructive; it ought to be helpful. But even if it is not intended to be so, it will be helpful, and the truth ought to be a good defense. Yet, Mr. President, the Congress of the United States has refused to put on the statute books a law that specifically said that the truth would be a defense.

Section 3 of this particular bill will in effect continue during the time of peace what has been enacted during a time of war, and what is now on the statute books. We have now on the statute books a statute containing this language:

When the United States is at war the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed.

This law makes an absolute dictator of the Postmaster General. He is not required under it to give any man a trial; not even required to notify the citizen against whom he renders his arbitrary judgment. He decides "upon evidence satisfactory to him" and then acts. By it he can put any man in the United States out of business. No monarch of ancient times ever had a more supreme and arbitrary autocratic power. He does not even have to keep the evidence that satisfies him. It may consist only of a hint of some enemy. It may be only a desire to get revenge. It may, in fact, be absolutely nothing but a whim of the official who acts, and by his act he can bring ruin to an established business. Does any man think for a moment that with such a power lodged in Washington the effect upon citizens thousands of miles from the Capital will not be great? Does any man doubt but that a hint from the proper authority, some one who stands close to the administration, will be sufficient to have the necessary effect and accomplish the desired end? It will not be in the use of the power, but it will be in the fear of its use that will make vassals and slaves of otherwise independent men.

Section 3 of the pending bill gives to the Postmaster General the right to deny transmission through the mails of certain documents, letters, circulars, or newspapers, which, in his judgment, or which he finds, which he thinks, violate the provisions of this statute.

It is a serious thing, Mr. President, to deny the publisher of a newspaper, for instance, the right to have the newspaper carried through the mails. It means absolute destruction of his property; it means his ruination. I do not believe such a course ought to be taken until after the man charged has had an opportunity to be heard, has had an opportunity of a trial, has had the charge against him laid before him, and has been given an opportunity to defend himself.

When the statute which I have just read was pending before the Senate the Senator from Maryland offered an amendment as follows:

*Provided, however,* That nothing in this act shall be construed as limiting the liberty or impairing the right of any individual to publish or speak what is true, with good motives, and for justifiable ends.

That amendment was agreed to. It was rejected, however, in conference, and the Senate agreed to the conference report which struck it out, and when that conference report was before



the Senate the chief argument against it was a letter from the Attorney General, in which, in substance, he said that if that provision were added it would make prosecutions more difficult. There is no doubt but what it would. There were a great many instances cited, as I remember the letter, where, if the truth was a good defense, the man would go scot free. My contention is in such a case he ought to go scot free, and if he can not his liberty is seriously interfered with, and no country has a right to boast of its freedom where it deprives the citizen of his property or liberty under such barbarous procedure.

That amendment not only provided that the publication must be true, but that it should have two other attributes—it must be published with good motives, and it likewise must be published for justifiable ends. I cite this law to show how far the Congress of the United States has already gone in giving power to the Postmaster General.

It is argued, in defense of this proposed law, that we have already on the statute books statutes similar to the proposed law. Mr. President, to my mind that is not a good defense. It does show, however, how careful any legislative body ought to be, particularly when it is dealing with the liberty of the citizen, in putting anything on the statute books that may thereafter be cited as a precedent for increasing the power granted by such statute. One of the dangers of all such legislation always is that you give a little power to begin with to the administrator, whoever he may be, the executive officer, and ninety-nine times out of one hundred he will stretch it to the limit; then the next one goes a little further and uses what was done before as a precedent for the course he is taking. By this proposed law, and the other laws which have already been passed, we place in the Postmaster General the power to coerce every newspaper and every citizen of the United States. In my judgment the danger, the harm, the evil, the wrong, the sin that comes from this legislation is not alone because here and there some newspaper is suppressed, some man wrongfully deprived of his liberty or of his property, but it is the effect that such laws have generally upon the people; and I want to make that emphatic. I do not know whether I can fully make myself understood, but in my judgment the great evil of such legislation is not the particular concrete things that happen, but the millions of other things that do not happen, where the mind of the citizen is subdued, where he is coerced, where he is compelled against his will to remain silent when otherwise he would speak. It is the unconscious influence of the law, Mr. President, that does the most evil, unconscious on the part of the official who is enforcing it, and unconscious, often, on the part of the man who is affected by it; and I am going to give some illustrations that bear out that point from the legislation we already have on the statute books.

Now it is proposed that this power should be given to the Postmaster General in time of peace, to go on indefinitely, and to be exercised by him in his discretion. There is no jury trial. A man with a newspaper, particularly a daily newspaper, who has one issue suspended, has been damaged, perhaps ruined, and he is tried afterwards. It is said by the Senator from South Dakota that this is necessary, because if the newspaper goes out with a seditious article in it the harm is done. Now, let us see if the harm is done; let us see if any great harm is done.

The Senator from South Dakota says—and I agree with him—that if an individual must suffer in order to save the general public from an injury, it is something that he must bear. I concede that. But he ought not to be required to suffer unless it is necessary. The Senator from South Dakota described the people as 110,000,000 patriotic people, and said that this seditious literature, the issue of the paper, unless it were stopped before it got into the mails, would get out and be distributed among the people. Does the Senator have no more confidence in the intelligence and the patriotism of the American people than to think that their minds would be poisoned? Is our Government suspended on such a slender thread that we are afraid of open debate, open discussion, and open criticism from any source?

Mr. STERLING. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. I think the Senator misconstrues what I said in that regard. It is not that 110,000,000 people will be influenced or their minds poisoned by this kind of literature, but it is that the injury may come, the attempt may be made, and perhaps in part be effected, for the overthrow of the Government, in the assassination of Government officials, and so forth. That may happen, and the 110,000,000 people are vitally interested and concerned in that; and it is that rather than that they are going to be influenced by the literature.

Mr. NORRIS. I do not know how the officials are going to be assassinated or the Government destroyed if the people are not going to be influenced by the literature. Are we afraid of a

few crazy anarchists, and do we expect to suppress them by driving them into secrecy and secret meetings, if they want to carry on their propaganda?

I believe that one of the best things that could happen would be to give publicity to everything of that kind. Let me call your attention to an instance, the steel strike investigation, which disclosed that one Foster, one of the labor leaders, was the author of a book or pamphlet of some kind on syndicalism. I have never seen it. From what I have read of and about the hearings I presume it was a pamphlet which advocated the destruction of government, the thing that is prohibited in the pending bill. Immediately when it became known that he was the author and that he had published that kind of a book he lost caste, not only with the committee but with the country. They did not know about it before. As soon as they did know about it, as soon as publicity was given to it, his influence was gone.

Let us see what happened. Since that investigation, and since it became known that Foster, one of the labor leaders, had written the pamphlet—although I believe he testified that he had changed his mind since he wrote the pamphlet and that it was several years ago when it was written. When the people found out he had written the pamphlet on syndicalism, what happened? The steel company then published the pamphlet. They have given it more circulation ten times over than Foster ever gave it. They have published it and sent it broadcast.

I presume if one of the sleuths of our present Attorney General, who, by the way, tries more lawsuits in the headlines of the daily newspapers than any lawyer I ever knew, went into the slums somewhere, to some little cottage or some little alley house, and arrested one of the inmates and found that he had a copy of Foster's book on syndicalism, that would be enough to deport him if he was an alien. He would hardly be allowed to make a defense.

But suppose the Attorney General sends his sleuths to the mansion of Mr. Gary, the head of the Steel Trust, and arrests him and his family and finds in his house some copies of Foster's pamphlet, what would happen then? Gary has had them printed—and I say that not in criticism. I agree that Mr. Gary and the Steel Trust took the right course. I commend them for the course they took. But would we send Gary across the ocean or send him to the penitentiary on the fact that in his residence had been found a copy of Syndicalism?

Mr. WALSH of Montana. Mr. President—

Mr. NORRIS. I yield to the Senator from Montana.

Mr. WALSH of Montana. I gather from the remarks of the Senator that he is opposed not only to the provision of the bill prohibiting the use of the mail for the circulation of that literature, but the entire bill which seeks in any way to prevent the circulation of the literature.

Mr. NORRIS. No; I am not opposed to it. I have said that I believed in the present condition of the public mind it was probably inadvisable to legislate upon it, because I thought that under existing law we could get the necessary relief.

Mr. WALSH of Montana. I asked the Senator the question because I understood him to say that it would be better to allow a few crazy anarchists to announce generally their doctrine and even pay for giving publicity to it than to seek to prevent the circulation of the literature.

Mr. NORRIS. No; I did not advocate paying to give it publicity.

Mr. WALSH of Montana. No; but giving them perfect liberty to publish because, being crazy, the general public would appreciate the situation and their influence would be lost. I understood that to be the tenor of the argument of the Senator, but I may be mistaken.

Mr. BORAH. May I say that the very able Senator from Montana had printed in the CONGRESSIONAL RECORD a few weeks ago a very large amount of this material of the Bolsheviks upon the theory that as it went out to the people and the people saw what it was it would have the very opposite effect from that desired by those who were advocating it.

Mr. WALSH of Montana. Yes; I was desirous of having a discerning public appreciate the character of the literature that was being put out, that people of morbid minds by reading it would be influenced to commit crimes. But if the Senator from Nebraska will pardon me just a moment, I asked him the question I did because I have here the reports of the Court of Appeals of the State of New York in the famous case of People against Herr Most—

Mr. NORRIS. Let me say to the Senator right now that the Senator is not going to be able to put me in that class of people who are opposed to the proper punishment of all offenses, including sedition. I tried to make myself plain upon that point.

I do claim the right, however, to disagree with those who advocate the passage of the bill, and particularly section 3 of it, that it is an inopportune time to do it now. I am not opposed even to the deportation of unworthy aliens. I am in favor of it in the proper cases, but I would give every one of them a trial. I would try them under the law before I took any action. I do not know of anyone, however low he may be, that is not entitled to a trial by a jury of his peers before a judgment of condemnation is rendered against him.

Mr. WALSH of Montana. If the Senator will pardon me further, I was simply endeavoring to draw out from the Senator his attitude concerning the legislation intended—

Mr. NORRIS. I am going to give my attitude as I proceed.

Mr. WALSH of Montana. Intended to suppress literature advocating the destruction of government by force.

Mr. NORRIS. Section 3 goes further than that.

Mr. McCORMICK. Mr. President—

Mr. NORRIS. I will yield to the Senator from Illinois in just a moment. That is not what section 3 is. It suppresses it and tries the man afterwards.

Mr. WALSH of Montana. If the Senator will pardon me further, I was endeavoring to get the attitude of the Senator concerning the remainder of the legislation, leaving section 3 for separate consideration.

Mr. NORRIS. Will the Senator let me outline my own speech? Even if I do not discuss the remainder of the legislation, will I not be entitled to discuss one part of it and not another? Will I not be entitled even to agree to some part of it and condemn some part of it? I am discussing now section 3. The Senator is trying to take me on a wild goose chase somewhere else, and I decline to be led.

Mr. WALSH of Montana. Excuse me; I was directing the Senator's attention to some remarks which he just made.

Mr. NORRIS. Yes; the Senator from Montana came into the Chamber after I had commenced and after I had outlined my purpose and probably did not understand what my purpose was. I now yield to the Senator from Illinois.

Mr. McCORMICK. Mr. President, a moment ago the Senator from Nebraska remarked, if I understood him, that in the deportation of alien revolutionists he believed that a trial by jury was necessary.

Mr. NORRIS. It is not necessary under the proposed law, and I did not say I advocated it.

Mr. McCORMICK. But the Senator believes that it should be?

Mr. NORRIS. I am not prepared to say. Of course, it is a question on which I might change my mind after investigation and debate, but to my mind it would not be an unreasonable proposition to provide that there should be a trial by jury.

Mr. McCORMICK. I interrupted because there are some of us who stand with the Senator on section 3 who would not accept that view regarding the deportation of aliens accused of fomenting revolution and violence against the Government.

Mr. NORRIS. I want to say briefly—and I hope that will settle it as far as my attitude is concerned—that my idea is that when a man comes from a foreign country to this country and does not make any attempt to familiarize himself with American institutions, but still retains his old ideas and does not do anything to become the right kind of an American citizen, he ought to be sent out of the country. He has not any business here, and I would be glad to send him out.

As to the method by which it is done, I might have said something that would indicate that he ought to have a trial by jury, and maybe he had. I am not sure that on full discussion and consideration of the matter I may reach that conclusion, but I have not reached it now. It is not before the Senate now. It is not involved in the proposition. It is not involved in the debate and it is not in the law now.

Mr. President, under existing laws we have been traveling, in my humble judgment, toward coercion of the press and of free speech. I am not accusing anyone who is to blame for it or responsible for it of being moved by any motive that is not worthy or by any other than a patriotic idea, and yet I believe it can be demonstrated that we are suffering now all over the country from that kind of a course, based on the laws that have been passed conferring power upon the Postmaster General by virtue of which he has had control practically of the liberties of the American people through the instrumentality of his power over the press.

I am not alone in that idea. I am going to read some extracts from an editorial that appeared in the North American, of Philadelphia, on May 30, 1918. We are all familiar with that newspaper. Its patriotism has never been questioned. Its loyalty has never been in doubt. The ability of its editor

and its editorial policy have been admitted by all who are familiar with it. The editorial says:

The administration's system of seeking control of the press through rewards of favor and threats of punishment, although it has in Col. Roosevelt's article—

I might say this was an editorial discussing Col. Roosevelt's article in his controversy with the Postmaster General. The editorial in its entirety is interesting, but I do not care to read that part of it referring particularly to Roosevelt's article, because I thought there might be a possibility that some Senator would think I was trying to give a partisan tinge to the discussion.

I think the article shows that even though we have had those laws on the statute books but a short time we have already traveled so far that those who now have the power are using it for the purpose of coercion or, at least, I believe the evidence warrants that statement.

The administration's system of seeking control of the press through rewards of favor and threats of punishment, although it has in Col. Roosevelt's article its first complete exposure, is a fact recognized by every intelligent editor and publisher in the country. One of the first demands made by President Wilson after the declaration of war was for a law that would have empowered the administration to suppress any critical publication arbitrarily, and finally a measure short of this, yet drastic enough to intimidate many newspapers, was passed.

The position of the press for the last 14 months has been humiliating and often intolerable. The newspapers long ago lost confidence in the propaganda conducted at public expense under the guise of "official" news, yet they have been compelled to give it currency.

I wish the Senate would let those words sink in. This statement is made by one of the leading newspapers of the country and is backed up later on with incidents. It says that the newspapers long ago lost confidence in this propaganda, and yet they have given it currency.

The method is simple but deadly. The newspapers were asked at the outset not to print news of war activities of kinds specified, and this request has been scrupulously honored. At the same time the administration undertook to supply information proper for the public to have and has issued daily great masses of official statements not only reciting alleged facts but urging administration aims and policies. In large part the statements are inaccurate and conflicting.

Newspapers disseminating the stuff know that in doing so they are often helping to deceive their readers, but there is nothing else for them to do; it is sent to all, and if any flagrant misrepresentations are discarded or modified the offending paper lays itself open to the charge of not "supporting the Government." Few newspapers have sufficient command of the facts to make it safe for them to risk a controversy by challenging statements they know to be untrue.

The North American, on the other hand, which has stood unwaveringly for American rights and American obligations to defend democracy ever since August, 1914, has itself printed untold columns of "official" misinformation.

Think of that confession! One of the most courageous newspapers that was ever published admits editorially that it has printed "untold columns" of information that is not correct.

It has done so because it is not humanly possible to test the accuracy of every statement and because the stamp of official authority gives the matter importance even when its verity is doubtful.

But the system as a whole has brought the American press under a reign of terrorism. Few newspapers dare to challenge the displeasure of an administration which has shown that it does not scruple to use the Postal Service and the Department of Justice to exact servility. Few of them have the strength or the courage to risk such an assault as the President made upon Senator CHAMBERLAIN when he tried to tell the Nation the truth.

On February 4 last, in an editorial discussing the Liberty motor, it was remarked that the original model soon "was found to be obsolete" and "was scrapped and the name adopted for a new and radically different model." A few days later we received an insolent letter from one Robert C. Benchley, written on the letter paper of the chairman of the Aircraft Board, stating that this newspaper had "put itself in the position of American representative of the Berliner Tageblatt" by spreading such "rumors." There had been only the "normal" change, said the writer, from 8 to 12 cylinders, and he bitterly denounced the suggestion that meant the original model had been found "obsolete."

A newspaper less sure of its facts might have been alarmed by this "official" rebuke, with its impudent charge of disloyalty. The North American simply kept on telling the truth, and on May 15 the War Department, in a formal description of the Liberty motor, employed itself the very word we had used when it said:

This is quoted from the War Department:

"The first sample was an eight-cylinder model. This, however, was never put into production, as advices from France indicated that demands for increased power would make the eight-cylinder obsolete before it could be produced."

On March 25 we printed over the day's account of the great German drive a seven-column headline—more conservative than the news dispatches—reading, "British line bends, but holds," and on the same page a two-column head, strictly accurate, reading, "Germans capture Peronne; Berlin boasts of victory." At midnight newsboys selling the paper were threatened by a Secret Service agent; later he took into custody the office employee in charge of the boys and conducted him nearly to the Federal building before he would deign to state what charge he intended to make. Finally he said that the newsboys were giving "aid and comfort to the enemy" by calling out that the Germans had captured a town, and he added that this was part of the North American's pro-Germanism. After putting this preposterous charge into words the agent lost his nerve and released the employee, but warned him that the paper would hear from the Department of Justice.



The system of intimidation is so villainous that we feel justified in mentioning that the name of the editor of this newspaper has been used by the tools of the administration with a false suggestion that it is of German origin. The name, as it happens, is no more German than Wilson or Baker, and its owner's ancestors were Americans 250 years before the fathers of some of the Bolsheviks who fawn upon the administration set foot in this country.

The revolting disclosure respecting the system is that seditious utterances against the United States may be safely made by newspapers which agitate the President, while truthful and helpful criticism of the administration has become dangerous for publications which are wholly and devotedly loyal to the country. And it has been shown that the price of immunity is undiluted servility.

Anarchism can not live where there are peaceful homes and prosperous people. It finds its breeding place in the slums, in misery, where there is suffering, where there is dissatisfaction. If we want to free our country of what is admitted to be damaging, of what is admitted to be wrong, of what is admitted to be a crime, the best way to do it is to let the light shine, let publicity into the dark places.

Let the lower lights be burning,  
Send a gleam across the wave;  
Some poor fainting, struggling seaman  
You may rescue, you may save.

I only wish to call attention in this line to the fact that the course outlined in this editorial is the logical thing. It always so happens. It always has been true and always will be true that where an official is given power of that kind to interfere with the liberty and the freedom of the citizens without trial, without cause, without a charge, it can always be expected that the officials who have the power will go on taking more power, will go further and further, until ruin, revolution, and anarchy in time will follow. We can not live as a free Government without free speech and a free press. It must be conceded that, whether this power has ever been used wrongfully, it can be used wrongfully; and let the statute granting the power remain on the books long enough and it will be used wrongfully.

Mr. President, I have had my attention called to a charge made against one of the great daily newspapers in one of the States of our Union. I learned that the editor and publisher of that paper, who had about \$100,000 invested in it—and it was in a very prosperous condition—was summoned to appear in Washington. Although I had never met him before, he came to see me, nevertheless, in regard to the matter, and I talked it over with him. I have in my office a complete copy of the record as made up in the Post Office Department of that charge and the trial that was given. I saw the official notice that was served on him. There were no specifications, nothing to indicate specifically anything he had written or published; but simply a statement that he was required to appear at a certain hour on a certain day in the city of Washington to show cause why he should not be denied the second-class privileges in mailing his newspaper. He appeared; he desired to know what it was all about, and there was some kind of a hearing. There came with him one of the leading lawyers of his State, a very prominent Democrat in the State and a friend of the administration. The hearing, by the way, was not before the Postmaster General—that is another thing that will happen under such a law—it was before some clerk; and I have it from a witness who was there, who said that he thought it was the most humiliating thing he had ever witnessed, that these men, without any formal charge having been made against them, appearing before a clerk, were abused, were insulted, were told that they ought to be in jail; that they had no business here or anywhere; that they were pro-Germans. Of course, it was denied, and he asked them to cite what particular things were done, and they finally adjourned the session. As I was about to say, this lawyer friend of his, when they came out of the Post Office Department just about dusk, with a fog over the city, said: "If, now, some soldiers in uniform would take us into custody, the picture of darkest Russia in the Capital of America would be complete."

When they finally got the hearing, when they finally called attention to the things they objected to, they contended, of course, that they were not seditious, that there was nothing wrong in them. I have read every one of them myself; and while I do not agree with them I could not find a word or a sentence that to my mind was objectionable from the standpoint of being illegal, or giving any aid or comfort to the enemy. There was one of them that criticized Samuel Gompers, I remember. I did not agree with that criticism; I thought it was wrong; but there was not a slur in it, there was not a line in it but that was couched in the most respectful and courteous language. No one was charged with doing anything but what was honest, but they did not agree with the policy that he took.

Mr. STERLING. Mr. President, I was unavoidably absent when the Senator began his discussion. I should like to inquire to what publication he is referring.

Mr. NORRIS. I did not give the name of the publication, and I will say to the Senator that I would rather not give it. I have all the copies in my office. I have here the dates, and so forth, but I have not given the name of the publication. It was a daily newspaper in which about \$100,000 was invested. I stated that.

The upshot of it all was that the Post Office Department decided that they would not deny the second-class mailing privilege; but what happened to the man? What happened to his publication? What is the effect? Again, Mr. President, I want to call your attention to the fact that it is the unconscious influence that hurts. This man was permitted to send his paper through the mails, but he was not permitted to do it until he signed a statement in which the following language appeared:

We understand now the attitude of the department, and we shall accordingly abide. We shall say nothing until peace is declared that can be construed as unfriendly to nations associated with us, or of the foreign policies of the Government, even as until now we have endeavored to do nothing to offend the law.

There is the collar on that man's neck. There is a positive suppression, it seems to me, of free speech. There is coercion. I remember now that in one of these editorials he had criticized Great Britain. In the same editorial he lauded France to the skies. It was early in the war. You remember that France did most of the fighting to begin with, and that her courage, her steadfastness, and her bravery were applauded all over the world, and there was some criticism—in my judgment, as subsequent events have developed, I think it was wrong—against Great Britain, on the ground that she was not doing her part. Later on that vanished. England had not fully gotten into it. He had criticized England for not sending more men to France, for not getting to the front faster than she did, and he had criticized Japan slightly. By the way, Mr. President, criticism of one of our allies or criticism of our Government was an offense; and yet if every Senator who has criticized Japan's course in this war were deported or sent to prison, I do not believe there would be a quorum of the Senate here to-day.

You say it is not intended that the Postmaster General shall do this. That is true, but under these laws practically all officials in power would do that. They have done it; they do do it. It is the natural thing that they should, moved, probably, according to their idea, by laudable motives, but it is done nevertheless.

The great danger comes from the fact that an administrative official having a policy to carry out, knowing the power that he possesses, will trump up some kind of a charge against a newspaper, when in reality the motive is to coerce in regard to some other matter wherein the support of the newspaper is desired, or its opposition the official desires to prevent. In the case I have just cited, my own idea is, after reading all the editorials which it was alleged were wrong, the action of the administration was not based in good faith upon the articles to which it objected. I can not help reaching the conclusion that Col. Roosevelt was right when he said that newspapers that were friendly to the administration were in no danger of being suppressed, but papers that were against the administration were continually watched and all kinds of excuses given to call the publishers on the carpet, oftentimes no doubt without a real intention of suppressing the paper, but in order to strike fear into their hearts and do the indirect thing which I have always claimed was the greatest danger in the law—the coercion of our citizens.

These things have gone on, Mr. President, until, like this editorial from the great newspaper in Philadelphia, the entire press felt coerced, afraid to criticize. This law will give to the Postmaster General in times of peace a power to hold that same kind of coercion over the press; and, let me repeat, when you hold it over the press you hold it over the people. You can not suppress and prevent the newspapers of the country from criticizing the Government without holding the same kind of a threat over the individual; and the law that is now on the statute books, that I have read, already gives the Postmaster General the power, as it says, upon evidence sufficient in his judgment to prevent any citizen of the United States from getting mail out of the post office.

I said, when that law was pending, that the evil will not come from the number of persons on whom he will use the power and deprive them of getting their mail. That is not the danger of the statute. If one man is denied the privilege of getting mail from the post office, it is wrong; but the evil is a million times greater when the people of the country all know that somewhere in Washington, perhaps a thousand miles away, there is an arbitrary power existing by which they can be deprived of mail through the post office. The man in a country grocery store out in California or the State of Washington knows that that power exists, and he knows it is in Washington that it

exists, and that is the danger that comes from this kind of legislation. It is that coercion, it is that fear, just exactly like the North American has pointed it out in that able editorial. That is where the trouble comes and that is where the danger lies.

Why, Mr. President, when one of these drives was on to raise money for the Young Men's Christian Association, I delivered an address in Oxford, Nebr. I was on my way to Washington and stopped overnight there and delivered that address. Seventeen miles from Oxford is the county seat of that county, Beaver City. Several automobile loads of people came from the county seat to the meeting. At one time in my life I lived for 15 years in Beaver City, and I knew nearly everybody there. When the meeting was over one of the men who came from there told me that a man whom I had known for 30 years, A. D. Ellis, who lives now in that town, had been summoned to appear before the State council of national defense at the capital, 200 or 250 miles away from his home. I had known that man; I had lived in the same town with him for 15 years, and during that time I had seen him practically every day. I never in my life knew him to speak ill of any man. I knew him as a man who was universally respected by everybody who knew him. I did not know that he had an enemy on earth. He was as patriotic, in my judgment, as any man in the United States, an American, born and reared in America of American parents. This friend of his told me that he had already gone to Lincoln; he did not know why, but the sheriff had served the summons on him. The whole town knew it, but nobody knew what it was about or just what the charge was.

The next morning, when I was taking my train from Oxford the train from Lincoln came in. This was the place where a passenger from Lincoln to Beaver City had to get off and change cars, and A. D. Ellis stepped off the train. I saw him and asked him what was the matter. We had 25 or 30 minutes, and he told me what it was. He said he had been notified by the sheriff to appear—and I have a copy of the official notice—before the State council of national defense just two days later. Now, Mr. Ellis is a poor man. He is a man, I judge, about 65 years old. He has a little humble cottage in that town and supports himself and his wife by repairing furniture and has a set of tools with which to do his work. He did not have enough money to buy a ticket to go to Lincoln. He placed a chattel mortgage for \$25 upon his tools in order to borrow the money at the bank to answer that summons. I have that chattel mortgage here on my desk. I have the note here. Of course, I presume he was frightened. He did not know what it was about. The notice gave him no information of anything except that he should appear. He borrowed the money on the only thing he had to make a living with and went to Lincoln and appeared, and when he got there at the appointed hour he told them who he was, and they explained to him that it had been charged that he had made some remarks that were not loyal in regard to the President of the United States.

It was stated to him by the officials there that he had said that President Wilson would go out of office the richest President that we ever had. They asked him if he had said it, and he said he had no recollection of it, but he said, "I might have said it, because I believe that is true." Now, he had an indefinite idea as to some things, as the story will show; but they said: "Why do you think it is true?" He said, "In the first place, our Presidents have all been poor men, as a rule. In the next place, I understand that President Wilson married a very rich woman." That was his idea of it; and they took no other evidence, and told him he could go, and he went back home. Before going, however, he said, "Who makes the charge?" They said, "We can not tell you. That is secret." "Let me see the charge." "No; you can not see that. That is secret." So there he stood, in the eyes of his friends and in the eyes of the community, condemned. The next morning there appeared in the daily papers of that capital city a little squib, about half as long as your finger, saying "A. D. Ellis, of Beaver City, has been before the State council of national defense charged with disloyal conduct."

This illustrates how easy it is for an enemy, in secret, to bring about almost an irreparable injury to a worthy citizen. The man is charged in secret. He is called to answer, but the room where the trial takes place is a secret room. The public is excluded. Friends of the accused are not admitted. The charge is not read. The man who makes it may be a thousand miles away. The accused is not permitted to know who it is that charges him with a wrong, and it is but small satisfaction that those who have charge of it permit him to go without punishment. The newspapers allege that he has been called before the board for disloyal conduct. No newspaper comes to his defense. He is stamped, as it were, with the black mark of

disloyalty, without knowing from whence came the charge or what in reality it is.

No government can continue and be free when its citizens are thus persecuted, for it is nothing short of persecution. Such things make people dissatisfied with their government. Such things breed anarchy and disloyalty. It is such a course that our Government ought to avoid. It is such things that those of us who oppose section 3 of this bill desire to make impossible, and we are moved to this course because of the love and admiration that we have for our country and for the loyalty and well-being of our fellow citizens.

That went all over the State. As I said, I was on my way to Washington. When I came here I wrote to an old friend of mine in that town and told him of my conversation, and I said, "Is it possible that Ellis has done anything that is wrong? I want you to let me know the truth, and I want to pay something on that mortgage if he is innocent." I got an answer back in which my friend said, "Everybody here knows he has done nothing wrong. But you are too late to pay anything on the chattel mortgage. He had not more than gotten back to town before one man after another, meeting him on the street, would slip a dollar into his hand secretly, would not let anybody know it for anything, and he paid the mortgage off the same day."

What harm has been done, Mr. President? Why, of course, Mr. Ellis has been injured. But that is not the great injury that has occurred. All the people who know about it realize that there is a secret court, where a secret complaint can be made, a secret trial will be had, and that you may be accused by somebody who never will show up in the light. That is the damage in a free government that that kind of a proceeding has. That is the kind of damage that will come from section 3 of this bill if it is put on the statute books and permitted to remain.

In the little town where Mr. Ellis lives there is a newspaper published, a country newspaper, and it is as good and progressive and active and energetic a newspaper as ever came off the press. I get it regularly, and after this occurred I watched to see what the editor of that paper would say about the outrage upon one of the citizens of the town. Ordinarily there would have been things published in that paper that would have burned the paper upon which they were written. But there was not a word, not a sentence about the affair. Everybody was coerced, everybody, just as the North American editorial says, afraid to make a move, because some secret power coming out may grapple you next; and no man speaks; everybody whispers.

Mr. President, that is the kind of a condition that will breed anarchy; that is the kind of a condition in the country that will ultimately bring ruin, and when you place this kind of a power in the hands of any official, to take the life, the liberty, or the property of a citizen without trial, you are tending to bring on that kind of a condition. If you want a soviet government, such a course will bring it.

I started a while ago, when I was interrupted by the Senator from South Dakota [Mr. STERLING], to refer to his argument that the damage is done unless we stop the paper to begin with. Mr. President, if we have a healthy citizenship, if we have a free citizenship, if we have a country where no man is afraid to talk to his neighbor, to speak his sentiments, to honestly criticize public officials, any seditious publication in a newspaper is not going to do the harm that you may think it will; and if it is seditious, then arrest the man who is responsible for it and try him. That is the kind of a law we ought to have. We do not need section 3, to ruin him first and try him afterwards.

Mr. President, I want to call attention to another incident happening in my State that shows the dangers of this kind of legislation, which bears out the statements in this editorial, that all the press and all the people were scared and coerced by virtue of the power lodged in the Postmaster General. It will not stop with newspapers; it will go into every line of endeavor, as this shows.

Out in a little country town in the State of Nebraska is a country merchant, who buys eggs and ships them, as all other country merchants do. There is a law in that State which makes it a criminal offense to ship rotten eggs or to sell them or to offer them for sale. One day this man received a letter written on the letterhead of the Food Administration, and I have a copy of it here. I am going to omit the names, because I do not doubt but what the people who wrote the letter were patriotic; I have not any doubt but what they thought they were doing the right thing, although, in my judgment, they were mistaken. But they sent him a letter, and this is what it says:

You offered for sale eight stale eggs during the week ending August 31, 1918.

He was doing pretty well if he did not sell more than eight stale eggs in a week, I should think.



If I prosecute you under the State law, the costs of the case and the fine connected with this violation of the law will be heavy. I suggest that you make a donation of \$8—

That is \$1 for each egg; and even now that is a high price for even a good egg—

I suggest that you make a donation of \$8 to the Red Cross through this office in lieu of prosecution. I shall expect a check to cover by the 12th instant. If I do not receive same by that date, I will start prosecution under the State laws.

That was written on the letterhead of the United States Food Administration for the State of Nebraska, signed by the proper official of the county of that administration. I ought to say for this man who runs this grocery store that he claims in his letter to me that he never did sell any stale eggs. But an official of the Government took that action, just as the Postmaster General would do under this law. It is said, "You are charged with selling eight stale eggs. We will prosecute you under the law unless you donate something to the Red Cross."

I knew the Red Cross did not want money obtained in that way, and I sent this letter to the proper official in the Food Administration, it was forwarded to the Red Cross, and I received an answer from them in which they say that they will take it up with the proper authorities and see that such a thing does not occur again. The letter says in substance that—While we need money, we do not want to get it in that way.

The man who wrote that letter to the groceryman committed an offense under the criminal laws of the State of Nebraska; but the man who sent the letter to me, to whom this letter was sent, told me that the practice was general; that hundreds of dollars had been paid by other men in the business rather than to be exposed or be denounced as disloyal—a charge in secret, a trial in secret, a judgment in secret, and the poor defendant knows nothing about it until the proceedings are over and everything is completed.

Now, I want to read an article from the National Republican of January 3. It is headed:

A remnant of bolshevism in our postal practice.

My contention, Mr. President, is that this kind of legislation breeds bolshevism. It breeds dissatisfaction with the Government. It breeds dissension; and there can be no good come from it. This article says:

Postmaster General Burleson has recently set up the contention in the Federal courts that his decisions relative to the admissibility to the mails of second-class matter is not subject to judicial review.

I am inclined to think that the Postmaster General is right. We pass a law that gives him discretion. We say that is not fair, that a man ought to have a trial before the Postmaster General can take a newspaper off its feet. Those in favor of the bill say he can get a trial; he can go into court and get an injunction. But, as I said to the Senator from South Dakota yesterday, when that injunction comes up in court, will not the court be apt to say, "The law gives this discretion into the hands of the Postmaster General. He says, 'I am satisfied'?" As a matter of fact, he may not have a scrap of evidence. He will have no record, no testimony, nobody sworn, but a court has not the right to deny his discretion if he has it. This article goes on:

The New York World, administration organ, declares that such a claim is a violation of the fundamentals of free government, and blames the arbitrary course of Postmaster General Burleson, not upon the power that has appointed and maintains him in the Cabinet, but upon Congress for leaving so much to the discretion of an administrative official. This is very Worldesque indeed, but it does not shift the responsibility from the shoulders of President Wilson.

I want to say right there that I think Congress is to blame the same as the President. Congress has passed a law that gave him the authority, and undoubtedly he is carrying out the wishes of the President in administering the law. The article continues:

Yet it must be admitted that Congress is culpable for failing to furnish any means of appeal from the decision of a Postmaster General in matters of this kind. He may, under the existing law and even more drastic laws now being considered in Congress, decide that an innocent article on tomato culture is seditious, and bar a publication from the mails, inflicting irreparable injury, without the least recourse to the publisher. This is decidedly bolshevistic in its autocracy and violative of the spirit if not the letter of the Constitution's provisions against abridgment of the freedom of speech and of the press. The very existence of such laws and practices permits a Postmaster General and the administration he represents to intimidate the press of the country, since every publication exists, under this system, entirely at the will and pleasure of the Postmaster General. In all our governmental practice there is nothing akin to this absolute power given to the Postmaster General under the law without relief or remedy being provided for the aggrieved object of this functionary's displeasure.

Mr. President, that again emphasizes the idea that I mentioned some time ago, that there is this unseen influence. The fact that this power exists and is lodged in Washington will have a wonderful restraining influence upon anyone residing particularly at a great distance from Washington, when he knows that this arm can reach down upon him and absolutely

ruin him and deprive him of everything that he has earned during a lifetime of work. It is the existence of it that does the damage. That is not the only damage, it is true, but in my judgment that is the big danger. We ought to follow the procedure that we do universally in all criminal and civil cases, try the man before we deprive him of his property or of his liberty; give him a hearing before some tribunal where he will have an opportunity to defend himself, where a charge must be made in writing, where the simple ipse dixit of an administrative official will not be sufficient to put him out of business.

The amendment offered by the Senator from Idaho to some extent will do that; but in my judgment it does not completely cure it. If we make the publication of seditious matter a crime, as other parts of this bill do, then the man who publishes it is liable to be tried under that statute. He will have a trial before a jury in court, and that is where he ought to be tried; and as compared with ruining his business before he has had a trial, the harm that one issue of the newspaper will do to an intelligent people sinks absolutely into insignificance. Therefore section 3 should be stricken out of the bill entirely. It is absolutely unnecessary, as far as the enforcement of any criminal feature is concerned, and will do great injury to many honest people and enable an administrative official to wrongfully coerce millions of people.

Friday, January 9, 1920.

Mr. NORRIS. Mr. President, the letter just read, to my mind, furnishes an additional argument why section 3 of the pending bill should not become a law. In the first place, it illustrates the growing tendency of Congress when it desires to enact a law to ask the parties to whom the enforcement of the law would be given whether or not they want the law. I, of course, have not had an opportunity to examine this letter, but to my mind it illustrates a practice that is growing common, that as soon as an attempt is made in the Senate to give some administrative official greater power, greater discretion, those who favor the legislation at once call upon the very officials who are going to be required to enforce the law and ask whether or not they desire the law enacted.

It is proper to ask for such an opinion, and it is as proper for the officials of the Post Office Department as for the officials of any other department to state their opinion, or, for that matter, for any citizen to state his opinion; but we ought to be careful not to permit those upon whom we are going to place the authority to take the property of men without a trial before a court or jury to also have the power to enact the legislation that confers the power or that places limitations upon it.

The solicitor does not say, however, that in a trial now pending in the courts, where a similar law in regard to the power of the Postmaster General to suspend the publication of a paper and deny the second-class mail privileges is in issue, that he has not alleged in his brief what I stated yesterday, to wit, that Congress, having placed the discretionary power upon the official of the Government, it is beyond the power of the court to interfere with that discretion.

As the clerk read the letter I was particularly struck with one sentence, which I am trying to find. He says:

My judgment is that in the present condition of affairs in this country equity courts alone can properly protect the public interests.

Mr. President, that sentence is teeming with deep meaning. If it means anything, it means that under present conditions he would resort to courts and not to juries; it means that the administrative officials who will enforce this proposed law want a law that will keep the matter from a jury trial. Equity courts alone, he thinks, ought to have jurisdiction. According to my idea—and, of course, Mr. President, I may be entirely wrong—at the present time more than any other we ought to protect trial by jury, that heretofore under the American Government and American jurisprudence has been regarded as sacred to the liberty and to the rights of all the people.

Yesterday when I was compelled to suspend my remarks because the Senate took up the unfinished business I was discussing section 3. I was about to call attention to the proviso in section 3 which it is claimed is meant to take away some of the bad odor of the preceding portion of the section. The proviso reads as follows:

*Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself.

Mr. President, what is the benefit of that proviso? Suppose it is violated, what can be done about it? There is no penalty provided. Suppose there is a penalty under general law for opening a letter, what difference does that make? Is it to be supposed that the Department of Justice is going to prosecute the Post Office Department or any of its officials for opening

letters? The general law applying to the ordinary person would probably bring relief; but if the officials of the Post Office Department violate the law and open a letter that they have no right to open, what are you going to do about it? There is not a place on earth for you to go to get relief or to punish anybody.

I had just a little personal experience in that line. A man in a little town in my State in January, 1917, a few months before we entered the war, wrote a letter to a party in Germany. The letter was held up—and I am not criticizing that—very properly so. On account of the conditions with which we were all familiar, and the interference with shipping, and the embargoes, it was impossible for the letter to be delivered, and, of course, it was necessary to return the letter to the sender. The sender of the letter had written his name and address on the envelope in the proper place, showing where it could be returned, in plain, legible writing; but, notwithstanding this fact, the letter was opened in the Post Office Department, and when I got the envelope—and I have the envelope now in my possession—and there seemed to me to be no reason whatever why they should open the letter in order to return it when the address and the name of the sender were plainly written on it, I took it up with the department, and this is the reason given, in the reply to me, why that letter was opened. I quote from the official's letter to me:

On examining letters for return to senders which had been opened by employees of the division named, designated for the purpose, it was found that the card address of the alleged sender on the envelopes did not, in many instances, correspond with the name or the address of the writer.

That is the only explanation. In other words, because the Post Office Department thought that perhaps the name given on the outside of the envelope as that of the person writing the letter, and his address, was not the real name of the person who wrote the letter, they would open it to see. If the Senator from South Dakota came into my office at my home, and wrote a letter on my stationery, and the Post Office Department were unable to deliver it, they would return it to me if it had my return card on it. That may happen sometimes; but the Post Office Department says: Notwithstanding the fact that the envelope has the address and the name of the sender plainly written or printed on it, we will open it to see whether that letter was really written by the fellow whose name appears on the envelope.

Mr. President, is that any reason? Is there any sense in that reason? Does not everybody know, when he reads the reason given, that that is not the reason?

That is only a little incident of no consequence. It does not amount to much. It is a trifle, but, as a great writer said, "Trifles make perfection, and perfection is no trifle." It only illustrates that the Post Office Department now, backed with power that Congress has given them that they never ought to have, go beyond that power, even, whenever they find occasion to do it. It only illustrates the argument that I tried to make yesterday, that when you give an administrative official power he will use all of it; the probabilities are that he will stretch it, and the next man that takes his place will use his illegal act as a precedent to go still further. Now, when we are placing in the power of departmental officials in Washington the liberty and the property of citizens all over the United States, we ought to take heed that that has been the history and is the proof now of what is going on in the Post Office Department.

Let me read right along that line, Mr. President, the sayings of one of the wise men of the world in speaking of giving power to various departments, and speaking in so much better language than I have been able to speak of the proclivity of grasping for power and of going further, and then another subsequent official using that as a precedent to go still further.

It is important likewise—

Says this writer—

that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation.

Mark these words. Let me repeat them:

But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

When we are trying to pile up power in the hands of administrative officials who are already going beyond the powers that they have in their possession, I wish that those words might sink deep into the hearts of those who are asked to confer additional power. Let me read them again:

But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Mr. President, I have read from the Farewell Address of George Washington, and in it he outlines what I have tried to say—that even though, by a usurpation of power, good may be accomplished in one instance, the precedent that is made will be used by tyrants in the future, and, as he said, little by little and step by step that is the way that free governments have been destroyed. To my mind, Mr. President—and I feel deeply on the subject—when we are asked and when we obey and take such steps as this in legislation we are fertilizing the soil for anarchy, for dissatisfaction, for soviet rule, and all kinds of things that grow from dissatisfaction, from secrecy in government, from usurpation of governmental officials.

Mr. President, if we should enact this law, it seems to me that it would not be unreasonable to suppose that we might pick up a paper some time in the not-distant future and read an item of news, probably tucked away in one corner of it, where it was not very conspicuous, that would run something like this:

Yesterday in the United States court Adolph Stranefsky was tried for circulating literature contrary to the Sterling statute. The prosecution showed in evidence before the court and jury that Stranefsky had circulated a pamphlet in which the following objectionable language occurred:

"We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

Stranefsky, through his attorneys, attempted to prove to the court and jury that the objectionable language was part of an ancient document, which in the early days of the country was held in reverence by the people; that in fact it was a part of a document known to have existed in our forefathers' days as the Declaration of Independence. But the court waved the offer aside with the remark that the language clearly showed it was the belief of the man who circulated it that the Government should be destroyed; that the Government can not be destroyed except by force; and that while the offer of the defendant to explain it might be interesting to a student of history, it had no place in a court of law. Hence the jury brought in a verdict of guilty, and Stranefsky was sentenced to five years in prison.

Mr. President, it might occur that some daily newspaper, learning of this action of the court, would criticize the court the next day, and argue that there had not been anything done that was wrong; and then would come the strong arm of the Postmaster General, under the same statute, perhaps, brought into force by a telegram of some postmaster a thousand miles away from Washington calling his attention to what he found in this paper, that they were trying to send it through the mails as second-class matter; and the postmaster would be instructed to suppress it and to keep it out of the mails.

The incident is closed. Stranefsky is in jail; the owner of the newspaper, probably having his life's work in it and all his fortune, has lost practically all. Other newspapers say nothing about it, because they do not want the strong hand of the Postmaster General to come down onto them, and to be required, if they ever get any relief, to go into a court a thousand miles from their own home to get justice.

But that is not all, Mr. President. Those things are important, but they are not as important as the effect it has upon the minds of the people, where it gradually percolates in time, and they believe that some one has been deprived of his property without due process of law; they believe that this arbitrary power in the hands of the Government has dealt unjustly and suppressed free press and free speech. That is the damage. That is where the injury comes, and that percolates over the country, and the incident is multiplied. Take the incidents that have already occurred, spread them over the country, everybody knows about them; everybody feels that an injustice is being done now in the way of coercion of free press and of free speech and that men have been deprived of their property and liberty without due process of law; and what is the effect of that? That is how anarchy and dissatisfaction are bred from secret methods of the Government. Nobody is able to find out just exactly why the Postmaster General did it; but he did it. He exercised the power that Congress placed in his hands. They did not intend



that he should exercise it the way he did; but he does. As George Washington said, he stretches a point. Even though he is right, as Washington said, he establishes a precedent that, followed by future men in his position, will ultimately bring ruin and destruction to free government.

Mr. President, there is another section that has not been discussed, and I do not care very much about it. I just mention it in passing. It is section 2, which reads:

That the display or exhibition at any meeting, gathering, or parade, public or private, of any flag, banner, or emblem intended by the person or persons displaying or exhibiting the same to symbolize or indicate a purpose to overthrow by force or violence or by physical injury to person or property, the Government of the United States or all government, is hereby declared to be unlawful.

Mr. President, I have not any objection to the principle involved in that; but, as I have tried to say about free speech and free press, and as I am going to say a little later on, we can not pass a law that will prevent men from overstepping the bounds; that is admitted.

But this is a dangerous provision, that the display or exhibition of a flag that is intended to indicate a purpose to overthrow the Government shall be unlawful. That might be the United States flag. A man might arrange with a lot of conspirators to have a meeting and that that flag should be their emblem and the sign that they were going to congregate here or there to begin the destruction of the Government. I presume, however, the particular reference is to what is known as the red flag.

Mr. STERLING. The Senator will note that it must be intended by the person or persons displaying or exhibiting that flag or emblem to indicate a purpose to overthrow the Government of the United States.

Mr. NORRIS. Now, the Senator is getting into a kind of proof that is practically impossible to produce. I suppose the intention is to prevent the display of the red flag, and I have not any sympathy for the red flag; I have no interest in it. But, Mr. President, if we could by a statute—and I will admit we could not—require every anarchist to carry a red flag all the time, I would favor it. That would identify him; we would know what he was. Mr. President, at the main entrance to the Senate are three red lights always displayed when we go into executive session. I fear that some overenthusiastic Postmaster General and Attorney General who like to get into the daily papers in headlines some day would bring the Army up here and capture the Senate on the ground that they were displaying a red light, and that they were intending to destroy the Government of the United States, and that that was the emblem of anarchy.

I do not believe it is necessary to legislate about the red flag. If they have a flag that designates their purpose, at least it gives publicity to their actions, and that is one of the things we ought to have, if we can possibly get it.

Mr. President, now let us come down to something else that is modern. Not very long ago the Democratic Party in New Jersey called a State convention. They adopted a platform, and one plank of that platform read as follows:

We believe in the personal liberty of the individual and are opposed to legislative encroachments thereon. We reiterate our declaration of past years, that the question of prohibition has no proper place in the fundamental law of the Nation. We pledge ourselves to oppose, by all lawful means, the ratification or—

Listen to this word—

enforcement of the so-called prohibition amendment to the Federal Constitution, and to lead the movement which will eventually result in its repeal.

At the time that platform was adopted the eighteenth amendment to the Constitution of the United States, the prohibition amendment, had been adopted and was a part of the fundamental law of the land, so that when they say they oppose its ratification I can not see that that has any material thing to do with it. But when they say, "We pledge ourselves to oppose its enforcement," are they not proposing to nullify the Constitution of the United States, and would a Postmaster General, or even a judge, be going too far to say that if they want to nullify the Constitution of the United States it will take force to do it, that they will have to kill men and destroy property?

But that is not all. The Democratic Party of New Jersey was successful. They carried the election on that platform. They elected their governor, and it has been stated here on the floor of the Senate and published in all of the newspapers, and, as far as I have heard, never been denied, that the candidate for governor in his speeches during the campaign publicity and openly used this language:

If I am elected governor, I will make New Jersey as wet as the Atlantic Ocean.

Does that mean nullification? When he used that language, Mr. President, the prohibition amendment was a part of the

fundamental law of the land. If he were a Bolshevik, you would have him in jail now. If he were an alien he would be on that soviet ship over in the North Sea. If he were a socialist they would not allow him to be inaugurated governor, any more than they would allow socialists to be sworn in as members of the New York Legislature.

But that is not the end of it. After this election, after this man went through that kind of a campaign in New Jersey and was elected, he got a telegram of congratulations from the President of the United States, as follows:

Please accept my hearty congratulations upon your election.

(Signed) WOODROW WILSON.

Will the Attorney General, in his enthusiasm in enforcing this proposed law, have the President of the United States arrested as an accessory of the State of New Jersey and its governor in the attempt to prevent the enforcement of the Constitution of the United States and the making of New Jersey as wet as the Atlantic Ocean?

Mr. McCORMICK. Mr. President, will the Senator read again that passage about the prevention of the enforcement of the amendment in connection with the President's telegram of congratulation?

Mr. NORRIS. The plank in the platform was:

We pledge ourselves to oppose, by all lawful means, the ratification or enforcement of the so-called prohibition amendment to the Federal Constitution, and to lead the movement which will eventually result in its repeal.

Mr. STERLING. Mr. President, of course the Senator from Nebraska has noted the expression "by all lawful means."

Mr. NORRIS. Yes; I was just about to take that up when the Senator interrupted me.

Mr. STERLING. There is no indication that they will oppose it by force or violence.

Mr. NORRIS. They say "by all lawful means." Now, let us see what lawful means could be used. The amendment says, as we all know, that the importation into, the exportation from, the manufacture, or sale of intoxicating liquors is forever prohibited in the United States. That is in substance the amendment. The platform says:

We will oppose by all lawful means its enforcement.

Are there any lawful means left by which to oppose it? Then take that in connection with the governor's expression, upon which he made his campaign:

If I am elected governor of New Jersey, I will make the State as wet as the Atlantic Ocean.

Does that look like lawful means?

Mr. President, there are not any lawful means left. When they use the word "lawful" they are only camouflaging the whole situation. Force and violence are the only means left for them to use, and this becomes perfectly plain when we consider the slogan, "If I am elected governor, I will make New Jersey as wet as the Atlantic Ocean."

Suppose it were a Bolshevik who said he was going to use lawful means, and that he was going to prevent the enforcement of the Constitution. Would that be any defense for him? Mr. President, I think when the Attorney General gets over the effects of the Jackson Day dinner, in his enthusiasm to enforce the law he will deport the whole Democratic Party of New Jersey and send them in the next soviet ship away from this country; and I wonder if he will put them in "a ship of stone with sails of lead."

Mr. President, I am using this only by way of illustration. I only want to show how these things come home to roost. We can not afford to do an injustice, great and powerful as we are in this Government. We can not afford to take advantage of the most humble of people. We can not afford to place in the hands of an administrative official the power to coerce, to ruin, to destroy the newspapers of the country and to interfere with freedom of speech throughout the great breadth and the length of the land. If we do it, we must suffer the consequences. Even though we escape, our children will reap the harvest of disorder and anarchy.

And when we look into the lessons of history, when we follow the advice of George Washington, the Father of his Country, in his last public utterance to our people, we can not get away from the fact that these things have always brought ruin. Instead of stopping a man from making a speech on a street corner, I would buy him another soap box and put it out on the street and tell him to go to it. I have faith enough in the principles of our Government and in its very foundation stones to believe that it can withstand the attack of crazy, nonsensical anarchists and others. I believe that we ought to be careful lest we sow the seed that will bring forth more anarchy, more bolshevism, more sovietism.

Mr. STERLING. Mr. President, I should like to ask the Senator just this question: Suppose the soap-box orator of whom he speaks was advising the crowd around him to throw bombs into the Capitol Building here?

Mr. NORRIS. Then I would arrest him and put him in jail. We have a law to do that in every State in the Union. That would not be any trouble.

Mr. FRANCE. There is a Federal law also.

Mr. NORRIS. Yes. That would not bother me any. I would still leave the soap box there for any other man to use.

Why, Mr. President, because the men are patriotic who want it and believe it is right is not a sufficient reason why the law should be passed. Every man who ever lit a torch that burned a witch at the stake believed that he was doing the right thing. Not very many years ago as time goes they put Galileo in prison because he said the world moved. People believed that the world was flat, and the religious enthusiasts said that the Bible teaches that it is flat, and any man who denies it must be punished. So they put Galileo in jail because he said the world moved. But, Mr. President, the world kept on moving just the same.

We can not stop these things by statute. We can not make men good by passing a law. Why, Mr. President, the men who crucified the Savior believed they were right. They thought He was destroying the fundamental principles of the government of Rome. I might pause here to say that they were in the majority, too, when they did it. The remedy is not more law, more punishment; the remedy is more light, more freedom.

As I was saying when the Senator from South Dakota [Mr. STERLING] interrupted me, my faith in my Government is so great that I am not afraid to let any man go out and turn him loose in his criticism of it. Yet under laws that we have already passed, and authority that we have placed in the hands of the Postmaster General, papers that have criticized the Government have been shut up and put out of business, or they have been compelled to sign an agreement that they would not criticize it any more, that they would not criticize our allies any more. That is where it leads. That is a natural result, and this law proposes to continue that power in time of peace.

As Washington said in his Farewell Address, even though you might accomplish good in one instance, you set a precedent that future men having authority will use to do evil, to suppress the rights of the people and deny them their liberties, and in the end bring down upon their heads the destruction of the Government itself.

It is said that these men will abuse the right if you give them free speech. That is true; they will. Give free press, and the press will abuse it. Of course it will. They have in the past, always—not all papers, not all men, but some in every class.

Then you say, Ought we not to suppress that abuse? My answer is that, following the doctrine laid down by Washington, history shows from the beginning of civilization that it can not be done without bringing on a great injury. So our forefathers said that we will suffer this abuse rather than interfere with the right of free speech and free press; that if you place in any man's hands the power to suppress, you eventually bring upon your heads the destruction of free government.

I desire to read right in that line what was said by Franklin. I presume in all the world there will be no voice raised against or in condemnation of Franklin, one of the great leaders of our country; one of the great leaders of thought of the world; one of the men who had much to do with the foundation of our Government, with the foundation of something that is, in my judgment, greater than our Government—the inculcation in the hearts of men everywhere that freedom in all government at all times is necessary for the continuance of the life of the government and the happiness of the people. Franklin had something to say about this, and it seems to me that with great benefit we can listen to his words of wisdom. They apply now just as much as they applied then—yes, more than they applied the day he uttered them, in November, 1737. He said:

Freedom of speech is a principal pillar of a free government; when this support is taken away, the constitution of a free society is dissolved and tyranny is erected on its ruins. Republics and limited monarchies derive their strength and vigor from a popular examination into the action of the magistrates.

There is a criticism of the courts which even he advocates.

This privilege in all ages has been and always will be abused. The best of men could not escape the censure and envy of the times they lived in. Yet this evil is not so great as it may appear at first sight. A magistrate who sincerely aims at the good of society will always have the inclinations of a great majority on his side, and an impartial posterity will not fail to render him justice.

Those abuses of the freedom of speech are the excesses of liberty. They ought to be repressed; but to whom dare we commit the care of doing it?

That is the question, Mr. President. As I tried to say before, freedom of speech will be abused, but there is no place in

human wisdom to put the authority to suppress that abuse without doing more harm than good.

But to whom—

Said Franklin—

dare we commit the care of doing it? An evil magistrate intrusted with power to punish for words, would be armed with a weapon the most destructive and terrible. Under pretense of pruning off the exuberant branches he would be apt to destroy the tree.

Mr. President, I am afraid that is what we are doing or attempting to do here. As Franklin says, this abuse of the freedom of the press is an exuberance of liberty bubbling and boiling over. It will be taken advantage of, but when you come to think about it, if the people are intelligent, if the people are happy, if the people are satisfied, it will not have any more harmful effect than the blowing of the north wind.

The time has not very far passed when men hid from their children the works of Tom Paine, when men would not permit to come into their houses a speech or a pamphlet or a book or a writing of Bob Ingersoll. Draper, who wrote the history of the conflict between religion and science, had his book banished from almost every fireside. The men who banished it were honest. The women who refused to permit their children to read those things thought they were right. But it has all passed away now, and the Christian religion stands stronger before the world to-day than it ever stood in history. Founded upon the rock of truth, it need not fear to be assailed by wrong, and that ought to be the motto of our country.

We have an intelligent, patriotic citizenship who are wise enough to dissect any discussion of government or religion or of politics. Shall we excite the suspicion of the growing generation by saying, "You shall not read this; you shall not read that"? Or shall we say, "Let everything be open; form your own judgment—you are wise enough to do so—and act after you have heard the evidence on all sides." Such a course, if pursued, will bring about the greatest condemnation of anarchy that any system on earth can bring. Let the light shine in. Let the people hear everything, right and wrong, and then be the judges. Are you afraid of the verdict when they are fully informed? Are you afraid that right will not prevail and that liberty will not be supreme? If you are, then, with due respect to you, it seems to me you doubt the intelligence of the American people.

If our doctrines are right, if our country is founded upon a system, embedded in the truth—and I believe it is—then we need not fear any debate, any discussion. To my mind, however, if you undertake to suppress something, you create a feeling in the minds of all curious and intelligent men to see what it is; and you create a suspicion in the minds of honest men that you are afraid to meet honest criticism and honest consideration in the open light of heaven.

Mr. BORAH. Mr. President, the real issue which is involved in the consideration of this measure at this time is contained in an amendment to section 3. That section reads as follows:

Sec. 3. That every document, book, circular, paper, journal, or other written or printed communication in or by which there is advocated or advised the overthrow by force or violence or by physical injury to person or property of the Government of the United States or of all government, or in or by which there is advocated or advised the use of force or violence or physical injury to or the seizure or destruction of persons or property as a means toward the accomplishment of economic, industrial, or political changes is hereby declared to be non-mailable and the same shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office duly authorized thereto or other person upon a search warrant authorized by law to open any letter not addressed to himself.

To that section I have proposed an amendment, which reads as follows:

*Provided*, That any author, publisher, or party affected or aggrieved by the action of the Postmaster General in excluding materials from the mails under this section shall, upon filing a bond to cover the actual cost of such proceeding, be entitled to a hearing de novo before a judge of the Federal court of the district or circuit in which the party affected or aggrieved resides. But in case the party aggrieved or affected is successful in securing the admission of his mail matter to the mails he shall not be liable for the cost of the proceedings, and the court shall have power during the pendency of the proceedings in court to suspend the order of the Postmaster General: *Provided further*, That no such court proceedings shall bar or interfere with any criminal prosecution under the terms of this act.

Mr. President, the issue narrows down, therefore, so far as it is presented by the amendment, to the question of whether we are willing to provide a hearing before an impartial tribunal for the parties who are affected by the order of the Postmaster General in excluding their mail matter from the mails.

While I have views with reference to the bill as a whole, and the principles which are involved in the measure, I do not at this time propose to discuss them. I may do so later; but the question to which I call attention now is the simple question of



a hearing to be provided for those who are affected by the order in excluding their mail matter from the mails.

It has been said here, by the Senator from North Carolina [Mr. OVERMAN] and others, that there is being passed through the mails a vast amount of seditious literature to the colored people of the South, and that this material is sent without any identification as to the sender, the author is unknown, and they have no means of knowing, so as to hold anyone responsible, as to who is guilty of sending this material through the mail. The amendment which I offer would not preclude the Postmaster General from excluding from the mail any material of that nature unless the author and responsible party were known, because the amendment relates only to the right of individuals who may be affected, and they must make their identity known, of course, before they can avail themselves of the right of the law. So all this literature for which no one is willing to stand sponsor, this seditious material which no one will father, is left entirely unaffected by this amendment. I apprehend not only that that applies to this literature which is going to the colored people of the South, but the larger portion of all this literature is unidentified—that is, this literature which is most objectionable and most obnoxious—and therefore this amendment in no way affects that. The amendment provides only for a hearing de novo by those who are willing and have such faith in their right to mail this material as to come forward, acknowledge the authorship, file a bond, and submit themselves to the jurisdiction of a court.

I venture to say, Mr. President, that such material as would bona fide come under this law, such material as really ought to be excluded under the law, never would be fathered by anyone with the risk of having it passed upon by a Federal court. The Senator from South Dakota will observe that I struck out the question of a State court. I did so reluctantly, but I did so in order to get some support, hoping to get some kind of a hearing. I think it ought to have remained in, but I have stricken it out.

Mr. KING. Mr. President—

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

Mr. BORAH. I yield.

Mr. KING. For information—I have not heard all of the Senator's statement, and I have not seen his perfected amendment—may I put a concrete case, and ask the opinion of the Senator as to the effect his amendment would have upon the case that I am about to present?

Suppose that an issue of some newspaper is tendered to the postal authorities for transmission through the mails and it clearly is a violation of the laws. It does, without any question—and there could be no diversity of opinion in regard to the construction or interpretation placed upon the language—teach the overthrow by violence of our Government. Does the Senator's amendment contemplate that in an event of that character the postal authorities would have no discretion to exclude it, but would have to give notice and arrange for a hearing?

Mr. BORAH. Oh, no. My amendment does not interfere with the Postmaster General's discretion at all. If such material as the Senator speaks of should come to the notice of the Postmaster General he would exclude it from the mails. That material would remain excluded from the mails permanently unless two things transpired: First, that the party sending it came forward and filed a bond to cover the cost of the proceeding, and, secondly, that upon his showing the court made an affirmative order canceling the order of the Postmaster General. In other words, Mr. President, the party has no relief under this amendment until he has satisfied the court prima facie that it ought to go through, because until he does satisfy the court that as a prima facie case it ought to go through, it continues to be under the control of the Postmaster General, and this does not modify section 3 at all. It leaves just as it is the designation as to the kind of literature which is to be excluded and it leaves the Postmaster General the sole judge in the first instance and the sole judge continually unless a Federal court shall, upon a showing, cancel the order and restore it to the mails.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. Just a moment. I will yield, with pleasure, in a moment. Now, speaking with the utmost respect for Federal courts and not intending what I say to be a criticism, I do not believe that any man will assume for a moment that any mail matter will ever get by a Federal judge unless it is clearly beyond the terms of the law; but the virtue of this amendment is that it gives the party a de novo hearing, so that it will be impossible for those orders to be made which are often made by the heads of bureaus without a proper hearing and without an

opportunity for the individual himself to be heard in such a way that he actually can be heard. I do not see upon what theory we can deny people a hearing.

I now yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, I merely wished to ask the Senator what the status of the obnoxious literature would be between the time of giving the bond and the time of the decision by the Federal court?

Mr. BORAH. It remains excluded under the order of the Postmaster General. Of course, I want to say again that this amendment does not represent my view as to what we should do. There are some fundamental principles involved in this matter which, if I am able to do so, I expect to discuss later; but this is all of which I have any hope of getting anything like successful consideration, and it does do this: It has this virtue, which I think is a very great virtue, that it gives the party a hearing before a tribunal which is in no wise concerned with the original proceeding.

Mr. President, the learned Solicitor General of the department has written the Senator from South Dakota a letter concerning this amendment, a copy of which he has handed to me. The Solicitor General says:

There would seem to be no occasion for this amendment, as anyone aggrieved at an order of the Postmaster General may now at once file a bill in equity to restrain the execution of the order of the department, and in this way bring before the court the identical matter upon which the department has ruled.

Of course, everyone knows the vast difference between giving a man under a statute, as a matter of right, a hearing de novo upon the filing of a bond for the mere covering of costs and giving him the right to go into court and ask a court of equity to review the discretion of the head of a department of the Government. One is an assured, practical proposition. The other is almost impossible, in view of the law which the court has announced with reference to reviewing the discretion of a department of the Government—a principle of law which I presume is well founded—but involving a presumption that the party asking for a hearing must overcome. In addition to that, a party situated in your part of the country and mine, situated away from Washington, is denied a hearing by the very circumstances, the physical conditions which surround the hearing. It is a practical impossibility, unless he is a man of great wealth and great means, to bring a proceeding for review of the matter in a court of equity, when the party resides, for instance, in Idaho or Montana or Colorado, and the Postmaster General is here at Washington. This amendment gives him a hearing before the district court of the district in which he resides; and in the meantime the Postmaster General has full charge of the matter, and the mail continues to go through.

In such proceeding, a temporary restraining order may be issued by the court upon the filing of such a bill.

I again say that the rule which is invoked in order to secure such a temporary restraining order makes it burdensome and almost impossible for a party to avail himself of it, especially if he lives any distance from Washington.

In such cases there can be no dispute as to the facts, because the matter to be passed upon, both by the department and the court, is the document itself, and the question of law as to whether or not it is non-mailable is raised upon the face of the document.

I have gone through some of these cases which the Postmaster General has had up; and the position which he takes with reference to his discretion, which he contends is practically conclusive if it should be sustained—and it has been sustained to some extent—would amount to a refusal of a hearing under the theory now advanced by the Solicitor General, whereas the amendment which I propose gives it to the party as a matter of right, and does not require him to invoke the power of the court to review the discretion of the Postmaster General, but specifically provides that the hearing shall be de novo. The question of the discretion of the department is eliminated, and the party affected may therefore present his case the same as he would in the first instance to the Postmaster General.

The remedy proposed substitutes a court of law for the existing equity jurisdiction over the subject matter without providing any protection to the public against the dissemination of nonmailable matter in the mails while the proposed legal proceedings are pending.

The Solicitor General was correct as to the original amendment, because the original amendment provided that until the hearing should be had the order of the Postmaster General should be suspended, but after consultation with some of the Senators that is one of the things which I eliminated, so that he is in error, as the amendment is now presented, when he says that—

The remedy proposed substitutes a court of law for the existing equity jurisdiction over the subject matter without providing any protection to the public against the dissemination of nonmailable matter in the mails while the proposed legal proceedings are pending.

Now, once the court affirmatively makes an order upon a showing, the matter continues to be excluded from the mails.

Mr. STERLING. Let me say to the Senator that at the time of the phone conversation had with the Solicitor for the Post Office Department on yesterday he had not seen the Senator's modified amendment.

Mr. BORAH. I understand that.

Mr. STERLING. I suppose the amendment he got hold of was the one that was first framed by the Senator from Idaho.

Mr. BORAH. I understand, of course, that the solicitor was writing upon the first amendment. He said, further:

The proposed amendment would also place the execution of a Federal statute and the acts of a Federal officer under the supervision of State courts, which would be quite a departure in laws of this character.

That has been eliminated, so that that no longer is an objection, if it ever was a valid objection.

He concludes by saying:

My judgment is that in the present condition of affairs in this country equity courts alone can properly protect the public interests.

That, of course, Mr. President, is still pertinent, because the amendment provides a hearing under the statute instead of in a court of equity. The fact is that the courts of equity do not provide any remedy at all to a very large proportion of those who may be affected by these orders.

What class of people, Mr. President, would this amendment protect? It would not protect, in the first place, any of those who send literature through the mails which they do not sponsor, with which they are not identified, and the authorship of which can not be ascertained, nor would they be able to avail themselves of its terms. All the *nom de plume* or irresponsible matter which goes through the mails would continue to be solely under the jurisdiction of the Postmaster General. He could exclude it, as he could under the bill if it passes as reported by the committee. So that kind of literature is not covered by the amendment.

Neither, Mr. President, would it cover that class of people who send such literature through the mail as no man would undertake to defend before a Federal court. If it was literature which was confessedly and clearly literature advocating the overthrow of the Government by force, or which a reasonable man would conclude would have that effect, the party would be wholly without any protection under this amendment, because even if he filed his bond, the mail matter continues to be excluded until the court makes an affirmative order, upon a showing, that the order should be suspended.

Mr. President, it can only protect that class of publishers and writers who in good faith contend that they are without the provisions of the law; and without seeming to criticize the present Postmaster General, it would protect that class who claim that their material may be excluded from the mails for reasons other than the reasons specified in the law.

It is no secret, Mr. President, that ever since these different statutes have been upon the statute book different Postmasters General have been charged with exercising the power arbitrarily and to the great injury of people who in good faith were conducting publishing houses and printing newspapers and magazines, and if the parties believe in their cause, and think that they can show a judge that they are without the terms of the law, I think they ought to have a hearing.

Now, Mr. President, I want to say to the Senator who has charge of the bill that while there are some general features which I want to discuss in regard to general propositions, I am not in a condition physically to do it to-day. I would prefer that the bill should go over, not alone on my own account, because I would not urge it if I stood alone, but there are Senators absent who want to be here to say something on the bill, although very briefly, they tell me, and to vote upon it. I will ask the Senator from South Dakota if it is his intention to go ahead with the bill to-day and complete it?

Mr. STERLING. Mr. President, in answer to the Senator from Idaho, I will say that I would like to proceed as far as we can with the consideration of this bill to-day. I do not expect that we can reach a vote to-day on the bill, and possibly not to-morrow. I think it probable, I will say to the Senator now, that I shall not desire that the bill be voted upon to-morrow.

Mr. KING. Mr. President, will the Senator yield?

Mr. STERLING. I would not like to say at this moment absolutely that I shall not ask for a vote to-morrow, but I am just giving the Senator from Idaho my impression that a vote will not be reached before the first of next week.

Mr. KING. May I make an inquiry of the Senator? My understanding was, and I would like to have the Senator from South Dakota confirm it if it is correct, that the bill was, by a sort of common consent, and through the courtesy of the Senator from Minnesota, to have the right of way to-day.

Mr. STERLING. Yes; that was the understanding, I will say to the Senator from Utah.

Mr. KING. Of course, if the discussion were concluded before the usual hour of adjournment this afternoon, I presume a vote would be taken.

Mr. McKELLAR. Mr. President, will the Senator yield to me also?

Mr. STERLING. Certainly.

Mr. McKELLAR. I have two amendments that I wish to offer, and I shall have something to say about them; but I am hardly ready to proceed to-day, and if it is possible I would like to have the bill go over until to-morrow. However, I will speak on it to-day rather than discommode the Members of the Senate, if it is necessary for me to go on to-day.

Mr. STERLING. I can assure the Senator from Idaho that the bill will not be pressed to a vote to-day, and we will determine to-morrow as to the course to be followed.

Mr. BORAH. I dislike very much to ask for any delay, and I do not think I would do so in my own interest, although I am in such condition that I certainly could not go ahead with the debate to-day. If the matter is not coming to a vote to-day, I think possibly the Senators who desire to speak may be here to-morrow in time, if the Senator from South Dakota wants to dispose of it, and I will undertake to conclude what I have to say on the general proposition within an hour.

Mr. KING. May I inquire of the Senator from Idaho whether he knows of any reason why it might not be disposed of to-morrow? Does he anticipate that the debate will be so protracted that it may not be disposed of to-morrow?

Mr. BORAH. I have not any intention of protracting it just simply for the purpose of protracting it. Some Senators who are absent want to be here. I understood the Senator from South Dakota to say that he would not ask for a vote to-day.

Mr. STERLING. I shall not ask for a vote to-day, I will say to the Senator.

Mr. KING. I understand the Senator from South Dakota expects that there will be discussion this afternoon by the opponents of the bill, to present their views.

Mr. STERLING. I understand there will be discussion this afternoon. I understand the Senator from Maryland [Mr. FRANCE] expects to go ahead this afternoon.

Mr. BORAH. Whether the discussion continues all the afternoon or not, the Senator will not ask for a vote to-day?

Mr. STERLING. It is understood, I will say to the Senator from Idaho, that we shall not have a vote to-day.

Mr. FRANCE addressed the Senate. After having spoken for a few minutes,

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 3184.

Mr. NELSON. I ask unanimous consent that the unfinished business may be temporarily laid aside for the discussion of the so-called sedition bill, and that the water-power bill shall not lose its place as the unfinished business.

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

Mr. FRANCE resumed and concluded his speech, which entire is as follows:

Mr. President, I do not wish to occupy very much time in the discussion of this bill, because I realize the utter futility of seeking to defeat it. I merely wish to register my protest against it as a piece of legislation which seems to me both unwise and unnecessary. If this bill is what it purports to be—a measure making direct incitation to force and violence against the Government a crime—it is wholly unnecessary. If it is what it appears to be, really a peace-time sedition act, it is entirely unjustifiable.

I think it is incumbent upon the chairman of the Judiciary Committee or any Senator who is in charge of such a bill as this, when bringing it into the Senate, to show the necessity for the legislation. Personally I consider it to be a vicious practice for the Congress to enact legislation making that a crime which is already a crime under statutes which have been upon the statute books for many years. Such a practice tempts Senators to yield to temporary popular hysteria and to bring in legislation which is entirely unnecessary, and it must result in the encumbering of the statute books with statutes wholly unnecessary.

This bill purports to be a bill making direct incitation to the use of force and violence against the Government a crime. If it be true that the bill is no more than that, it should not receive, in my judgment, any serious consideration. In the first place, we have the common law and the State laws which cover the crime of direct incitation to force and violence.



Mr. NELSON. Mr. President, will the Senator permit me to correct him there? Our Supreme Court has long ago decided that we have no common-law offenses in the United States, as they have in England. All our offenses are statutory offenses.

Mr. FRANCE. Offenses against the Federal Government, of course, are statutory; but I am referring to the State laws.

Mr. NELSON. I think in most of the States they have no common-law criminal jurisdiction.

Mr. FRANCE. I have great respect for the judgment of the Senator, but I have been under the impression that the State courts did pay great respect to the old common law.

Mr. STERLING. Mr. President, many States have their civil and criminal codes, and those codes will govern, and there is a question as to whether or not common-law sedition would prevail in the code States, where they have codes.

Mr. FRANCE. I am perfectly aware of the fact that there is no common law against sedition in this country. One of the purposes of the American Revolution was to do away with the old doctrine that sedition was a crime under the English common law, and I may refer to that a little later. I was referring in my remarks particularly to the State codes, which, of course, make either the direct use of force or violence against the Government, or against the person, or direct incitation to force or violence, a crime. But my point was this: There are already upon the Federal statute books ample statutes to cover direct incitation to force or violence.

We have, first, of course, the treason statute. Either the use of force or violence against the Government, or direct incitation to force or violence, is nothing less than treason. We have, first, the treason statute, from which I will quote:

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid or comfort, within the United States or elsewhere is guilty of treason.

Of course, treason is punishable by heavy fines or by imprisonment, by fines and imprisonment, or by death.

We have, of course, the statute, and I will put a reference to the statute in the Record.

Mr. STERLING. Mr. President, may I ask the Senator from Maryland whether or not he thinks the penal statutes of the United States cover anything involved in the pending bill? You can not change the Constitution by statutes. The statute provides that treason shall consist solely of levying war against the United States. The advocacy of the overthrow of Government by force or by violence is not the levying of war.

Mr. FRANCE. Mr. President, the discussion of that question would lead us, I think, into so many legal subtleties that it would be wholly unprofitable. I believe myself that the very essence of waging war against the Government is the use of force or violence against it or by the use of direct incitation to force and violence, and it seems to me that some of the acts provided for in this particular measure come very close to falling within the treason statute.

I would also cite the statute against inciting or engaging in rebellion or insurrection against the United States:

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or give aid or comfort thereto, shall be imprisoned not more than 10 years, or fined not more than \$10,000, or both; and shall, moreover, be incapable of holding any office under the United States. (Act Mar. 4, 1919, ch. 321, sec. 4, 35 Stat., 1088.)

Then we have the civil rights act, which provides:

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than \$5,000 and imprisoned not more than 10 years, and shall, moreover, be thereafter ineligible to any office or place of honor, profit, or trust created by the Constitution or laws of the United States. (Act Mar. 4, 1909, ch. 321, sec. 19, 35 Stat., 1092.)

Then we have, of course, the general conspiracy statute, from which I quote as follows:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both. (Act Mar. 4, 1919, ch. 321, sec. 37, 35 Stat., 1096.)

Then we have the joint principals act, which provides that—

Whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal. (Act Mar. 4, 1909, ch. 321, sec. 322, 35 Stat., 1152.)

Then we have the threats-against-the-President act, passed in 1917, from which I quote as follows:

Any person who knowingly and willfully deposits or causes to be deposited for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive,

or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, or who knowingly and willfully makes any such threat against the President, shall upon conviction be fined not exceeding \$1,000 or imprisoned not exceeding five years, or both. (Act Feb. 14, 1917, ch. 64, 39 Stat., 919.)

Then, of course, we have the espionage act, the operation of which will be suspended upon the termination of the war. I will not read the extracts from the espionage act which cover these particular actions which are made crimes under the pending bill, but I will ask leave to insert extracts from the espionage act and also from the explosives act which governs the distribution and transportation of explosives.

Mr. NORRIS. May I interrupt the Senator?

Mr. FRANCE. Certainly.

Mr. NORRIS. Are the extracts from the espionage act very lengthy? Would the Senator object to having them read now as he proceeds. I of course do not object to the Senator having them printed, if he desires, but I think it would be enlightening if those extracts which the Senator intends to print from the espionage act should be read. We are all more or less familiar with them, but I should like to have them read again.

Mr. FRANCE. I will read first, at the request of the Senator from Nebraska, the treasonable mail matter section of the espionage act, which is practically identical with the provisions of the pending bill, which section is, of course, in force until the war has been officially terminated by proclamation. It reads as follows:

Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing, of any kind, containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, is hereby declared to be nonmailable.

Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by this title to be nonmailable shall be fined not more than \$5,000 or imprisoned not more than five years, or both. (Act June 15, 1917, ch. 30, Title XII, secs. 2 and 3.)

I have not at the moment in my hand the espionage act, so called, and the act amendatory thereof, from which I had intended to read those portions which have been used to censor the press and to put so great a limitation upon the freedom of speech during the war.

Mr. NORRIS. The Senator will have those printed later on?

Mr. FRANCE. Yes; I ask permission to have those printed in the Record.

The PRESIDING OFFICER. Without objection, permission is granted.

The extracts referred to are as follows:

[Public No. 150, Sixty-fifth Congress, H. R. 8753.]

An act to amend section 3, Title I, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes.

Be it enacted, etc., That section 3 of Title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies, or shall willfully make or convey false reports or false statements, or say or do anything except by way of bona fide and not disloyal advice to an investor or investors, with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States, and whoever, when the United States is at war, shall willfully cause, or attempt to cause, or incite or attempt to incite, insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct or attempt to obstruct the recruiting or enlistment service of the United States, and whoever, when the United States is at war, shall willfully utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or any language intended to bring the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States into contempt, scorn, contumely, or disrepute, or shall willfully utter, print, write, or publish any language intended to incite, provoke, or encourage resistance to the United States, or to promote the cause of its enemies, or shall willfully display the flag of any foreign enemy, or shall willfully by utterance, writing, printing, publication, or language spoken, urge, incite, or advocate any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war, and whoever shall willfully advocate, teach, defend, or suggest the doing of any of the acts or things in this section enumerated, and whoever shall by word or act support or favor the cause of any country with which the United States is at war or by word or act oppose the cause of the United

States therein, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both: *Provided*, That any employee or official of the United States Government who commits any disloyal act or utters any unpatriotic or disloyal language, or who, in an abusive and violent manner, criticizes the Army or Navy or the flag of the United States shall be at once dismissed from the service. Any such employee shall be dismissed by the head of the department in which the employee may be engaged, and any such official shall be dismissed by the authority having power to appoint a successor to the dismissed official."

Sec. 2. That section 1 of Title XII and all other provisions of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, which apply to section 3 of Title I thereof shall apply with equal force and effect to said section 3 as amended.

Title XII of the said act of June 15, 1917, be, and the same is hereby, amended by adding thereto the following section:

"Sec. 4. When the United States is at war, the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed, with the words 'Mail to this address undeliverable under espionage act' plainly written or stamped upon the outside thereof, and all such letters or other matter so returned to such postmasters shall be by them returned to the senders thereof under such regulations as the Postmaster General may prescribe."

Approved, May 16, 1918.

Mr. FRANCE. Mr. President, I have placed in the RECORD extracts from the statutes which seem to me to fully cover those acts which are to be made crimes under the proposed legislation. Before discussing this statute more in detail I desire to refer to the general subject of the unrest which exists in the country.

I was one of those who in last January, February, and March contended that there should be called immediately upon the 5th day of March an extra session of the Congress to deal with the serious problems of reconstruction which were then upon us. That extra session was not called for the 5th of March, and valuable weeks were lost before the Congress was reconvened. When it was again assembled it, of course, faced the duty of enacting the great appropriation bills, and very shortly the peace treaty was brought before it, with the result, Mr. President, that none of the great problems of reconstruction which confronted us last January, February, and March have received any serious consideration at the hands of Congress, nor have we enacted remedial legislation for their meeting and for their solving.

In the resolution which I offered on the 28th day of last February, which resolution would have declared it to be the judgment of the Senate that the Congress should be called into extra session on the 5th day of March, I directed attention to the serious unrest which existed in the country, to the unemployment, to the dangerous illiteracy, to the preventable disease, ill health and injury, to the deplorable poverty, to the underproduction and faulty distribution of the necessities and commodities of life, to the high cost of living which resulted therefrom, and to the many other undesirable conditions which then existed and which threatened to become more intolerable. I pointed out the imperative need for remedial legislation for the meeting of those conditions.

During all of the last months the conditions have been growing more and more intolerable. We have witnessed in the country from day to day the spread of the profound discontent which finds its expression, of course, either in mild criticism of governmental policies on the part of the most intelligent, in more drastic criticism on the part of those who are intemperate, and in threats of violence against the Government on the part of those poor, misguided ones who, because of their ignorance and their lack of training, do not know how futile it is to attempt to bring about reforms through the use of force.

Mr. President, those who are opposing this bill condemn as severely as could any others those who threaten the use of force or violence or those who advocate the use of force or violence against the Government of the United States, but we believe—at least, I believe, speaking for myself—that we have upon the statute books legislation ample to deal with those who threaten or those who incite to the use of force or violence against the Government.

In this whole discussion I feel that it is very important for us to remember that the failure of our legislators has done much to put weapons both into the mouths and into the hands of agitators.

Mr. President, revolutions are not caused by agitations and conversations against the Government. They are caused always by unsatisfactory social conditions. We should remember that discontent can not be cured by repression; it must be eradicated by reforms. It seems to me, from my standpoint, that the man who favors repressive legislation is generally apt to be the staunchest opponent of corrective statutes. It seems to me that all such repressive legislation as the espionage act—and

this bill of course is a very similar act in some of its provisions—arises out of the policy of reaction which relies on repression and refuses reforms. However fair his phrases may be, the man who believes in the suppression of free speech and in the censorship of press is a man who believes in autocracy, which is government by repression instead of democracy, which is of course government by discussion and by that free and fearless expression which leads to the proper reformation through legislation.

I am not one of those who tremble at every slight agitation against our Government. I regret and deplore the folly of such agitators, and yet personally I feel inclined to place some of the blame upon the legislators who have failed to utilize truly educative and eradicated measures against such irrational doctrines as those which are preached by the agitators.

Suppression is not eradication. It simply drives the evil forces in a new direction and causes them to operate beneath the surface where, hidden and smoldering, they are even more dangerous. I have believed that there was no danger to this Government from those who would use force or violence against it. Whenever the destruction of our Government by force or violence, either from within or without, has been attempted, strong arms have been raised for its protection. I have believed that the Republic, which I have considered to be the strongest citadel of human freedom, would never fall through assault from without, but I have sometimes feared that it might possibly be disintegrated by the insidious assaults of legislators who might be tempted at a time such as this to disregard the fundamental law and forget the fact that this is a free Government founded upon free discussion and upon a free expression of opinion.

I have pointed out that there are already laws upon the Federal statute books which make a crime of incitation to the use of force or violence, and, of course, a crime also to use force or violence itself against the Government. That being the case, it seems to me it would be most unwise at a time such as this to enact a statute which might be used for the repression of a free expression of opinion and which might be interpreted by the great masses of our people as being enacted to inhibit agitation for proper and legitimate reform. That this act is so considered there can be no doubt. From all over the country I have been receiving letters from individuals, from associations, and particularly from labor organizations, protesting against the enactment of this bill into law.

In order that the Senate may be acquainted with the views of the working people upon this proposed statute I feel that there should be read into the RECORD one or two typical letters from labor organizations protesting against the bill. Here, for example, is one from the Amalgamated Clothing Workers of America, office 44 East Twelfth Street, New York City. I will read the body of the resolution adopted by that organization:

Whereas there is now pending before the Senate of the United States a bill known as bill 3317 and a similar bill in the House of Representatives;

Whereas these bills provide for the extension of the war-time espionage act with all its vicious restraints, which, though it was aimed against German spies, was only used to curtail and restrict, directly and indirectly, the legitimate activities of labor unions; and

Whereas the espionage act was an emergency measure to help win the war, and only as such was it tolerated by labor; and

Whereas there is no need of extending this repressive measure unless it be the desire and object of the Government to pass laws in favor of the vested interests, as only they are interested in the passage of this bill; and

Whereas such laws, if passed, are contrary to the spirit and to the traditions of our country: Be it therefore

Resolved, That we strongly condemn Senate bill 3317 and its companion bill in the House of Representatives as an antilabor bill and urge the Senators of our State to vote against it.

Here is another letter from the United Mine Workers of America.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. FRANCE. Certainly.

Mr. KING. I have listened to the letter which the Senator has just read. I hope the Senator from Maryland, who is an able, patriotic Senator, does not approve of the manifest untruths and distortions of fact that are contained in that letter. In the first place, it states, as I recall, that the so-called espionage bill was aimed at labor. That is absolutely untrue. If not unparliamentary, I should use a shorter word in describing the statements of the writer or of the organization from which that statement originates. Everybody knows that the espionage bill had no relation to labor organizations and was not aimed at them.

The labor organizations of the United States have been and still are loyal to our country; during the war the genuine workingman of the United States, whether a member of a labor union or not, was as loyal and patriotic as any other man, and



in the ranks of labor were found as devoted and patriotic men as our Nation produced. The espionage bill was not repressive legislation; it was not class legislation; it was legislation which was proper and which any government that was interested in its own preservation would enact under the same circumstances. Much of the legislation, or some of the legislation, contained in the act referred to is as applicable in times of peace as in times of war.

The statement of the writer of the letter is also untrue when he says that the bill to which reference is made, namely, Senate bill 3317, is a bill only desired by the vested interests. The distinguished Senator from Iowa [Mr. CUMMINS], the distinguished Senator from South Dakota [Mr. STERLING], and myself were appointed a subcommittee by the Judiciary Committee to consider a number of bills dealing with the question of sedition and movements looking to the overthrow of our Government by force and violence. In the consideration of those bills the Senator from Iowa and the Senator from South Dakota manifested, as they always have, their regard for law and order, for the rights of the workingman and for the rights of American citizens generally, and for the preservation of our Government and its institutions. This bill is for the purpose of striking at those, whether they are laboring men or capitalists, whether they are intellectualists or otherwise, whether they belong to the "parlor" Bolsheviks or to the loud-mouthed, blatant street-corner revolutionist, who seek to destroy by force and violence our Government. If any laboring man, belonging to a union or otherwise, is in favor of destroying our Government by force and violence, he is not a true American citizen; he is not fit to live under this flag; he is not fit to enjoy the benefits which flow from a constitutional government such as that under which we live; and I hope, for the credit of the distinguished Senator from Maryland, that he does not give his approval to the expressions in that letter, or indorse the vicious, un-American, unpatriotic, destructive views that are voiced by the so-called labor organization.

I thank the Senator for permitting the interruption.

Mr. FRANCE. The Senator is a very distinguished lawyer and a member of the Judiciary Committee, and, of course, the remarks which he has made bear out my continual contention in this body that all of the learning and all of the intelligence of the country is not lodged in those gentlemen who happen to be members of legislative bodies. As a matter of fact, I ought to have on my desk a recent editorial from the Baltimore Sun which referred to the fact that probably one of the reasons why it would be unwise, in the opinion of the members of the Judiciary Subcommittee, to repeal the espionage law at this time was the fact that the espionage act contained a clause which evidently the Senator has overlooked when he calls attention to the misstatement in this resolution that it contained a clause which was in effect an antistrike clause, making it a crime to limit production. I have not the language of the act before me at the moment, but I will insert it in the Record. So that, as a matter of fact, the Senator is mistaken, and the writer of the resolution is not mistaken, when the Senator contends that there was nothing in the espionage act which might be used to curtail the liberties and activities of the labor unions, this writer evidently having in mind that particular clause of the espionage act which might be called an antistrike clause. Whether or not it be true that it was because of that clause in the espionage act that it was deemed unwise by the subcommittee to repeal it I can not say, but certainly one of the great daily papers in my own State gave that as a possible reason why the subcommittee might not care to repeal the act. In other words, both in the food-control bill and in the espionage act, there were placed clauses which made it possible for the Government to take out injunctions against strikes.

I voted against both of the bills. I thought they went too far. I thought they tended to cause disunion rather than union and harmony in our prosecution of the war. But, leaving that question entirely aside, the fact does remain that there was a clause in the espionage act, aside from the free-speech and free-press clause, which was capable of being used to curtail the activities of the labor unions.

So far as concerns our laboring people being inclined to use force or violence or to advocate the use of force or violence against our Government, I am the last man who believes that there is any disposition of that kind in the minds or hearts of the vast majority of our people; and it is because I believe that our laboring people are free from any such disposition as that that I feel that it would be unwise at this time to enact a statute which seemed to attribute to them motives of that character, and which seemed to indicate that the Government was in danger from acts of violence, or threats of acts of violence.

However, the Senator, having been out of the Chamber, missed the point of my remarks. I read extracts from statutes showing

that the acts which are made crimes under this proposed legislation are already crimes, and I was making the point that it seemed to me unwise at this time to enact into law a bill which really did not in any sense strengthen the criminal statutes already upon our statute books, and yet which at the same time was considered by the masses of our people to be inimical to their interests. That is the whole point which I was making, and that is the point which, it seems to me, is being missed by the Congress in all of the legislation of this character which is being enacted. The thing which disturbs me about this whole situation is that so many thousands and hundreds of thousands of our people—indeed, so many millions of our people—are coming to look upon our Government with distrust and fear, and, indeed, some of them even with hatred, as the result of legislation which we have enacted which has impinged upon some of the liberties which our people enjoyed prior to the war.

Mr. KING. Mr. President, will the Senator permit another interruption?

Mr. FRANCE. I yield, with pleasure.

Mr. KING. I apologize to the Senator for interrupting him, but in view of the letter which the Senator read and the statement which I made, it occurs to me that persons reading the Record might obtain an entirely erroneous idea as to what the espionage act was; will the Senator therefore permit me, in a very few words, to put into the Record just what the espionage act is which the gentleman whose letter the Senator read inveighs against so strongly?

Mr. FRANCE. Does the Senator wish to insert the whole act and the acts amendatory thereof?

Mr. KING. Oh, no; my purpose is to merely state the substance of its provisions.

Mr. FRANCE. I have not the slightest objection to the Senator inserting at this point a copy of the espionage act. However, unless he puts in the portions to which we were referring, I fail to see how it can be advantageous to insert it in the Record.

Mr. KING. Exactly; but the bill is so long, and deals with other subjects than those which the Senator is discussing, that it would not be advantageous to put it in; but if the Senator does not object, I should like to briefly state what that part of the espionage act is which evidently the writer of the letter had in mind. I have the act before me.

Mr. President, the espionage act to which the writer of the letter referred was approved June 15, 1917. The first title, in substance, provides that whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information, concerning any vessel, aircraft, coaling station, and so forth, shall be guilty of an offense.

Then it further provides that whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts or induces or aids another to copy, take, make, or obtain, any sketch, photograph, and so forth, of any of the forts or plans for the national defense, or who attempts to dispose of it to the enemy, shall be guilty of an offense; or whoever, lawfully or unlawfully having possession of, access to, or control over any document, writing, code book, signal book, and those matters that pertain to the war, willfully communicates or transmits, or attempts to communicate or transmit, the same to any person not entitled to receive the same, or willfully retains the same and fails to deliver such document to the United States upon demand, shall be guilty of an offense.

Then it proceeds with other like offenses. That is, dealing with the conveying of information to the enemy. Certainly no member of a labor union objects to that part of the espionage act.

Mr. FRANCE. Mr. President, did I understand the Senator to say that he did not object?

Mr. KING. I say, certainly he could not object to that.

Mr. FRANCE. That was the portion of the act which he said had not been invoked—the portion which dealt with espionage proper.

Mr. KING. I beg the Senator's pardon; I am not sure that I understood his last observation.

Mr. FRANCE. The statement in the letter was to the effect that the law had not been used for the prosecution of German spies, and of course that portion of the act from which the Senator has been reading is the portion of the act designed for the punishment of those who should be spies for Germany against this country.

Mr. KING. Yes; or who were communicating any information, perhaps not to Germany, but communicating it to other persons in such a way as that it possibly might be used disadvantageously to our Government. Of course, I deny that

statement, because to my own knowledge this act was invoked, and was effectively utilized.

Then it provides that whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished, and so forth.

Certainly no patriotic working man or any American who is worthy of the name "American" could object to that. Berger, and men of his character, might object to that, and as I understand have objected to it, and will doubtless continue to object to statutes of that character.

Section 4 provides that if two or more persons conspire to violate the provisions of the foregoing section, to which I have referred, they shall be amenable to the law. That is to say, if there is a conspiracy to commit the overt act, the conspiracy shall be likewise punishable.

Mr. FRANCE. In order that there may be no misunderstanding, I will say that I think the portions of the espionage act which were considered by the writers of these letters to be unfavorable to labor were those portions dealing with the curtailment of production, which were considered to constitute an antistrike clause, and those portions which placed a limitation upon free speech and free assemblage, as the law was enforced by the Department of Justice.

Mr. KING. Just a word or two more, with the Senator's permission.

Title II deals with vessels in ports of the United States, and provides punishment for the violation of proclamations of the President in dealing with commerce. Of course, in time of war, it is obvious that there must be some control over vessels coming into and leaving the ports of the United States, and there must be penal provisions so that those who violate proclamations that may be made by the President in the interest of the prosecution of the war shall be punished.

Title III relates to injuring vessels engaged in foreign commerce. Certainly no laboring man could object to that.

Title IV provides that—

whoever, with intent to prevent, interfere with, or obstruct, or attempt to prevent, interfere with, or obstruct the exportation to foreign countries of articles from the United States, shall injure or destroy, by fire or explosives, such articles or the places where they may be while in such foreign commerce, shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both.

The Senator knows that during the war there were a number of explosions upon our boats and upon the ships of our allies that came to our ports and departed from our ports. The evidence lends to show that bombs and other explosives were placed there, of course, by German spies, or those who sought the triumph of our enemies, not the victory of the American arms.

Title V relates to the enforcement of neutrality. Certainly no one could object to the enforcement of laws and regulations dealing with this subject.

Mr. FRANCE. Do I understand the Senator is assuming that the writer of the letter did object to all those portions of the law?

Mr. KING. The writer of the letter does not differentiate between any portions of the act. He denounces the whole espionage act, and says in substance that the espionage law was enacted against labor, and I am calling attention to the general provisions of this act to show how unjust and untrue is the statement of the writer of the letter which the Senator read.

Mr. FRANCE. The Senator did not correctly understand the language of the writer. I know it is very difficult to catch the exact wording as the letter is read. The resolution stated that it was aimed against German spies, but was only used to curtail and restrict, directly or indirectly, the activities of labor unions. Of course, that is a statement which would be subject to modification, even by the writer, I am sure. However, the point is that those portions of the act which were considered to be hostile to labor were the portions which I have mentioned, those portions making curtailment of production a crime—it is, of course, an antistrike clause—and those portions which limited the right of free speech and free assemblage, those rights having been denied to the workmen of the country during the period of the war on many occasions.

Mr. KING. If the Senator will permit me, there are just a few other sections to which I should like to refer, so that the general purport of the act may be in the Record in connection

with what I have said, and I shall be glad if I may be permitted to briefly refer to them.

Title VI relates to seizure of arms and other articles intended for export, and provides penalties for the violation of those provisions of the section.

Title VII provides that certain exports in time of war shall be unlawful. It provides that—

Whenever there is reasonable cause to believe that any vessel, domestic or foreign, is about to carry out of the United States any article or articles in violation of the provisions of this title, the collector of customs—

may seize the same.

Title VIII relates to acts tending to disturb foreign relations.

Title IX relates to passports.

Title X relates to the counterfeiting of the Government seal.

Title XI relates to search warrants, and provides in the usual way that when property was stolen or embezzled in violation of a law of the United States, and when property was used as a means of committing a felony, as, for instance, the use of counterfeit dies, and so forth, that in the proper manner and under very strict provisions search warrants might be issued. No one, certainly, could object to that.

Probably this is what the writer refers to particularly, the use of the mails. In Title XII it is provided that—

Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, of any kind, in violation of any of the provisions of this act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office—

And so forth.

Certainly no American could object to a statute of that character. It says:

Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing of any kind, containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, is hereby declared to be nonmailable.

And the person mailing such writings and publications so declared to be nonmailable is guilty of an offense. Mr. President, how any American can object to those provisions is something that surpasses my understanding.

A supplemental act was approved May 16, 1918, and it is this act which more particularly the writer of the letter had in mind.

Mr. FRANCE. I was about to say that it was the act amendatory of the espionage act which was much more drastic, and which was very objectionable as it was enforced.

Mr. KING. Mr. President, I shall not take the time to read this, though it is very brief, but I will ask permission of the Senator to have it inserted at this point in his remarks, or in my remarks, in the Record, so that persons reading the speech of the distinguished Senator—and I know it will be read by many people—may know just exactly the character of the legislation which the writer of the letter so strongly denounces.

There being no objection, the act referred to was ordered to be printed in the Record, as follows:

[Public No. 150, Sixty-fifth Congress, H. R. 8753.]

An act to amend section 3, title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes.

Be it enacted, etc., That section 3 of title 1 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies, or shall willfully make or convey false reports or false statements, or say or do anything except by way of bona fide and not disloyal advice to an investor or investors, with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States, and whoever, when the United States is at war, shall willfully cause, or attempt to cause, or incite or attempt to incite, insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct or attempt to obstruct the recruiting or enlistment service of the United States, and whoever, when the United States is at war, shall willfully utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or any language intended to bring the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States into contempt, scorn, contumely, or disrepute, or shall willfully utter, print, write, or publish any language intended to incite, provoke, or encourage resistance to the United States, or to promote the cause of its enemies, or shall willfully display the flag of any foreign enemy, or shall willfully, by utterance, writing, printing, publication, or language spoken, urge,



incite, or advocate any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war, and whoever shall willfully advocate, teach, defend, or suggest the doing of any of the acts or things in this section enumerated, and whoever shall by word or act support or favor the cause of any country with which the United States is at war or by word or act oppose the cause of the United States therein, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both: *Provided*, That any employee or official of the United States Government who commits any disloyal act or utters any unpatriotic or disloyal language, or who, in an abusive and violent manner criticizes the Army or Navy or the flag of the United States shall be at once dismissed from the service. Any such employee shall be dismissed by the head of the department in which the employee may be engaged, and any such official shall be dismissed by the authority having power to appoint a successor to the dismissed official."

SEC. 2. That section 1 of Title XII and all other provisions of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, which apply to section 3 of Title I thereof shall apply with equal force and effect to said section 3 as amended.

Title XII of the said act of June 15, 1917, be, and the same is hereby, amended by adding thereto the following section:

"SEC. 4. When the United States is at war, the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed, with the words 'Mail to this address undeliverable under espionage act' plainly written or stamped upon the outside thereof, and all such letters or other matter so returned to such postmasters shall be by them returned to the senders thereof under such regulations as the Postmaster General may prescribe."

Approved, May 16, 1918.

Mr. FRANCE. The Senator is well aware of the fact that our working people, particularly the members of labor unions, have always been very jealous of the right of free speech and free press and free assemblage, and that they have always been very jealous of their right to strike. Without entering into the merits of the question as to whether the members of labor unions should be allowed to strike or not, I would say that they believe that the strike is the only weapon left for the securing, under certain conditions, of justice from their employers. In view of that well-grounded belief, of which the Senator is aware, he can scarcely be surprised that members of labor unions should find very objectionable that portion of the espionage act to which I have referred.

The act provides punishment for anyone who advocates any curtailment of production in this country of any product or products necessary or essential to the prosecution of the war, of course, practically all products being necessary to the prosecution of the war under modern conditions, and that clause in particular was considered by many—not merely by the labor unions themselves, but by some commentators on the law—as being an antistrike provision; and, in view of the Senator's knowledge of the jealousy on the part of labor unions of their rights to strike, he could scarcely be surprised that that particular clause should be considered to be hostile to the labor unions.

Mr. KING. Mr. President, will the Senator yield?

Mr. FRANCE. I yield.

Mr. KING. I do not recall when the bill was before the Judiciary Committee or during the discussion of it upon the floor of the Senate hearing of a single workingman in the United States objecting to its provisions, and I am surprised to learn now from the distinguished Senator that there was objection to this provision. Let us see for just one moment what it provides. It says that any person who shall—

encourage resistance to the United States, or to promote the cause of its enemies, or shall willfully display the flag of any foreign enemy, or shall willfully by utterance, writing, printing, publication, or language spoken urge, incite, or advocate any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war, shall be guilty of an offense.

Mr. President, this Government was engaged in the greatest conflict of all time; not only our Nation but the cause of civilization was involved. I do not believe there was an American citizen of any labor organization, I do not believe that there was any man who loved his flag or loved our institutions, who objected to this provision of the statute which made it an offense to seek to incite the curtailment of the production of guns or foodstuffs or those things necessary to feed our soldiers and to arm them that they might obtain victory over the Central Powers. If there was a single man under this flag claiming to be an American who favored inciting men to fail to produce the things necessary to win the war, and with the intent by such curtailment to cripple or humble the United States in the prose-

cution of the war, he was a traitor to the Government, and should have been punished as a traitor.

Mr. FRANCE. I rejoice in the fact that the Senator's faith in American workingmen and in the masses of our people seems to be increasing. My faith in the loyalty of the American workingmen and in the masses of our people was so firm at the time the espionage act was before us that I voted against it, because I considered it to be an insult to the masses of our people and to the great host of the American workingmen, whose sons went to the front and won the war, while we sat here after having passed statutes which seemed to hurl insults into their teeth.

The espionage act was never necessary for the winning of the war by America, and its very enactment, and the very votes, it seems to me, of the men who voted for it, were an indication of a lack of faith in the soundness of our institutions and in the loyalty of all of our citizens.

Mr. KING. Will the Senator yield?

Mr. FRANCE. I yield.

Mr. KING. Mr. President, the genuine American workingman is entitled to all the praise that my friend with his eloquence can bestow upon him. The genuine American workingman needed no statute of this character, I agree with him, but there were men, as the Senator knows, of the I. W. W. stripe, men who were aliens, who were going into the logging camps, into the mining camps, where copper and lead were being produced, and into the factories, where clothing was being produced for our soldiers, and into the ordnance factories, where guns were being made, and seeking to provoke general strikes, and to curtail production in order to help Germany win the war. It was not the genuine workingman, it was not the member of the American Federation of Labor, who was aimed at in this statute, but it was the aliens who belonged to the I. W. W. organizations and similar ones, and some cowardly Americans who were untrue to our country, and who were traitors to the cause of liberty.

Mr. FRANCE. My faith went further than the Senator's. I did not even believe that those few agitators would succeed in corrupting the patriotism and loyalty of the great body of American workingmen. If they failed to corrupt it, if they failed to destroy their patriotism, their efforts must be futile. I believed they would be futile, and they were futile, and they were futile not because of any statute which we enacted but because of the essential soundness of our institutions, because of the essential soundness of government by discussion, because of the essential rationality and beneficence of this Government, which causes the masses of our people to love it and to rush to its defense when it is placed in danger.

As a matter of fact, the records show, and I am not going into it again, as I have already gone into it rather extensively on another occasion, that this act was not used for the punishment of men who were disloyal to the Government, but for the protection of men who were not doing what they should have done for the efficient conduct of the war, that it was used to shield high public officials who were refusing to promptly enact statutes which were necessary and who were not effectively putting into force the statutes which were enacted. I believe that harm was done our cause by the enactment of this law. Opinions may well differ upon that, but, as a matter of fact, I believe so firmly in government by the masses of people; I believe so firmly in the soundness of the judgment of all, that I am afraid to enact any statute which may be used by a government for the suppression of criticism of itself, and which may be used to place any limitation upon that free discussion and free assemblage upon which, of course, our Government rests.

There are two theories of government, of course, one that government is the master of the people and the other that it is the servant of the people; one that the government is the sovereign and the other that the people themselves are the sovereigns. Why, sirs, how can there be such a crime as sedition in a Government such as ours, which is truly founded upon the principle that the people themselves are sovereign? It seems to me that the very fact that the people themselves are the sovereigns, that they are the masters of their Government, should make us very careful in the enactment of legislation which would curtail their rights, which would silence their voices, so that they may not direct their servants and their agents to perform those governmental acts which they may consider to be to their interest.

However, this whole discussion has led us far away from the point. My point is that the bill is unnecessary, because we already have Federal statutes which cover the situation and which make crimes of those acts which are made crimes by the pending bill, and that in view of the fact that we have those statutes it seems to me unwise to enact a new statute which is so repugnant to the working people of our country and

which, in their opinion—no matter how erroneous that opinion may be—will be used as a means to curtail their demands for a bettering of their conditions and for an improvement of the general conditions in the country.

In order to prove that there is a widespread criticism of the bill on the part of labor unions I had started to introduce certain letters from organized labor unions in different parts of the country. I ask now permission to insert a letter from the United Mine Workers of America, District No. 5, Whitsett, Pa., also one from Denning, Ark. I have picked out these letters merely to illustrate how widespread is the feeling against the pending legislation. I offer also one from the United Shoe Workers of America, Joint Council No. 9, of Chicago, Ill., also one from the United Brotherhood of Carpenters and Joiners of America, Local Union No. 183, Peoria, Ill.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, permission is granted as requested by the Senator from Maryland.

The letters referred to are as follows:

LOCAL UNION NO. 2057,  
UNITED MINE WORKERS OF AMERICA,  
Whitsett, Pa., December 18, 1919.

Hon. JOSEPH I. FRANCE.

SIR: It has been brought to our attention that the powers of reaction are trying to place most reactionary laws on the statute books of this country, and—

Whereas the right of free press and free speech and the right of assemblage are fundamental rights which are written in the Constitution of this country; and

Whereas Senate bill No. 3317 will soon be up for consideration, and we consider this bill as being dangerous to our constitutional rights: Therefore be it

Resolved, That we, the members of Local Union No. 2057, United Mine Workers of America, representing over 350 coal miners, protest against Senate bill No. 3317 and urge you to use your vote and influence to defeat this bill.

[SEAL.]

JOHN STEFFY, President.  
JAS. F. LEE, Recording Secretary.

UNITED MINE WORKERS OF AMERICA,  
LOCAL NO. 1814,  
Denning, Ark., November 19, 1919.

Senators JOSEPH I. FRANCE, A. J. GRONNA, ROBERT H. LA FOLLETTE, WILLIAM J. BORAH, MEDILL McCORMICK, THOMAS P. GORE, HIRAM W. JOHNSON, and GEORGE W. NORRIS.

GENTLEMEN: Local Union 1814, United Mine Workers of America, in regular meeting November 19, instructs us to write you protesting against Senate bill No. 3317, introduced by Senator STERLING.

These measures propose to carry over into peace time the vicious restraints contained in prewar measures. Quoting President Wilson in vetoing war-time prohibition, "Where the purposes of legislation arising out of war emergency have satisfied, sound public policy makes clear reason and necessity for repeal." In view of these facts, why necessary to pass other legislation of same nature? In view as members of organized labor, and believing that these laws would be used to our detriment, we ask that you use your vote and influence against same.

JAS. H. ARBAUGH, Recording Secretary.  
J. HOLLOWELL, Financial Secretary.

JOINT COUNCIL NO. 9,  
THE UNITED SHOE WORKERS OF AMERICA,  
Chicago, Ill., November 29, 1919.

Hon. JOSEPH I. FRANCE,  
United States Senate, Washington, D. C.

DEAR SIR: At regular meeting, Tuesday evening, November 25, 1919, of Local No. 14, of the United Shoe Workers of America, the membership strongly condemns and expresses its indignation that such measures as Senate bill 3317, introduced by Senator STERLING and at present on the Senate Calendar, should be considered in the Congress of a free people.

We urge that you use your influence and do all in your power to defeat such antiliberty legislation. We also urge that you do all in your power to effect the repeal of the espionage act.

Yours, very truly,

[SEAL.]

LARS FLIKEID,  
Recording Secretary, Local No. 14, U. S. W. of A.

UNITED BROTHERHOOD OF CARPENTERS  
AND JOINERS OF AMERICA,  
LOCAL UNION, NO. 183,  
Peoria, Ill., December 1, 1919.

Mr. JOSEPH I. FRANCE, M. C.,  
Washington, D. C.

DEAR SIR: We wish to call your attention to the principle of legislation given by President Wilson in vetoing the war-time prohibition law: "Where the purpose of particular legislation arising out of war emergency have been satisfied, sound public policy makes clear the reason and necessity for repeal."

That principle should be applied to the antiliberty legislation, also the espionage act.

Local No. 183, Carpenters and Joiners of America, at Peoria, Ill., wish to protest to you against the Senate bill No. 3317, and its companion bill in the House of Representatives. These measures should not be considered in the Congress of a free people. Therefore we hope that you will use every effort to defeat this bill.

Respectfully, yours,

[SEAL.]

LOCAL NO. 183, U. B. OF C. AND J. OF A.,  
CHAS. W. DAVIDSON,  
Secretary, 536 Monson Street.

Mr. FRANCE. Mr. President, I ask permission also to insert in the RECORD three very valuable editorials upon the general

subject of free speech, one from the New York World of December 28, 1919, entitled "The tyranny of the majority"; one from the Baltimore Sun of January 4, 1920, entitled "The raiding of the reds"; and a third from the Baltimore Sun of Tuesday, January 6, 1920, entitled "Farragut's rule of conduct."

The PRESIDING OFFICER. Without objection, permission is granted.

The editorials referred to are as follows:

[From the New York World, Dec. 28, 1919.]

#### THE TYRANNY OF THE MAJORITY.

More than 80 years ago the most profound of all students of American institutions, Alexis de Tocqueville, wrote this warning:

"If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority, which may at some future time urge the minority to desperation and oblige them to have recourse to physical force. Anarchy will then be the result, but it will have been brought about by despotism."

And further:

"When I refuse to obey an unjust law I do not contest the right of the majority to command, but I simply appeal from the sovereignty of the people to the sovereignty of mankind. Some have not feared to assert that a people can never overstep the boundaries of justice and reason in those affairs which are peculiarly its own; and that, consequently, full power may be given to the majority by which they are represented. But this is the language of the slave."

"A majority, taken collectively, is only an individual whose opinions and frequently whose interests are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with each other, nor does their patience in the presence of obstacles increase with their strength."

These words are worth recalling at a time when the popular tendency toward repression is stronger than it has ever been before in the United States. Having destroyed personal liberty by means of prohibition, we are now engaged in destroying the Bill of Rights.

There is no freedom of speech or of the press left except by consent of government. Police authority everywhere is denying to small minorities whose doctrines are unpopular the right of free speech. The Post Office Department, under authority of Congress, proscribes newspapers whose political and economic policies are regarded as obnoxious by the Postmaster General. A police department that recognizes the right of assemblage in the case of minorities tainted with radicalism is held to be not only incompetent but deficient in patriotism. The New York police on Christmas Day attempted to maintain the weird and wonderful theory that while the right of petition might be tolerated on Sixth Avenue, it is flagrantly illegal on Fifth Avenue.

Plainly the American people are getting away from first principles. They are forgetting their traditions and losing sight of their ancient landmarks. All the radical agitators in the country can never do half so much harm to democratic institutions as an inflamed public sentiment is doing when it sustains the attacks that various agencies of government are making against the guaranties of the Bill of Rights and of individual freedom.

[From the Baltimore Sun, Jan. 4, 1920.]

#### THE RAIDING OF THE REDS.

It is to be presumed that the Department of Justice has information in its possession—information, however, which it has not yet shared with the public—which justifies its nation-wide "round-up of radicals" on Friday night. It would be most unfortunate if it had not. But there are a sufficient number of disquieting questions raised by certain features of this performance to give point to the suggestion that the Government's whole policy in connection with the treatment of radical agitators should be reexamined and analyzed and if found faulty changed.

During the war, as the able editor of the New York World points out in an article, a portion of which is printed elsewhere on this page, there was no free play of public opinion in this country. News and opinions were censored by the Government, and the public cheerfully consented to the censorship. The people stopped thinking for themselves. That seemed the best way to insure the successful prosecution of the war. It was accepted as a patriotic duty.

Thoughtful individuals, however, assumed as a matter of course that as soon as the war ended the free expression of opinion would be resumed. They took it for granted that the fundamental doctrines of free speech and free assemblage and a free press were as sound as ever and that no one would dispute them in time of peace. But there have been two unexpected and alarming developments in this connection. The first is that a considerable proportion of the people seem, as a result of the suspension of their habit of thinking, to have lost that habit. Their mental faculties seem to have atrophied from disuse. The second is that an even larger proportion of the people have grown so accustomed to censorship and suppression that they want them continued. They don't want free speech and free assemblage and a free press any more. It doesn't occur to them that, while the ideas which are now being suppressed are obnoxious to them, the day will surely come, if the principle of suppression is established, when ideas of their own will be denied utterance. The Russian monarchists were highly agreeable to the institution of a censorship under the Czar; they are not so pleased with the censorship established by Lenin.

In these circumstances it is perhaps more important than ever before in American history that the constitutional right of freedom of speech should not be abridged. The people need to be reeducated on this subject. Progress is impossible without free speech. Retrogression and decay are inevitable if it is successfully prohibited. Revolution, the kind of revolution which timid souls in this country are so unnecessarily afraid of to-day, is furthered, not hindered, by attempts at suppression. Witness the growth of socialism in Germany! Witness Russia of to-day! You can not prevent the advance of an idea by force or by law. You can prevent the advance of a false idea by confronting it with the truth, by discussion, by honest argument, by education. And that is the only way.

When does liberty of speech degenerate into license? Justice Holmes, of the United States Supreme Court, drew the line in his recent dissenting opinion in a sedition case. When it immediately and directly incites to violence or the violation of law, then it is properly punishable. Not otherwise. John Stuart Mill drew the line in his famous essay "On Liberty":



"No one pretends that actions should be as free as opinions. On the contrary, even opinions lose their immunity when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn dealer, or when handed about among the same mob in the form of a placard."

Whether or not the line has been crossed in the case of an individual offender is a matter for the authorities to determine. The rule is sufficiently clear.

What bearing have these general principles upon the Friday night raid? It was directed, according to the instructions given the Secret Service men who did the raiding, against "the radical organizations known as the Communist Party of America and the Communist Labor Party of America, also known as Communists." The Secret Service men were instructed to arrest all active members of these organizations where found.

The Communist party is the party of revolutionary socialism in America, the Bolshevik party. It advocates mass action and the general strike and its manifestoes imply that force will be necessary to accomplish the revolution which it seeks. A temperate article in the Atlantic Monthly for December tells us that its members do not expect immediate revolution, but propose the maintenance of revolutionary action that may last for years and tens of years until the final collapse of capitalism. The Communist Labor Party is a less radical one. It does not openly advocate violence, but intimates "the necessity and justification of force at the opportune moment."

Four and a half thousand members of these two parties were arrested by Government agents Friday night. We should like to believe that the action of the Department of Justice was wholly justified; but is that theory a plausible one? Under the principle of free speech as laid down by Holmes and Mill these men—certainly such of them as are citizens—have a perfect right to advocate a soviet form of government for the United States, communism, socialism, the overthrow of capitalism, any change whatever in our form of government, provided only that their propaganda does not immediately incite to violence. Is there any reason to believe that these thousands of men have wholly or largely been guilty of immediate incitement to violence? Was there really a revolutionary plot under way which needed to be nipped in the bud? The Government should make known the facts which justify its action.

The trouble, the dangerous trouble, of course, is that if any considerable proportion of our people are led to believe that the Government's action is unwarranted, that these men are being persecuted for the ideas they hold and not prosecuted for crimes which they have committed; if sympathy is aroused for these men or the belief fostered that a powerful capitalistic government is bent on crushing a proletarian movement that threatens its supremacy by fair means or foul, 10 Bolsheviks will grow where 1 grew before. That is the invariable lesson of history. The surest way to make exasperated converts to "direct action" is to treat all heretical inquiry as a crime. The surest way to bestir wild men to outrage is to persecute peaceable men in an unfair and unintelligent manner.

To what absurd lengths bolshevophobia is carrying some of our timorous Government officials is shown by the news conveyed in a Washington dispatch to the Sun yesterday, to the effect that W. L. George, the English novelist, may be denied admittance to this country on the ground that he is an undesirable alien. Mr. George is a writer of very high distinction. He served his country in an official capacity throughout the war; his interests are primarily artistic, not political; no one in England would think of denouncing him as an enemy to society. And yet, because he has printed an article or two exhibiting an interest in radical ideas, it is proposed to turn him away from America as if he were an anarchist with a bomb in his hand.

The episode is grotesque and discreditable. If, after his arrival in the United States, Mr. George should commit any act in violation of American law, the machinery for punishing him would stand ready. If, avoiding the actual infraction of the law, he should voice any sentiment currently prohibited by the police, it would be easy to deport him instantly and without trial. But to bar a man of his position from the country altogether, in the mere fear that he may possibly repeat here what has gone unchallenged at home—this is to carry the throttling of opinion to absurd and intolerable lengths. The English have laws against "direct action," just as we have. If Mr. George had violated those laws, he would be in jail to-day. As it is, the sole effect of turning him away as a dangerous alien will be to make the English laugh at us and the rest of the world begin to pity us.

Let us hope that the net effect of this pretentious movement against the so-called "reds" will not turn out to be merely a huge advertisement of them and their cause and a consequent increase in their membership.

[From the Baltimore Sun, Tuesday, Jan. 6, 1920.]

#### FARRAGUT'S RULE OF CONDUCT.

It is safe to say that the radical and near-radical papers of the country will have voluminous comments upon the rounding up of the "reds." It is equally safe to say that their comments will have little to say about the bomb-throwing anarchists included in the catch; the miscreants who really ought to be deported, but very much to say about certain features of the raids which we find chronicled in yesterday's papers, the nature of which is indicated in the following questions:

"Officials said it was distinctly surprising that each party—the communist and the communist labor—numbered so many American citizens in its membership. The party rolls were said to carry the names of many persons well known in their respective communities and American citizens."

"Action of the Government obtaining an injunction against the leaders of the bituminous coal strike was employed by the communist party heads as ammunition in their campaign, declaring that the capitalists used the Government's power, a weapon which the workers could not muster."

"The Chicago Federation of Labor to-day adopted two resolutions of protest against the Federal raids against the radicals. One declared that the executive board suspected that the raids were 'a part of the gigantic plot to destroy organized labor by the employers,' citing that among those arrested were officials of a local cigarmakers' union, whose records were seized. The other resolution declared that the Federal agents' acts were 'repressions' resembling 'Czaristic methods in Russia' and 'terrorist tactics.'"

"The Socialist Party, from its national headquarters, to-day issued a statement deploring the raids against the radicals. The arrests throughout the country were termed 'the gravest blow yet struck at the permanence of American institutions, and if continued, as it is threatened that they will be continued, this policy will place the United States in the forefront of the reactionary nations of the present day.'"

"Of the original 35 taken to the Baltimore post office Friday night, 12 were released. One of those arrested, a Russian, was a former member of the Three hundred and thirteenth Infantry."

These incidents will furnish texts for impassioned sermons against the Government as "reactionary" and "capitalistic." The total circulation of the several hundred radical journals of this country is a very large one. Will not the effect of their appeals be to increase the number of their adherents, just as the similar methods employed by Bismarck against the socialists of Germany caused a growth in the number of socialists there from 100,000 to more than 4,000,000?

It is hardly necessary to say that the Sun has no sympathy whatever with communism, socialism, bolshevism, I. W. Wism, or any other branch of extreme radicalism. It believes that they are all economically unsound and unworkable and dangerous. But it believes that the only way successfully to combat them is by pointing out the weaknesses and fallacies of their theories, and that they can not be successfully combated by bringing the strong arm of a powerful government down upon half-witted and scatter-brained enthusiasts whose vaporings are apt to be dangerous in proportion as they are taken seriously, even when they happen to be associated with some really astute and dangerous characters who ought to be suppressed.

"The 'reds,'" said the Springfield Republican a day or two ago, "haven't the ghost of a chance in this country ever to overturn our established Government and institutions, or our industrial system, by force if our people will follow Admiral Farragut's rule of conduct in battle. 'I may be licked by the enemy,' he coolly remarked, 'but I'll be damned if I'll be frightened to death.' The few 'reds' should not be permitted to frighten the great American people. Their conspiracies are worth unearthing, but they are not worth anything else." That is the sanest comment we have yet seen upon the raiding of the "reds."

Mr. FRANCE. I think that Farragut's rule of conduct would be very helpful in this connection. In view of the fact that so many in the country are terrorized by a little red literature that has been circulated here and there—it has always been circulated by a few hare-brained anarchists here and there—they have always existed, sometimes more troublesome and sometimes less, but they have never seriously threatened the stability of the Republic; but in view of the fact that there are so many men who are trembling and shaking in their shoes at this little agitation which is so futile as long as we here observe the great fundamental principles enunciated in our Constitution, I think it would be well if more would adopt Farragut's rule of conduct. He said:

I may be licked by the enemy, but I will be damned if I will be frightened to death.

We need not be frightened if we really have a profound faith in the soundness and perpetuity of our institutions.

Mr. President, the whole point at issue in connection with the bill, it seems to me, is this: Is it a bill which makes direct incitation to the use of force and violence and only that a crime? If it is, it seems to me that it is a useless bill. But, to quote from a very valuable document which I wish every Member of Congress might read, entitled "Freedom of speech in war time," by Zechariah Chafee, Jr., of the Harvard Law School—

The real issue of every free-speech controversy is this—whether the State can punish all words which have some tendency, however remote, to bring about acts in violation of law, or only words which directly incite to acts in violation of law.

That is always the question. How direct an incitation must it be to have the words made a crime? Of course, it is difficult to draw the line. The mere criticism of a statute or of a governmental policy might be considered by some to be provocative of discontent, a discontent which might cause the one so made discontented to tell another that the condition was growing intolerable, and that one who was told that it was growing intolerable might then speak words which would be a direct incitation to crime.

The pending bill does not and no statute dealing with the subject of free speech can define how direct the incitation to crime must be in order to be a crime itself, and that is the difficulty with all such statutes—their failure and the necessary inevitable failure to draw the line as to what is direct incitation to anarchy and violence and as to what is real but legitimate criticism of the Government.

Of course, those who advocate the utmost freedom of speech feel that it is very dangerous to lodge with a governmental official the power to decide himself without any review by the court just whether the language in question is or is not a sufficiently direct incitation to the use of force or violence to become itself a crime.

To go on with the quotation:

If words do not become criminal until they have an immediate tendency to produce a breach of the peace, there is no need for a law of sedition, since the ordinary standards of criminal solicitation and attempt apply.

In other words, if only direct incitation is a crime under this bill, it is not necessary, because the criminal statutes already enacted apply.

Under those standards the words must bring the speaker's unlawful intention reasonably near to success. Such a limited power to punish utterances rarely satisfies the zealous in times of excitement like a war. They realize that all condemnation of the war or of conscription may conceivably lead to active resistance or insubordination. Is it not better to kill the serpent in the egg? All writings that have a tendency to hinder the war must be suppressed.

Of course, I am merely quoting this to give the line of thought, because the same line of argument would apply to something other than war.

Such has always been the argument of the opponents of free speech. And the most powerful weapon in their hand, since the abolition of the censorship, is this doctrine of indirect causation, under which words can be punished for a supposed bad tendency long before there is any probability that they will break out into unlawful acts.

Of course, Mr. President, there is the whole essence of the matter—that very question as to what language shall be considered and what language shall not be considered a crime.

I do not intend to go into a discussion of the whole subject of free speech, nor, indeed, had I intended to occupy the time of the Senate this long. I wished merely to enter my individual protest against legislation which may be used in times of peace to suppress legitimate discussion and to censor the press, for, as we have already seen during the war and as the quotations which I have had inserted in the *RECORD* will indicate, this authority conferred upon the Postmaster General does really constitute him a censor of the press.

Mr. President, we do not live under a democracy. We are living in a Republic, a constitutional Republic, with a Constitution, a Government so framed that so long as its provisions shall be regarded tyranny is impossible—tyranny of the minority over the majority, the equally despicable tyranny of the majority over the minority—a Government founded upon the theory that while the majority might rule, the minority always had a right to be heard and to agitate for change and reform in the administration or in the Constitution itself by legitimate means. Believing as I do in that Constitution, believing as I do in our form of government, believing as I do that it is the only form of government in all the world which does make tyranny impossible—any of these tyrannies which I have mentioned, tyranny of the few over the many or of the many over the few—I hesitate very much to see enacted for a time of peace a statute which may be used by a Government official for the suppression of free speech, for the censorship of the press, and, worse than all, possibly for the protection of himself and some of those legislators who themselves forgetting their sacred oaths are violating the fundamental law of our Constitution, which is the only law, I believe, that has ever been drafted which will preserve government, preventing the tyranny of any, and guaranteeing liberty to all.

Mr. STERLING. Mr. President, I have discovered throughout this discussion and in the letters offered for the *RECORD* by Senators opposing the bill, or certain features of the bill, a great misapprehension as to what the bill really is. To corroborate that statement, I read here a short paragraph from the publication called "Industry," of date January 1, 1920. This is the paragraph:

Senator STERLING has announced that he would attempt to secure immediate consideration of his bill to restrict criticism of the Government.

Mr. President, I never introduced any such bill; I never reported any such bill as that from the committee. If there is anything in which I believe, it is liberty of opinion and liberty freely to criticize the policies of the Government or of the administration or of any of the officials of the Government or administration.

Mr. WALSH of Montana. Mr. President—

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

Mr. STERLING. I yield to the Senator from Montana.

Mr. WALSH of Montana. I did not understand who the Senator said is the author of the interpretation of the bill which he has read.

Mr. STERLING. I do not know. I find the paragraph under the head of "Sedition" in the publication called "Industry," of the issue of January 1, 1920.

Further, Mr. President, to show what the impression seems to be in certain quarters and among certain people in regard to the purport of this bill, I read a short letter which I have just received this morning from Purchase, N. Y., as follows:

PURCHASE, N. Y.

DEAR SENATOR: I wish to protest against your bill curbing free speech. Patrick Henry, Benjamin Franklin, Harriet Beecher Stowe, William Lloyd Garrison, Wendell Phillips, and myself would have had to serve prison terms for trying to better the Government through criticism; I for writing this letter of protest. What happened to the Federal Party with their alien and sedition acts?

Yours, truly,

WILLIAM McHUGO.

So, Mr. President, in the view of the writer of this letter, the bill is for the purpose of preventing criticism which would result in the improvement of our Government. The bill is no such bill as this writer imagines it to be, but, as has been stated again and again here, it is a bill to prevent the advocacy of the overthrow of this Government and of all government by force or violence.

The writer of this letter refers to the alien and sedition acts. I am not sure but that some of the animus of the opposition to this bill comes from a recollection of the alien and sedition acts; or, if not from a recollection of those acts, from what men have learned of their history and the protests against them. I have the old sedition act here, and I merely want to read it. We shall then see the difference between the sedition act of 1798, persistence in the enactment and enforcement of which, as much as anything else, caused the Federal Party loss of power, and the pending bill. Section 2 is the sedition portion of that act. It provides:

That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered, or published, or shall knowingly and willingly assist or aid in writing, printing, uttering, or publishing any false, scandalous, and malicious writing or writings against the Government of the United States, or either House of the Congress of the United States, or the President of the United States, with intent to defame the said Government, or either House of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute, or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the President of the United States—

And so forth.

Of course, that portion of that section of the old sedition law which might be construed as a prohibition of criticism of the President of the United States, the Government of the United States, or of the Congress of the United States, or any or either of them, is a law such as we would not tolerate upon the statute books of the United States now, for fear not so much of the language of the act itself but of the interpretation that might easily be put upon it.

Now, Mr. President, just a word with regard to the amendment of the Senator from Idaho [Mr. BORAH]. I sympathize with the idea of the Senator from Idaho that there should be a hearing allowed any publisher who feels himself aggrieved by the exclusion from the mails of the matter which he publishes; but my point is that under the law and under the decisions of the Supreme Court of the United States he has that right now, and that within 24 hours after the matter has been excluded from the mails the party who feels himself aggrieved can apply to a Federal district court anywhere in the United States within which the publication is issued and procure a restraining order against the action of the Postmaster General in excluding the matter from the mails.

I had read into the *RECORD* this morning a letter from the Solicitor of the Post Office Department. In the concluding portion of that letter he refers to a Supreme Court case which I have before me. First, let me read from another case so as to disclose the principle involved. I read from the decision in the case *In re Rapier*, which Senators will recognize as the old lottery case, in regard to the constitutionality of that provision of the statute of the United States which prohibited sending lottery tickets or matter pertaining to lotteries through the mails. The court says in that case:

The question for determination relates to the constitutionality of section 3894 of the Revised Statutes as amended by that act. In *Ex parte Jackson* (96 U. S., 727) it was held—

And here the court quotes almost literally the opinion of the court in the case of *Ex parte Jackson*—

It was held that the power vested in Congress to establish post offices and post roads embraced the regulation of the entire postal system of the country, and that under it Congress may designate what may be carried in the mail and what excluded; that in excluding various articles from the mails the object of Congress is not to interfere with the freedom of the press or with any other rights of the people but to refuse the facilities for the distribution of matter deemed injurious by Congress to the public morals; and that the transportation in any other way of matters excluded from the mails would not be forbidden. Unless we are prepared to overrule that decision, it is decisive of the question before us.

That decision has been referred to as a precedent in later decisions in regard to the power of Congress to provide for the exclusion of matter from the mail through the action of the Postmaster General.

I now refer to the case which I had in mind in the first instance, the case which recognizes the right of a hearing on the part of the person feeling himself aggrieved, the case of *Public Clearing House* against Coyne, in One hundred and ninety-fourth United States, decided at the October term of the Supreme Court in 1903. The idea is sometimes sought to be conveyed that, because the Postmaster General may act



in the first instance without its having been decided by a court that the matter comes within the prohibition of the law and should be excluded from the mails, it is a denial to the party of due process of law. If that be true, we are in every department of the Government and every day denying the individual the right of due process of law. The court says:

It is too late to argue that due process of law is denied whenever the disposition of property is affected by the order of an executive department. Many, if not most, of the matters presented to these departments require for their proper solution the judgment or discretion of the head of the department, and in many cases, notably those connected with the disposition of the public lands—

Cited as an illustration—

the action of the department is accepted as final by the courts, and even when involving questions of law this action is attended by a strong presumption of its correctness.

But coming now to that part of the opinion which allows the right to be heard, the court says—

That the party injured has a right to invoke the judicial power of the Government whenever his property rights have been invaded by the exercise of such power was settled by this court in *Noble v. Union River Logging Railroad* (147 U. S., 165), as well as in the *McAnnulty* case—

Previously referred to in this opinion—

but, as already indicated, it would practically arrest the executive arm of the Government if the heads of departments were required to obtain the sanction of the courts upon the multifarious questions arising in their departments, before action were taken, in any matter which might involve the temporary disposition of private property. Each executive department has certain public functions and duties, the performance of which is absolutely necessary to the existence of the Government, but it may temporarily at least operate with seeming harshness upon individuals.

Again it is pertinent to ask in this case, which must be of most concern to us—the loss sustained by the individual, his inconvenience for the time being, or the safety and welfare of the public? It is upon this ground, of course, that we must sometimes submit to errors, or perhaps abuses even, on the part of those holding executive offices.

But it is wisely indicated that the rights of the public must in these particulars override the rights of individuals, provided there be reserved to them an ultimate recourse to the judiciary.

I early learned this, Mr. President, as a maxim of the law: "There is no wrong without a remedy." We can broadly apply it. Unless it is in the case where the public welfare and safety must be taken as the prime consideration, and on that account full redress can not be given to the individual through the courts, there is no wrong without a remedy.

Mr. NELSON. Mr. President, will the Senator allow me to interrupt him a minute?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Minnesota?

Mr. STERLING. I yield; yes.

Mr. NELSON. I recall very well that the Supreme Court has in several cases—in one particular case the title of which I can not give just at this moment—decided that "due process of law" does not necessarily mean that the case must be considered in court, in a judicial tribunal. If jurisdiction is conferred upon an executive department or an executive officer, and that officer gives a hearing, and a full hearing is accorded to the other side, and due consideration is given to his case, then and in that case there has been due process of law, and it is not absolutely necessary that it shall be carried on in a judicial tribunal.

Mr. STERLING. Certainly.

Mr. NELSON. The main point is that the party interested shall have a full hearing and a full opportunity to have his case considered; and if he has had due process of law.

Mr. STERLING. Certainly, Mr. President.

Mr. FRANCE. Mr. President—

Mr. STERLING. I yield to the Senator from Maryland.

Mr. FRANCE. I should like to ask the Senator if, in connection with this bill, he is defending the apparently growing practice of Congress in past legislation which tends to consolidate legislative, executive, and judicial powers in an executive official—if he is defending that tendency, or if he upholds it?

Mr. STERLING. Mr. President, I am not quite ready to agree with the Senator from Maryland that that is the tendency. I would not, assuming that it was a tendency, defend it. I do not believe in the practice of combining these three coordinate powers under one head or body.

Mr. President, the Senator from Idaho [Mr. BORAH], in discussing his amendment this morning, seemed to regard it as necessary because of the very wide discretion that the Postmaster General may have in excluding matter from the mail. Under the terms of this bill the Postmaster General can not exclude from the mails matters that criticize the President of the United States, or the Secretary of War, or the Secretary of the Treasury, or any other head of a department. The publisher may severely criticize any and all such officials. He may crit-

icize our form of government. He may say that a soviet government is indeed preferable to a republican or representative form of government. He may say anything except in terms, or in language from which it may fairly be implied, that which advises or advocates the overthrow of the Government of the United States, or of all governments, by force or violence, or, for the purpose of accomplishing the same end, advises or advocates the destruction of property or the destruction of human life.

We can see at a glance that the Postmaster General has practically no discretion at all. It is confined within such narrow limits that to use the authority which this bill gives him can hardly be called the exercise of discretion.

Suppose a party feels himself aggrieved because this or that publication has been excluded from the mails. As I stated a while ago, he may at once apply to a Federal court for relief and for a restraining order; and it will be for that court, upon inspection there of the document, to interpret it and say whether or not, in direct language or in terms, it advocates or advises the overthrow of the Government by force or violence, or whether the words are such as to convey by fair implication the idea that the party to whom it is addressed, or the persons who may read it, should undertake to overthrow the Government by force or violence.

Mr. NELSON. Mr. President—

Mr. STERLING. I yield to the Senator.

Mr. NELSON. Is it not clear that the bill applies only to such publications or documents as advocate in direct terms the overthrow, by force and violence, or by physical injury to person or property, of the Government of the United States? Is it not strictly limited to that?

Mr. STERLING. Certainly.

Mr. NELSON. And is there any occasion to build up a man of straw, and conjure up dangers as to what may happen to that straw man, in a case like this? In this case the moment the Postmaster General attempted to cover more ground than I have referred to, could he not be immediately restrained in court and an injunction immediately issued against him?

Mr. STERLING. Most certainly.

Mr. NELSON. And the court would immediately say, in such a case as that, "The Postmaster General is outside of his jurisdiction. This law has not given him jurisdiction to pass upon anything except what is specified in the law."

Mr. STERLING. The Senator from Minnesota is entirely right in that proposition.

It may be readily seen that nearly the entire discussion on this bill up to date has been concerning the freedom of the press and the fear that we might enact some legislation here that would interfere with the freedom of the press as guaranteed in the first amendment to the Constitution.

Mr. FRANCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Maryland?

Mr. STERLING. I do.

Mr. FRANCE. My discussion this afternoon was directed to the point that if the legislation was designed to make those things crimes which the Senator has now described, statutes already exist which make them crimes. I should be pleased to ask the Senator if he is contending that those acts which he has described are not already crimes under the statutes?

Mr. STERLING. I will say, in answer to the Senator, that he has not yet produced the statute that is applicable to the particular cases covered by the bill, nor is he able to do it. The Senator uttered that challenge the other day, insisting that it was the duty of the proponents of the bill, by referring to the statutes, to point out the need of this legislation. Mr. President, 33 bills have been introduced in the Senate of the United States covering this or allied subjects. Thirty-six bills have been introduced in the House of Representatives covering this or allied subjects, very many of them covering all the features involved in this bill, or a portion of them. Then there was a subcommittee of the Judiciary Committee of the Senate that had a number of these bills referred to it, and we had them under consideration for a long time. The pending bill is the result of a combination of four different bills that have been introduced in the Senate of the United States—one by the Senator from Montana [Mr. WALSH], another quite similar bill by the Senator from Utah [Mr. KING], another by the Senator from Washington [Mr. JONES], and still another by the Senator from Indiana [Mr. NEW].

This bill is a combination of the principles involved in these four separate bills. So, Mr. President, the presumption is, after all these proceedings, that there is need for this legislation and that there is no statute which covers the features involved in this bill.

It is "matter of defense," then, for Senators opposed to the bill or opposed to any of the features of the bill on the ground that they are already covered by existing law to show that fact by producing the statutes showing that they have been so covered. As yet there has been no such showing made.

#### SECOND INDUSTRIAL CONFERENCE.

Mr. CALDER. Mr. President, I ask the pardon of the Senate for obtruding some observations this afternoon on a subject other than the one under consideration. It seems to me that the preliminary statement of the Second Industrial Conference appointed by the President, which was recently issued to the public, warrants some comment in this body. I ask unanimous consent that that statement may be printed in the RECORD.

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

#### PRELIMINARY STATEMENT OF INDUSTRIAL CONFERENCE.

##### "I. Introduction.

"The Industrial Conference, convened by the President in Washington on December 1, issues this statement in the desire that certain tentative proposals be given considerate study by interested individuals and organizations throughout the country. It will reassemble on January 12 and will then carefully consider any constructive criticisms that may be submitted to it.

"The conference does not deem it useful at this time to enter upon a discussion of the causes of industrial unrest. It believes, rather, that its most important immediate contribution is the suggestion of practical measures which will serve to avert or postpone industrial conflicts.

"In confining itself to the proposal of machinery for the adjustment of disputes, the conference is far from wishing to exaggerate the importance of the mechanical as contrasted with the human elements in the situation. Our modern industrial organization, if it is not to become a failure, must yield to the individual a larger satisfaction with life. It makes possible a greater production of material things. But we have grown so accustomed to its complexity that we are in danger of forgetting that men are to-day more dependent on each other than ever before. The spirit of human fellowship and responsibility was easier to maintain when two or three worked side by side and saw the completed product pass from their hands. Yet their cooperation was actually less necessary because each by himself was more nearly capable, if circumstances demanded, to meet the needs of life. To-day we have a complex interweaving of vital interests. But we have as yet failed to adjust our human relations to the facts of our economic interdependence. The process toward adjustment, though slow, nevertheless goes on. The right relationship between employer and employee in large industries can only be promoted by the deliberate organization of that relationship. Not only must the theory that labor is a commodity be abandoned, but the concept of leadership must be substituted for that of mastership. New machinery of democratic representation may be erected to suit the conditions of present industry and restore a measure of personal contact and a sense of responsibility between employer and employee. The more recent development of such machinery with the cooperation of organized labor is a hopeful sign. But back of any machinery must be the power which moves it. Human fellowship in industry may be either an empty phrase or a living fact. There is no magic formula. It can be a fact only if there is continuous and sincere effort for mutual understanding and an unflinching recognition that there is a community of interest between employer and employee.

"Pending the growth of better relationships between employers and employees, the practical approach to the problem is to devise a method of preventing or retarding conflicts by providing machinery for the adjustment of differences. The conference believes that it is possible to set up a more effective series of tribunals for the adjustment of disputes than at present exists. To be successful, such tribunals must be so organized as to operate promptly as well as impartially. There must be full participation by employers and employees. There must be representation of the public to safeguard the public interest. The machinery should not be used to promote unfairly the interests of organizations, either of labor or of capital. The plain fact is that the public has long been uneasy about the power of great employers; it is becoming uneasy about the power of great labor organizations. The community must be assured against domination by either. On the other hand, there must be equal assurance that such machinery will not be used to discriminate against organizations of employees or of employers. Both should be protected. The right of association on either side should not be affected or denied as a result of the erection of such tribunals.

"The plan which follows does not propose to do away with the ultimate right to strike, to discharge, or to maintain the closed or the open shop. It is designed to bring about a frank meeting of the interested parties and cool and calm consideration of the questions involved, in association with other persons familiar with the industry.

"The plan is national in scope and operation, yet it is decentralized. It is different from anything in operation elsewhere. It is based upon American experience and is designed to meet American conditions. To facilitate discussion, the plan submitted, while entirely tentative, is expressed in positive form and made definite as to most details.

##### "II. Plan for boards of inquiry and adjustment.

###### "1. NATIONAL TRIBUNAL AND REGIONAL BOARDS.

"There shall be established a national industrial tribunal, and regional boards of inquiry and adjustment.

###### "2. NATIONAL INDUSTRIAL TRIBUNAL.

"The national industrial tribunal shall have its headquarters in Washington and shall be composed of nine members chosen by the President and confirmed by the Senate. Three shall represent the employers of the country and shall be appointed upon nomination of the Secretary of Commerce. Three shall represent employees and shall be appointed upon nomination of the Secretary of Labor. Three shall be representatives of the public interest. Not more than five of the members shall be of the same political party.

"The tribunal shall be, in general, a board of appeal. Its determinations on disputes coming to it upon an appeal shall be by unanimous vote. In case it is unable to reach a determination, it shall make and publish majority and minority reports, which shall be matters of public record.

###### "3. INDUSTRIAL REGIONS.

"The United States shall be divided into a specified number of industrial regions. The conference suggests 12 regions with boundaries similar to those established under the Federal Reserve System, with such modifications as the industrial situation may make desirable.

###### "4. REGIONAL CHAIRMEN AND VICE CHAIRMEN.

"In each region the President shall appoint a regional chairman. He shall be a representative of the public interest, shall be appointed for a term of three years, and be eligible for reappointment.

"Whenever in any industrial region, because of the multiplicity of disputes, prompt action by the regional board is impossible, or where the situation makes it desirable, the national industrial tribunal may, in its discretion, choose one or more vice chairmen and provide for the establishment under their chairmanship of additional regional boards.

###### "5. PANELS OF EMPLOYERS AND EMPLOYEES FOR REGIONAL BOARDS.

"Panels of employers and employees for each region shall be prepared by the Secretary of Commerce and the Secretary of Labor, respectively, after conference with the employers and employees, respectively, of the regions. The panels shall be approved by the President.

"At least 20 days before their submission to the President provisional lists for the panels in each region shall be published in such region.

"The panels of employers shall be classified by industries; the panels of employees shall be classified by industries and subclassified by crafts. The names of employers and employees selected shall be at first entered on their respective panels in an order determined by lot.

"The selection from the panels for service upon the regional boards shall be made in rotation by the regional chairman; after service the name of the one so chosen shall be transferred to the foot of his panel.

###### "6. REGIONAL BOARDS OF ADJUSTMENT.

"Whenever a dispute arises in a plant or group of plants which is not settled by agreement of the parties or by existing machinery, the chairman may on his motion, unless disapproved by the national industrial tribunal, and shall at the request of the Secretary of Commerce or the Secretary of Labor or the national industrial tribunal, request each side concerned in such dispute to submit it for adjustment to a regional board of adjustment. To this end each side shall, if willing to make such submission, select within not less than two nor more than seven days, at the discretion of the chairman, a representative. Such selection shall be made in accordance with the rules and regulations to be laid down by the national industrial tribunal for the purpose of insuring free and prompt choice of the representatives.

"When both sides shall have selected their representatives the chairman shall take from the top of the panels for the industry concerned, or in the case of employees for the craft or crafts



concerned, names of employers and employees, respectively. The representatives selected by the two sides shall be entitled to a specified number of peremptory challenges of the names so taken from their respective panels. When two unchallenged names of employers and employees shall have been selected in this manner, they, with the chairman and the representatives selected by the two sides, shall constitute a regional board of adjustment.

"The appointment of representatives of both sides shall constitute an agreement to submit the issue for adjustment and further shall constitute an agreement by both sides that they will continue, or reestablish and continue, the status that existed at the time the dispute arose.

"The board of adjustment so constituted shall proceed at once to hear the two sides for the purpose of reaching a determination. Such determination must be by unanimous vote. In case the board is unable to reach a determination the question shall, unless referred to an umpire as provided in section 9, pass upon appeal to the national industrial tribunal.

#### "7. REGIONAL BOARDS OF INQUIRY.

"If either side to the dispute fails, within the period fixed by the chairman, to select its representative, the chairman shall proceed to organize a regional board of inquiry. Such regional board of inquiry shall consist of the regional chairman, two employers selected in the manner specified from the employers' panel, and two employees selected in like manner from the employees' panel and of the representative of either side that may have selected a representative and agreed to submit the dispute to the board. If neither side shall select a representative within the time fixed by the chairman, the board of inquiry shall consist of the chairman and the four panel members only.

"Upon the selection of a representative, within the specified time, the side concerned shall be entitled to the specified number of peremptory challenges as provided above. The representative shall have the right to sit on the board of inquiry and to take full part as a member of such board in the proceedings thereof.

"The board of inquiry as so constituted shall proceed to investigate the dispute and make and publish a report, or majority and minority reports, of the conclusions reached, within 5 days after the close of its hearings and within not more than 30 days from the date of issue of the original request by the chairman to the two sides to the dispute, unless extended on unanimous request of the board or the national industrial tribunal. It shall transmit copies of this report or reports to the Secretaries of Commerce and of Labor, respectively, and to the national industrial tribunal, where they shall be matters of public record.

#### "8. TRANSFORMATION OF THE REGIONAL BOARDS OF INQUIRY INTO REGIONAL BOARDS OF ADJUSTMENT.

"At any time during the progress of the inquiry at which both sides shall have selected representatives and agreed to submit the dispute for adjustment, the board of inquiry shall become a board of adjustment by the admission to membership on the board of such representatives. The side or sides which appoint representatives after the date fixed in the original request of the chairman shall, because of its delay, suffer a reduction in the number of peremptory challenges to which it otherwise would have been entitled.

"The board of adjustment so constituted shall proceed to the determination of the dispute as though it had been organized within the period originally fixed by the chairman.

#### "9. UMPIRE.

"When a regional board of adjustment is unable to reach a unanimous determination it may by unanimous vote select an umpire and refer the dispute to him with the provision that his determination shall be final and shall have the same force and effect as a unanimous determination of such regional board.

#### "10. COMBINATION OF REGIONS.

"Whenever the questions involved in a dispute extend beyond the boundaries of a single region, the regions to which the dispute extends shall, for the purpose of such dispute, be combined by order of the national industrial tribunal, which shall designate the chairman of one of the regions concerned to act as chairman in connection with the dispute in question.

"Two employer members and two employee members shall be chosen from the combined panels of the regions involved in the dispute under rules and regulations to be established by the national industrial tribunal. The members representing the two sides to the dispute shall be chosen as in the case of a dispute in a single region.

"A regional board of inquiry or of adjustment, constituted for a dispute extending beyond the boundaries of a single region, shall have the same rights and powers conferred upon a regional board for a single region.

#### "11. EFFECT OF DECISION.

"Whenever an agreement is reached by the parties to a dispute or a determination is announced by a regional board of adjustment or by an umpire or by the national industrial tribunal, the agreement or determination shall have the full force and effect of a trade agreement, which the parties to the dispute are bound to carry out.

#### "12. GENERAL PROVISIONS.

"In connection with their task of inquiry and adjustment, the regional boards and the national tribunal shall have the right to subpoena witnesses, to examine them under oath, to require the production of books and papers pertinent to the inquiry, and their assistance in all proper ways to enable the boards to ascertain the facts in reference to the causes of the dispute and the basis of a fair adjustment. Provision shall be made by law for the protection of witnesses and to prevent the misuse of any information so obtained.

"All members of the tribunal and boards heretofore described, including the chairman and vice chairman, shall be entitled to vote.

"The President shall have the power of removal of the members of the tribunal and boards.

"In the presentation of evidence to the tribunal and the boards each side shall have the right to present its position through representatives of its own choosing.

"The Secretary of Commerce and the Secretary of Labor, in making nominations for the national industrial tribunal and in preparing and revising the regional panels of employers and employees, shall from time to time develop suitable systems to insure their selections being truly representative.

"The national industrial tribunal, the regional boards of adjustment, and the umpires shall in each of their determinations specify the minimum period during which such determinations shall be effective and binding. In case of emergency a regional adjustment board or the national industrial tribunal may, after hearing both sides, alter its determination by abridging or extending the period specified.

#### "13. SPECIAL PROVISIONS.

"The terms of office of members of the national industrial board shall be six years; at the outset three members, including one from each group, shall be appointed for a term of two years, three members for a term of four years, and three members for a term of six years; thereafter three members, one from each group, shall retire at the end of each period of two years. Members shall be eligible for reappointment.

"The regional panels provided for in section 5 shall be revised annually by the Secretaries of Commerce and of Labor, respectively, in conference with the employers and employees, respectively, of each region.

#### "14. RELATION OF BOARDS TO EXISTING MACHINERY FOR CONCILIATION AND ADJUSTMENT.

"The establishment of the national industrial tribunal and the regional boards described shall not affect existing machinery of conciliation, adjustment, and arbitration established under the Federal Government, under the governments of the several States and Territories or subdivisions thereof, or under mutual agreements of employers and employees.

"Any industrial agreement made between employers and employees may, by consent of the parties, be filed with the national industrial tribunal. Such filing shall constitute agreement by the parties that in the event of a dispute they will maintain the status existing at the time the dispute originated until a final determination, and that any dispute not adjusted by means of the machinery provided through the agreement shall pass on appeal to the national industrial tribunal for determination, as in the case of a dispute submitted on appeal from a regional board.

#### "III. Objects of plan.

"The main objects of the above plan are to secure national coordination and to stimulate the formation of bodies for local adjustment. The requirement of unanimity of agreement has by experience in the United States proved remarkably successful and should assure such confidence that neither side can rightfully refuse to submit to adjustment. A precedent condition of such submission is that the interruption of production shall be delayed. The frank meeting of the parties in controversy together with other men skilled in questions at issue always gives promise of settlement. On the other hand, refusal to submit to the board not only inaugurates a legal inquiry but also prejudices the obstinate party or parties in public opinion. Moreover, the fact that membership on the board of inquiry is available to either party to the conflict singly would tend further to weaken the position of the other. When both parties join, the board at once becomes a board of adjustment, and conflict ceases by agreement until a determination is reached.

*"IV. Statement as to public-utility industries."*

"The plan here proposed presents greater difficulties in application to certain public utilities than to competitive industry. The continuous operation of public utilities is vital to public welfare. As the capital invested is employed in public use, so is the labor engaged in public service; and the withdrawal of either with the result of suspending service makes the people the real victim. While continuous operation of all utilities is conducive to the general convenience of the people that of some of them is essential to their very existence. Of the latter class the railways are a conspicuous example and bear the same relation to the body politic as do the arteries to the human body. Suspension produces practical social and economic anarchy and may impose hardship even to the point of starvation upon large sections of the community. The interruption in such essential public utilities is intolerable.

"The conference believes that a plan of tribunals or boards of adjustment and inquiry should be applied to public utilities, but in the adaptation of the plan two problems present themselves. First, governmental regulation of public utilities is now usually confined to rates and services. The conference considers that there must be some merging of responsibility for regulation of rates and services and the settlement of wages and conditions of labor. Such coordination would give greater security to the public, to employee, and to employer. Second, is the problem whether some method can be arrived at that will avert all danger of interruption to service. These matters require further consideration before concrete proposals are put forward.

*"V. Statement as to Government employees."*

"The Government is established in the interests of all the people. It can be conducted effectively only by those who give to its service an undivided allegiance. The terms and conditions of employment in the Government service are prescribed by law. Therefore no interference by any group of Government employees or others with the continuous operation of Government functions through concerted cessation of work or threats thereof can be permitted.

"The right of Government employees to associate for mutual protection, the advancement of their interests, or the presentation of grievances can not be denied, but no such employees who are connected with the administration of justice or the maintenance of public safety or public order should be permitted to join or retain membership in any organization which authorizes the use of the strike or which is affiliated with any organization which authorizes the strike.

"The conference is not now expressing an opinion upon the propriety of the affiliation of other classes of Government employees with organizations which authorize the use of the strike.

"The principles above stated are not to be construed as inconsistent with the right of employees individually to leave the public service. It is, further, an essential part of the application of these principles that tribunals shall be established for prompt hearing of requests and prompt remedy of grievances. The legislation of the Nation, the States, and the municipalities should be improved in such a way as to prevent delay in hearings and to enable speedy action when there are grievances.

*"VI. Further work of the conference."*

"On reconvening the conference will continue its consideration of tribunals for the furtherance of industrial peace in general industry in the light of whatever criticisms and suggestions the publication of its tentative plan may call forth. It will receive reports of investigations that are being made for it. On the basis of such reports and of further study of these and the other subjects within its field, the conference hopes that it may be able to contribute something more toward the better industrial relations described in the words addressed to it by the President when he called it into being—relations in which 'the workman will feel himself induced to put forth his best efforts, the employer will have an encouraging profit, and the public will not suffer at the hands of either class.' To this end it invites the cooperation of all citizens who have at heart the realization of this ideal of a better industrial civilization.

"(Signed) The President's Industrial Conference; W. B. Wilson, chairman; Herbert Hoover, vice chairman; Martin H. Glynn, Thomas W. Gregory, Richard Hooker, Stanley King, Samuel W. McCall, Henry M. Robinson, Julius Rosenwald, Oscar S. Straus, Henry C. Stuart, F. W. Taussig, William O. Thompson, Henry J. Waters, George W. Wickersham, Owen D. Young, members. Attested: Henry R. Seager, executive secretary.

"DECEMBER 19, 1919."

Mr. CALDER. Mr. President, in my address to the Senate on October 11, just after the assembling of the first industrial conference, I mentioned Federal incorporation as a means of establishing the authority of trade agreements and contracts, and I have expressed the hope that—

the country might receive from the first conference constructive ideas as to the application of the principles of Federal incorporation to aggregations of both employers and employees, as a part of the machinery referred to by the Secretary of Labor by which rights may be safeguarded and justice secured—

for I am among those who believe that it is even more important and practical to devote our thoughts to insuring the execution in letter and, if possible, in spirit, of agreements already made, than it is to devoting them to creating machinery for making additional agreements.

In reading the preliminary statement of the second industrial conference, which I have done with much interest, I have been a little disappointed in failing to note provisions establishing the authority of contract and the equal responsibility of the parties.

I have noted that the statement of the conference lays stress upon the concept that leadership must be substituted for mastership, but I am led to question whether the plan proposed in the statement, admirable as it may be in other respects, does not take away from the employer the element of leadership so vitally essential to increase the production of the country.

I feel free to draw attention to these matters of establishing the authority of contract and of maintaining leadership in industry, inasmuch as the preliminary statement of this conference was issued in the desire that its tentative proposals be given considerate study by interested individuals and organizations throughout the country so that this conference might receive constructive criticisms when it reassembles on January 12. On the basis of such criticisms and reports and on the basis of a further study, the conference expresses its hope that it may be able to contribute something toward better industrial relations in the words addressed to it by the President when he called it into being, relations in which—

the workman will feel himself induced to put forth his best efforts, the employer will have an encouraging profit, and the public will not suffer at the hands of either class.

To this end the conference has invited and is entitled to the cooperation of all citizens, and it is in this spirit of cooperation that I am directing my remarks, well realizing the difficulty of grasping, without having followed the committee's deliberations in detail, the full import of its preliminary statement.

I believe that public opinion does and should always rule this country. Public opinion must be founded on authentic facts; it should be accurately informed. I believe there are many controversies between employer and employee in which the issues are not understood by the public. There are some in which the public is vitally concerned, but there are many in which the public has no direct interest. If the machinery suggested by the conference could give a clear statement of the issues to the public in matters in which the public is vitally interested, without entangling the whole industry of the country and thus defeating the purpose of informing public opinion, it would be rendering a service of great value. Disputes that should logically be considered are those disputes in which the public as a whole has an interest. This means that the conference should clearly define which industries should be subject to action by the proposed tribunals.

I commend the statement of the conference that—

\* \* \* The Government is established in the interests of all the people. It can be conducted effectively only by those who give to its service an undivided allegiance.

The right of Government employees to associate for mutual protection, the advancement of their interests, or the presentation of grievances can not be denied, but no such employees who are connected with the administration of justice or the maintenance of public safety or public order should be permitted to join or retain membership in any organization which authorizes the use of the strike or which is affiliated with any organization which authorizes the strike. \* \* \*

While the conference holds that the continuous operation of some public utilities, notably railroads, is essential to the very existence of the people; that suspension produces social, political, and economic anarchy, and may impose hardship, even to the point of starvation, upon large sections of the community; and while it recognizes the problem of averting the danger of interruption of service, it believes that these matters require further consideration before concrete proposals are put forth. It seems to me that those public utilities the cessation of which might produce political, social, and economic anarchy and impose starvation on large sections of the community should be classed with Government service, and that the public will await these concrete proposals of the conference with vital interest.

If I understand the preliminary statement of the conference correctly, it proposes, without affecting the present Federal,



State, or private machinery of conciliation or adjustment, to set up a more effective series of tribunals for the settlement of disputes than at present exists, to consist of a national industrial tribunal, with regional boards of inquiry and adjustment, whose findings shall have the force and effect of a trade agreement between the parties. If a finding is not made, the majority and minority reports may be published and filed. But the tribunal and its subsidiaries may inaugurate legal inquiries, with the right to subpoena witnesses, examine them under oath, and require them to produce books and papers pertinent to the causes of the dispute and to the basis of its fair adjustment.

It might seem unfair to impose upon the employer the obligation of continuing to disclose his books and papers and the very good will of his business upon the complaint of possibly small groups of disgruntled employees, especially without having the assurance that the decision, if ultimately reached, would be kept in spirit or even in letter.

I find myself in grave doubt whether the proposed tribunals would not constitute a court of appeal, without adequate authority and without adequate responsibility, and would not take away from the employer the moral leadership now so necessary for the increase of production, placing the de facto industrial leadership in the hands of these tribunals rather than in the hands of the employer and placing the whole industry of the country "in leading strings, which may soon become hopelessly entangled."

It is only through the closest relationship between employer and employee in each individual undertaking adjusted to its own local needs that working conditions may be sufficiently elastic to meet the many circumstances arising throughout the Nation. These tribunals might form precedents in one part of the United States not adapted to another, and they might tend to nationalize rather than to localize disputes. Time and interest of both employer and employee, which should be devoted to productive work, may be diverted to the selection of the members of the proposed tribunals and to considerations of strategy, with the ultimate effect of a greater burden of cost upon the public.

The proposed tribunals appear to be more adaptable to those public utilities the cessation of which would not seriously interfere with public welfare than to private business.

In common with other legislators I have received inquiries as to my views on a new basis of compensation. If by a query as to a new basis it is inferred that the legislators are to invent a method by which the wage earner will get more than he produces, the legislators are being asked to create an economic perpetual-motion machine.

The Secretary of Labor, Hon. William B. Wilson, who is indeed a practical labor man, as well as an experienced legislator, in his address before the conference of mayors and governors last spring went as far as any practical man has yet been able to go when he stated:

To my mind it is a truism that every man is entitled to the full social value of what his labor produces. The difficulty, however, is that human intelligence has not yet developed a method by which we can determine what the social value of anyone's labor is; so because of our inability to compute the value of labor we have been going on determining the social values of labor on a competitive basis, modified to a greater or lesser extent by the organizations of capital on the one side and the organizations of labor on the other.

And I might say modified to a greater or lesser extent by the law of supply and demand.

I may admit that I am among those who entertain grave doubts as to the national helpfulness of boards or tribunals which may chance to intervene between employer and employee in defiance of the laws of supply and demand.

While we may not be able to devise practical machinery for the equitable distribution of the production of labor, yet it is easily within our power to devise adequate legislation to preserve the capital value of the human machine through child and women labor laws through restricting the hours of work in dangerous occupations and through minimum wage, and so forth.

We may at least refrain from passing legislation tending to estrange the employer and the employee and which might nationalize rather than localize labor disputes.

We may encourage the present successful practice of settlement of disputes by local voluntary arbiters.

We may provide for the enforcement of trade agreements by Federal incorporation or other similar device.

We may enact legislation looking toward a wider distribution of real property through an adequate system of long-term banking and reverse the present tenantry drift to an ever-increasing percentage of home ownership. The work done by men to avoid hunger and necessity will not go far to increase production.

It is the work inspired by the motive of possession that increases the Nation's production and that yields a larger satisfaction with life to the individual who through saving becomes independent.

We may eliminate special privilege in many of its phases. The wage earner asks for no philanthropy. He fully realizes that the law of supply and demand must eventually rule, but he wants a square deal, as Secretary Wilson has said so clearly:

I do not believe that any country owes any man a living, but I do believe that every country owes every man an opportunity to earn a living.

The members of this conference have thought in the terms of common good, and it is my belief that something permanently helpful may come from their deliberations; but, as I stated in my address to the Senate on October 11 last:

Temporary conditions in industry are not the real issues. Temporary remedies may do more harm than good, just as the policy of following the line of least resistance during the war aggravated the industrial controversies we have had since the armistice was signed.

If all unjust employers, disaffected employees, the I. W. W.'s, and the anarchists, and the Karl Marx professors of all the world were transported to Mars, never to return, their places would soon be filled by others, if the causes continued to obtain. These causes date back many generations. They are world wide, and this Nation is being affected by them as, through travel and communication, the distances between it and foreign countries are shortened.

As the knowledge of geography and navigation developed, the exploitation of the weaker races by the stronger swept around the globe and then the exploitation of the weaker groups by the stronger groups of the same race localized itself in each nation finally under the feudal systems, until the United States became the one star of hope to the oppressed peoples of the earth.

But as Herbert Hoover so aptly writes in the Saturday Evening Post of December 27:

The United States has been for 150 years steadily developing a social philosophy of its own. This philosophy has stood this period of test in the fire of common sense; it is, in substance, that there should be an equality of opportunity—an equal chance—to every citizen. This view—that every individual should within his lifetime not be handicapped in securing that particular niche in the community to which his abilities and character entitled him—is itself the negation of class. Human beings are not equal in these qualities, but a society that is based upon a constant readjustment of the relative influence and rewards of individuals in the community, upon the basis of ability and character, is a moving, virile mass—it is not a stratification of classes. Its stimulus is competition.

It is the essence of democracy that progress of the mass must rise from progress of the individual. It is the only road to a higher civilization. Its conception of the State is of one that, representative of all the citizens, will in the region of economic activities limit itself in the main to the prevention of economic domination of the few over the many.

Now, the United States is particularly suffering from the reaction of those who have been oppressed in foreign countries against those who migrated to this country years before and enjoyed opportunity of advancement, and it is but to be expected that these immigrants, smarting under conditions of injustice at home without full knowledge of the opportunities in this country, should react against the more fortunate who came before them as they might have reacted against their feudal or class masters had they remained in their own countries.

We can but eliminate those causes within the jurisdiction of the United States.

While our employers and employees have had periodic controversies, the normal condition in this country has been one of peace, of increasing productiveness, of development of better standards of living, as the resources of the country have been developed and the organization of its people has been perfected through self-control and through common justice.

This country can continue to prosper only through increased production in proportion to increased standards of living. This means work; this means improved tools of industry; this means investment in tools of industry rather than expenditures for consumable commodities; this means intelligent conservation of the resources of the individual as well as intelligent conservation of the resources of the Nation. By scientific use and conservation of our human and material resources we may lead the world in the increase of productive capacity.

Since the introduction of machinery during the past 150 years it is probable that the per capita productive capacity of the world has increased two hundred times, but unfortunately this productive capacity has not been conserved, but has been diverted to comparative nonessentials and has been handicapped by personal inefficiency, has been exploited by groups and governmental intervention in favor of one group or another or in conflict between nations.

During the past five years the productive capacity of the world has been checked and diverted to the needs of war. The production of millions of men has gone into the scrap heap.

Since the armistice such productive capacity as has remained has been largely directed toward consumable rather than toward capital commodities. As Pope Benedict said, on December 24, in his address to the cardinals:

To-day there is no limit to the dissipation of wealth and the drying up of the sources thereof.

The reaction of war strain has been shown in idleness and lack of initiative. Special privilege, at the expense of the public, is sought by the various groups in interest to offset governmental interference of war and prewar times. In Russia it is confiscation, in England it is subsidy, in the United States it is exemption—exemption from the normal application of laws and of taxation, exemption for the enjoyment of ill-advised franchises as well as for the enjoyment of the unearned increment of undeveloped natural resources.

Thought and leadership have unfortunately not been directed to the replenishment of exhausted capital, but to world-wide discussions over the division of the remaining capital depleted by five years of war and one year of comparative inaction.

The second industrial conference will do well if it brings home to the American people the concept that leadership must be substituted for mastership—that such leadership must be human, moral, practical, and scientific, for without such leadership there can be no adequate development in production. It will do well if it can bring home to the American people the concept of the validity of trade agreements—in honor and spirit, as well as in letter. It will do well if it can devise means for bringing the employer and employee in each small enterprise together and thus localize rather than nationalize disputes which otherwise might involve through sympathetic strikes the many people innocent of the original causes.

#### WATER-POWER DEVELOPMENT.

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

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes.

The VICE PRESIDENT. The first amendment of the Committee on Commerce passed over will be stated.

The ASSISTANT SECRETARY. On page 17, after line 23, strike out:

(e) That the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the commission. When licenses are issued that contemplate the use of Government dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter, in a manner to be described in each license.

And in lieu thereof insert:

That the licensee shall pay for the license herein granted such reasonable annual charges as may be fixed by the commission, for the purpose of reimbursing the United States for the cost of administration of the act in relation to water powers developed under its jurisdiction, in the proportion that the water power developed by the project covered by said license bears to the total water power developed by all projects licensed under the act, and for that purpose such charges may be readjusted from time to time, not oftener than once in two years; the licensee shall also pay for the use and occupation of any public lands and lands in reservations, except tribal lands embraced within Indian reservations, necessary for the development of the project covered by the license such reasonable annual charges based upon the actual value of the Government lands used as may be fixed by the commission; but in no event shall the annual charge for the foregoing exceed 25 cents per developed horsepower: *Provided*, That when licenses are issued involving the use of Government dams or other structures owned by the United States or tribal lands embraced within Indian reservations the commission shall fix a reasonable annual charge for the use thereof, and such charges may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter in a manner to be described in each license.

#### EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 10, 1920, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate January 9, 1920.*

##### UNITED STATES SHIPPING BOARD.

Thomas A. Scott to be a member of the United States Shipping Board. (Reappointment.)

##### REGISTER OF LAND OFFICE.

John C. Stoner, of South Dakota, to be register of the land office at Lemmon, S. Dak.

##### RECEIVER OF PUBLIC MONIES.

William H. Tompkins, of South Dakota, to be receiver of public moneys at Rapid City, S. Dak.

##### PROMOTIONS IN THE COAST GUARD.

Engineer in Chief Quincy B. Newman, United States Coast Guard, to have temporarily the rank of captain in the Navy and colonel in the Army:

Third Lieut. Frederick J. Birkett and Third Lieut. George R. Crosby to be second lieutenants in the Coast Guard.

##### PROMOTIONS IN THE ARMY.

###### INFANTRY.

*To be lieutenant colonels.*

Maj. Dwight W. Ryther, Infantry, from December 24, 1919.  
Maj. William F. Creary, Infantry, from December 27, 1919.

*To be majors.*

Capt. Gideon H. Williams, Infantry, from November 7, 1919.  
Capt. Fred W. Bugbee, Infantry, from November 12, 1919.  
Capt. William M. Goodale, Infantry, from November 20, 1919.  
Capt. Leonard T. Baker, Infantry, from November 20, 1919.  
Capt. Charles S. Frank, Infantry, from November 22, 1919.  
Capt. Franklin S. Leisenring, Infantry (Quartermaster Corps), from November 22, 1919.  
Capt. Charles F. Andrews, Infantry, from November 22, 1919.  
Capt. Allan L. Briggs, Infantry, from November 25, 1919.  
Capt. James M. Petty, Infantry, from December 1, 1919.  
Capt. John B. Shuman, Infantry, from December 10, 1919.  
Capt. Charles G. Lawrence, Infantry, from December 24, 1919.

##### PROMOTIONS IN THE NAVY.

Capt. Jeter R. Horton, assistant quartermaster, to be an assistant quartermaster in the Marine Corps, with the rank of major, from the 1st day of August, 1919.

Capt. Henry N. Manney, jr., to be a major in the Marine Corps from the 23d day of November, 1919.

Capt. Franklin B. Garrett to be a major in the Marine Corps from the 11th day of December, 1919.

Second Lieut. Robert S. Hunter to be a first lieutenant in the Marine Corps from the 29th day of September, 1918.

First Lieut. Robert S. Hunter to be a captain in the Marine Corps from the 30th day of September, 1918.

Maj. James K. Tracy to be a lieutenant colonel in the Marine Corps, for temporary service, from the 6th day of January, 1920.

Capt. George H. Osterhout, jr., to be a major in the Marine Corps, for temporary service, from the 18th day of December, 1919.

Capt. John Q. Adams to be a major in the Marine Corps, for temporary service, from the 6th day of January, 1920.

Sergt. Herman H. Hannekan to be a second lieutenant in the Marine Corps, for temporary service, from the 23d day of December, 1919.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 9, 1920.*

##### COLLECTOR OF INTERNAL REVENUE.

Carl A. Hatch to be collector of internal revenue for the district of New Mexico.

##### APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

###### CAVALRY ARM.

Second Lieut. James C. Styron, Coast Artillery Corps, to be second lieutenant of Cavalry.

###### COAST ARTILLERY CORPS.

Second Lieut. Auston M. Wilson, jr., Cavalry, to be second lieutenant in the Coast Artillery Corps.



## HOUSE OF REPRESENTATIVES.

FRIDAY, January 9, 1920.

The House met at 12 o'clock noon.

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

O Thou Eternal One, life-giving, life-sustaining Potentate, infinite in all Thine attributes, boundless in Thy resources, let Thy spirit possess each Member of this legislative body, that all its enactments may be in consonance with the laws Thou hast ordained, to still unholy strife and the unrest prevalent throughout our land, that the genius of our Republic may come in all fullness, happiness enter every home, and all good obtain. For Thine is the kingdom, and the power, and the glory, forever. Amen.

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

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 3175) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation.

## ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 263. Joint resolution extending the time for filing final report of the Joint Commission on Reclassification of Salaries, created by section 9, Public No. 314, Sixty-fifth Congress, approved March 1, 1919, to a date not later than March 12, 1920.

## LEAVE TO PRINT.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to print in the RECORD the letter written by the President to the representatives of democracy at the Jackson Day dinner last night.

The SPEAKER. The gentleman from Texas asks unanimous consent to print in the RECORD the letter of the President referred to.

Mr. MADDEN. I would like to ask unanimous consent to couple with that the printing of Mr. Bryan's speech also.

Mr. GARNER. I have no objection, so far as I am concerned.

The SPEAKER. The gentleman from Illinois couples with that request a request that the speech of Mr. Bryan be printed also. Is there objection?

Mr. GARD. Mr. Speaker, I object to both.

The SPEAKER. Objection is made.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to print in the RECORD the address of Walker D. Hines, Director General of Railroads, before the Bar Association of the City of New York on January 7.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to insert in the RECORD the letter referred to. Is there objection?

Mr. MADDEN. The gentleman from Ohio objected.

The SPEAKER. Objection is made.

## WOMAN SUFFRAGE.

The SPEAKER laid before the House a communication from the secretary of state of Rhode Island, announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States, extending the right of suffrage to women.

## CONDITION OF THE VIRGIN ISLANDS.

Mr. TOWNER. Mr. Speaker, I ask unanimous consent for a change of reference of Senate resolution 69, which was sent to the Committee on Insular Affairs, to the Committee on Rules.

It seems that this joint resolution appoints a commission to report upon conditions in the Virgin Islands, and under our precedents all bills or joint resolutions providing for the appointment of commissions are to be sent to the Committee on Rules.

The SPEAKER. The gentleman from Iowa asks unanimous consent to transfer from the Committee on Insular Affairs to the Committee on Rules Senate joint resolution No. 69. Is there objection?

There was no objection.

## THE FIREMEN'S BILL.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the firemen's bill, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the firemen's bill, which the Clerk will report, disagree to the Senate amendment, and ask for a conference.

The Clerk read as follows:

A bill (H. R. 10137) to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1916, and for other purposes.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, is the ranking minority member of the gentleman's committee aware of the fact that the gentleman from Michigan was to call this up and send the bill to conference?

Mr. MAPES. I think he has no objection to it, although I have not spoken to him about it. The ranking minority member, as the gentleman knows, is not here, on account of sickness. The bill was considered and reported originally by a subcommittee of which Mr. JOHNSON of Kentucky and Mr. WOODS of Virginia were members on the minority side. I will say frankly that I have not spoken to Mr. WOODS of Virginia about it, but I do not think there is any question but that he would agree that this is the proper procedure.

Mr. GARNER. The reason why I make the suggestion to the gentleman is that it does seem to me that the practice of the House ought to be that when a gentleman gets up and asks unanimous consent to disagree to Senate amendments and send a bill to conference he ought at least consult with the probable conferee on the minority side in making the request. I shall not object now, but I make that suggestion now in the interest of the facilitation of the business of the House, that unless it is done there will probably be a policy adopted on the part of the House to object to requests of this kind.

Mr. MAPES. I believe in that policy, but I neglected to do it in this particular case.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Messrs. MAPES, GOULD, and WOODS of Virginia.

## BRIDGE ACROSS THE SAVANNAH RIVER.

Mr. BRAND. Mr. Speaker, on last Monday, in my absence on account of the illness of a child, the bill H. R. 10922 was called up, and some objection was made at the time by the gentleman from Illinois [Mr. MANN]. I now ask unanimous consent to take it up.

Mr. WALSH. What is it?

The SPEAKER. The gentleman from Georgia asks unanimous consent for the immediate consideration of a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10922) to grant the consent of Congress to the Alford Bridge Co. to construct a bridge across the Savannah River.

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

Mr. SNYDER. Mr. Speaker, in order to save time and to get back to the consideration of the Indian appropriation bill, now before the House, I object.

The SPEAKER. Objection is made.

## LEAVE TO PRINT.

Mr. SIMS. Mr. Speaker, I would like to renew my request that I made a moment ago.

## INDIAN APPROPRIATION BILL.

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11368, the Indian appropriation bill.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill. The question is on agreeing to that motion. The motion was agreed to.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11368, the Indian appropriation bill, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill under the five-minute rule.

The Clerk read as follows:

SEC. 18. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, \$200,000: *Provided*, That a report shall be made to Congress by the superintendent for the Five Civilized Tribes through the Secretary of the Interior, showing in detail the expenditure of all moneys appropriated

by this provision: *Provided further*, That no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases (excluding oil and gas leases) made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases (except oil and gas leases) now required to be approved under existing law by the Secretary of the Interior shall hereafter be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order.

Mr. MANN of Illinois. I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. SIMS. Mr. Chairman, I move to strike out the last word, for the purpose of making a short statement. We all know that the railroad legislation is in conference and that it is the most important legislation before Congress. The Director General of Railroads delivered an address before the Bar Association of New York on the 7th of January, of which I have a full copy. Only portions of it have been printed in the papers that I have seen, and in the interest of the public I ask that it be printed in the Record.

Mr. GREEN of Iowa. Mr. Chairman, I object.

Mr. SIMS. Do you want to commence objecting to a thing as important as this? This is no political speech or anything like that.

The CHAIRMAN. The gentleman from Iowa objects.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair understood the gentleman from Illinois [Mr. MANN] to reserve a point of order on the paragraph.

Mr. MANN of Illinois. I did.

The CHAIRMAN. Then the Chair thinks the amendment is not in order until the point of order is disposed of.

Mr. CRAMTON. I ask to have my amendment read for information. Then I will make a statement about it.

The CHAIRMAN. If there be no objection, the Clerk will report the amendment for information.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 48, line 2, after the word "provision," strike out lines 2 to 18, inclusive, and insert in lieu thereof the following:

*"Provided further*, That hereafter no undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or uncontested agricultural and mineral leases (excluding oil and gas leases) made by individual restricted Indian allottees, or their heirs, shall be forwarded to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases (except oil and gas leases) heretofore required to be approved under existing law by the Secretary of the Interior shall hereafter be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order."

Mr. CRAMTON. Mr. Chairman, just a word of explanation. The language on page 48, from lines 2 to 18, inclusive, covers legislation for the purpose of changing the old practice of sending leases to the Interior Department for approval when they relate to the lands of the Five Civilized Tribes—leases other than oil and gas. There has been some controversy about this proposition for two or three years, but last year an agreement was reached by the parties who had been giving attention to it, and the language in this bill was placed in the bill a year ago as a result of that agreement. It was the intention at that time to put it in the form of permanent legislation. There seems to have been some misunderstanding with reference to what was the effect of the language. The Bureau of Indian Affairs did not apparently understand that it was permanent legislation, and so the language is repeated in the bill again this year. In my judgment the language that appears in the bill, and which was in the law last year, was permanent legislation in effect.

Mr. MANN of Illinois. The gentleman will notice, however, that the very beginning of the proviso says—

*Provided further*, That no part of said appropriation shall be used—

Which makes it simply a limitation on the appropriation for the current year.

Mr. CRAMTON. That would be true as to the first part of the provision.

Mr. MANN of Illinois. That is all that it does.

Mr. CRAMTON. That is as to the forwarding of undisputed claims.

Mr. SNYDER. I was unable to hear the remark of the gentleman from Illinois.

Mr. MANN of Illinois. This whole paragraph is dependent upon the proposition in the first part of it that no part of this appropriation shall be used. Under the decisions, that clearly

determines that it is not permanent legislation, but only law for the current year.

Mr. CRAMTON. I will say to the gentleman from Illinois that the misunderstanding has come about by reason of that language, but there are two propositions in the provision; first, that no part of the appropriation shall be used in forwarding undisputed claims; and, second, which is independent of the first proposition, that such undisputed claims shall hereafter be paid, approved, rejected, or disapproved by the superintendent of the Five Civilized Tribes. But this misunderstanding has arisen, and in order to carry into effect the understanding that was arrived at last year, and to put it in such language that there can be no further question, and so that it will not be necessary to carry the language each year, I have offered this amendment, which cuts out the language that the gentleman from Illinois refers to, and makes it clearly and plainly permanent legislation.

Mr. HASTINGS. And the gentleman might add that the department has no objection to it.

Mr. CRAMTON. I have consulted with the gentlemen from Oklahoma [Mr. HASTINGS and Mr. CARTER], who are interested in the matter.

Mr. HASTINGS. And the department has no objection to the legislation.

Mr. MANN of Illinois. The only effect of this is to make permanent law what otherwise would be law for the current year.

Mr. CRAMTON. Yes; and to remove any question about it.

Mr. MANN of Illinois. Is the gentleman so well satisfied on this subject that he thinks it ought to be practically removed from the control of Congress—not theoretically but practically?

Mr. CRAMTON. I fought the proposition for two or three years, but I was especially concerned about the oil and gas leases. Over my protest this language was put in the bill for one year and repeated last year, and there seem to have been no bad effects from it; and so long as it does not cover oil and gas leases I have no objection to accepting the proposition.

Mr. MANN of Illinois. The gentleman from Michigan opposed this proposition originally, and I rather sympathized with him in his views. Now the gentleman says the provision has been in effect possibly a year and a half, and has as yet produced no bad results. Why not try it again experimentally for another year, without trying to make permanent law at this time?

Mr. HASTINGS. I want to say to the gentleman from Illinois that the word "hereafter," in line 11, page 48, makes it permanent law beyond any question, and that was the intent last year.

Mr. MANN of Illinois. I do not think so.

Mr. HASTINGS. I invite the gentleman's attention to the word "hereafter," in line 11.

Mr. MANN of Illinois. That does not make any difference. I have not had the authority that the Comptroller of the Treasury has had in determining such things, but I have had considerable experience on the question as to what was permanent law and what was a temporary limitation, and I think this provision is only law for the current year.

Mr. CRAMTON. I would like to say to the gentleman from Illinois that I made an inquiry at the office of the comptroller, and while I do not think it would bind the comptroller when it came up formally, I was advised after they had looked it up that they considered it permanent legislation by reason of the word "hereafter" being used where it is.

Mr. HASTINGS. The gentleman from Illinois [Mr. MANN] is a distinguished parliamentarian, and I hesitate very much to place my judgment against the judgment of the gentleman from Illinois, but there is not a particle of question but that the word "hereafter," in line 11, makes the last part, with reference to the forwarding of all leases except oil and gas, permanent law.

Mr. SNYDER. Mr. Chairman, I would like to see if we can not clear this up and move along. My understanding is that the gentleman from Illinois is satisfied that this law is sufficient for the coming year.

Mr. CRAMTON. There is no doubt about that.

Mr. HASTINGS. You have the word of the comptroller that it is continuing law, why not leave the section as it is, and take the chance on its being continuing law for another year?

Mr. MANN of Illinois. I am not stubborn in the matter at all. While it is only current law, and while the gentleman from Michigan thinks it ought to be permanent law, if it is certain that the law will not work an injustice as a general thing, I have no objection to it, of course.

Mr. SNYDER. Mr. Chairman, I have listened to this argument for four years in committee. It is my belief that this is an improvement on the old system, but I agree with the gentleman



man from Michigan, that I would not want to go any further than we propose now to go here. I would be willing that this should be made permanent law or leave it undecided, as it is in the minds of some.

Mr. CRAMTON. The only reason I offered the amendment was to clear up the question.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the reservation of the point of order that I made.

Mr. WALSH. I renew the reservation for the purpose of getting some information. Do I understand the gentleman from Oklahoma [Mr. HASTINGS] to say that the Indian Bureau is now agreeable to having this made permanent law?

Mr. HASTINGS. Yes; they have no objection.

Mr. WALSH. What has removed their objection?

Mr. HASTINGS. The objection they had was to cutting out oil and gas leases. They wanted the oil and gas leases sent up. They had no objection to the local authorities approving these claims.

Mr. MADDEN. Mr. Chairman, I ask for the regular order.

Mr. WALSH. I have reserved the point of order, and I would like to get some information.

Mr. HASTINGS. I will say that there is no objection to this as written by the Interior Department.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

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

The question was taken; and on a division (demanded by Mr. BLANTON) there were 44 ayes and 4 noes.

So the amendment was agreed to.

The Clerk read as follows:

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (art. 2, treaty of Nov. 16, 1805, and art. 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support of light horsemen (art. 13, treaty of Oct. 18, 1820, and art. 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (art. 6, treaty of Oct. 18, 1820, and art. 9, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), \$600; for permanent annuity for education (art. 2, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (art. 9, treaty of Jan. 20, 1825, and art. 13, treaty of June 22, 1855), \$320; in all, \$10,520.

Mr. SNYDER. Mr. Chairman, I ask to go back and take up the unfinished amendment offered yesterday by the gentleman from Oklahoma [Mr. HOWARD], on page 46, line 16. My understanding was that the amendment was to be revised and reoffered this morning for consideration.

Mr. SIMS. Will the gentleman from New York allow me to make a request for unanimous consent?

Mr. SNYDER. I prefer to go on.

Mr. SIMS. I am not going to use any time.

Mr. SNYDER. Very well.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to print in the Record, at the end of the day's proceedings, an address by Walker D. Hines, Director General of Railroads, before the Bar Association of the City of New York, in New York City, January 7, 1920.

Mr. WALSH. How many pages will it make?

Mr. SIMS. It is short.

Mr. CANNON. What is it about?

Mr. SIMS. It is on the question of legislation pertaining to the railroads.

Mr. WALSH. Recommending Government ownership?

Mr. SIMS. I do not know what it recommends nor what it does not recommend—

Mr. WALSH. Oh, then I object until the gentleman finds out.

Mr. SIMS. The gentleman did not let me finish. I have not read the whole address, only what was in the newspapers. If it advocates Government ownership, I do not know it, and if it does not I do not know it, but everybody knows that Mr. Hines knows more about railroads than almost anyone else.

The CHAIRMAN. The gentleman from Massachusetts objects.

Mr. SIMS. Well, there will be several more objections. I have never, in the 23 years that I have been a Member of this House, objected to a unanimous-consent request.

Mr. KNUTSON. That is a laudable record.

Mr. SIMS. If a Member is forced to do such a thing in order to defend himself against being so treated, he will have to resort to it.

Mr. WALSH. Mr. Chairman, the gentleman is clearly out of order. He has not been recognized, and I ask that his words be taken down.

A MEMBER. Oh, withdraw it.

Mr. WALSH. Well, Mr. Chairman, in order to appease the distinguished gentleman from Tennessee, I will make an exception in this case and withdraw my objection to his request.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

Mr. SNYDER. Mr. Chairman, since the gentleman made reference to me—

Mr. SIMS. Oh, no; I did not.

Mr. SNYDER. I desire to say that there was no discourtesy intended on my part toward the gentleman from Tennessee.

Mr. SIMS. Oh, I had no reference to the gentleman from New York. I thank him for his courtesy.

Mr. KNUTSON. I do not think the gentleman intended to reflect upon the gentleman from New York.

The CHAIRMAN. Is there objection?

Mr. CARTER. Mr. Chairman, reserving the right to object—

Mr. MADDEN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

Mr. CARTER. Of course, I am not going to object, but this ought not to go into the middle of this discussion on this bill.

Mr. SIMS. I stated, as a part of the request, that it was not to be printed as part of the current proceedings.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, for the information of the chairman of the committee and the gentleman who reserved the point of order to my amendment on the Quapaw appropriation, on page 46, line 16, I want to say that we have not in any way revised the amendment as offered last night, for the reason that those of us who feel that this amendment in some form should be adopted are perfectly willing that the matter may be discussed here and ironed out in some way so as to prevent in the future such incidents as those referred to by the gentleman from Kansas [Mr. CAMPBELL] yesterday afternoon.

Mr. SNYDER. Then, as I understand it, the amendment stands and is now in order, with a point of order reserved against it.

Mr. MANN of Illinois. Mr. Chairman, I have no doubt that many instances of injustice could be cited under any law that has been passed. I think many more are likely to arise under a provision of this sort, and I speak with very limited knowledge on the subject, than are likely to arise under existing conditions. At any rate, this matter ought to receive careful consideration from the proper committee; and therefore I make the point of order against the amendment.

The CHAIRMAN. The gentleman from Illinois makes the point of order, and the Chair sustains the point of order.

The Clerk read as follows:

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, \$200,000, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat., p. 254).

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the paragraph for the purpose of asking whether it is proposed to erect any additional school buildings under this appropriation; and if so, how much of the money is to be used for that purpose?

Mr. SNYDER. Mr. Chairman, I can not say it is proposed to expend any money for new schools. I do not know that there is any thought in that direction in the minds of the bureau or the superintendent of that agency. The justification for the item makes no statement with regard to whether they intend to construct buildings or not.

Mr. MANN of Illinois. Does it use up the fund?

Mr. SNYDER. The total appropriation was used last year, every penny. There is no balance whatever.

Mr. MANN of Illinois. I mean in the justification that they give for this item.

Mr. SNYDER. They state for construction of new buildings, \$1,825.28. That is all.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For subsistence and civilization of the Yankton Sioux, South Dakota, including pay of employees, \$9,000.

Mr. CHRISTOPHERSON. Mr. Chairman, I desire to offer an amendment to this paragraph to strike out the figures "\$9,000" and to insert in lieu thereof the figures "\$12,000."

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

The Clerk read as follows:

Amendment by Mr. CHRISTOPHERSON: Page 55, line 16, after the word "employees," strike out the figures "\$9,000" and insert in lieu thereof the figures "\$12,000."

Mr. CHRISTOPHERSON. Mr. Chairman, I am in entire accord with the spirit of economy that the committee has exhibited in the drafting of this bill, but they have reduced this item requested by the superintendent 25 per cent. I feel that this reduction should not have been made. The hearings show that there was expended last year under that head \$13,896. Of that \$6,530 was for salaries. The superintendent asked for \$12,000. I do not believe that he can get along with a less amount, and I am afraid that the reduction will affect the efficiency of the school maintained at that agency. As long as you are going to maintain that agency and a school there, I think that you should grant the superintendent the amount asked for, so that he may continue the school facilities in the same manner in which he has in the past.

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

Mr. CHRISTOPHERSON. Yes.

Mr. CARTER. The gentleman will note that on page 426 of the hearings the Assistant Commissioner of Indian Affairs states himself that that amount must be cut. I read:

Mr. MERITT. Mr. Chairman, we can take a small cut there on the appropriation. I suggest that it be cut to \$9,000. During the last year we have issued patents in fee to a large number of those Indians, and our administrative duties will be reduced at that agency during the coming year.

Mr. CHRISTOPHERSON. Mr. Chairman, I will say to the gentleman that I am aware of that statement, and the large number of patents that were issued on that reservation were issued in 1916. I do not believe that the number of patents that have been issued will affect the needs of the school in any way. I would rather rely upon the judgment of the superintendent having charge of that school than the office here in Washington. I believe you will curtail the facilities of that school if you stand by this reduction.

Mr. CARTER. I will say to the gentleman that during my experience here—and I have had quite a bit with superintendents of schools—I have never yet seen one who would agree that a reduction in the amount appropriated for his school ought to be made.

Mr. CHRISTOPHERSON. That is probably true; but you are reducing from \$13,850, the amount expended this year, to \$9,000 for the coming year. The superintendent himself consented to a reduction of \$1,896.

Mr. CARTER. It is so seldom that our Indian Bureau suggests itself a reduction in the amount that the committee did not feel like having any controversy over it, when the commissioner himself said it should be reduced.

Mr. CHRISTOPHERSON. No. I rather think he made a horizontal cut of \$3,000 there upon the theory that the number of patents would reduce the expense, but I do not think the patents issued will necessarily reduce the expense.

Mr. SNYDER. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNYDER. Mr. Chairman, I rise in opposition to the amendment. It is not shown in the hearings there is any school involved in this \$9,000 appropriation. The \$6,530 appropriated last year was expended for salaries and irregular labor for the year 1919, and \$439 was expended for transportation due to the fact that they had to haul the merchandise 16 miles from the railroad. The balance of the appropriation would be required in the purchase of subsistence for issue to old and needy Indians, forage for agency stock, equipment and material for the agency, fuels and illuminants, medical supplies, telegraph and telephone service, traveling expenses, and so forth. The assistant commissioner suggested that we could cut the item \$3,000, and naturally that is what the committee was looking for, and we accepted his suggestion, and I believe we did the right thing under the circumstances as they were before us. Mr. Chairman, the committee believes that in all of these matters it gave them careful consideration and has allowed sufficient money in all of them for the reasonable and careful operation of these schools and the various activities connected with the service. Therefore I hope the amendment will not prevail.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of \$25,000 of any funds to the credit of the Indians on the Pine Ridge Reservation, and to expend the same for the construction of roads and bridges within said reservation.

Mr. TILSON. Mr. Chairman, I reserve a point of order against the paragraph. I wish to ask the gentleman from New York as to this road construction.

Mr. SNYDER. Yes, sir.

Mr. TILSON. The \$25,000 provided for in this item for construction of roads and bridges in this reservation seems to be a new item. It is a small amount, to be sure, but what can be done with such a small amount of money in the construction of roads and bridges? While I am asking the question, let me make it comprehensive enough to cover all the information I wish to obtain. Is this appropriation for the benefit of the Indians; do they wish to have these roads and bridges constructed or is it principally for the benefit of the white people of the adjoining counties who wish to have roads connected up or bridges built?

Mr. SNYDER. I will say to the gentleman that all three of these items were presented to the committee by the gentleman from South Dakota [Mr. GANDY], a Member of this House, who gave us the information that they were entirely in the interest of the Indians. He gave us certain justifications. In reference to the first one, he said that this item is desired to provide for the opening of three unopened counties in the Pine Ridge Reservation by the construction of roads and bridges. These counties have no improvements of this character, and your committee is satisfied that the appropriation would be valuable to the Indians at this time. The Pine Ridge Indians had to their credit June 30, 1919, \$561,790. In regard to the second item for the Cheyenne River, he justifies it by saying that they had \$70,248 to their credit June 30, 1919, in the Treasury of the United States, which sum is applicable to this request, and it is further justified by the facts stated and the needs of the situation now existing. In regard to the third one, it is estimated the cost of the proposed bridge will be in the neighborhood of \$100,000, and it is further estimated that the Indians' share of construction will be about \$40,000. The river abuts on tribal lands and there is no bridge across the southern line of the reservation for more than 100 miles. Therefore your committee felt that both the welfare of the Indians and the accommodation of the public would be bettered by the granting of the request. The tribal funds of the Indians are sufficient to meet reimbursements for these various projects. Further, the white municipalities or State or county authorities pay two-thirds of this amount. No part can be expended until they put up their portion. Now, I would like, if the gentleman would permit, to read a telegram I received on the 6th of January from Mr. GANDY, who is out in that country now. This is addressed to me and he says:

I had expected to reach Washington by Wednesday, but now find I will be unable to leave here before Saturday of this week and will probably arrive in Washington about Tuesday, the 13th. If the Indian appropriation bill is considered by the House before I get there, I will deeply appreciate your attention to the amendments which I offered, for I am very anxious they remain in the bill. There should be no question about the Cheyenne River bridge and the Cheyenne Reservation road and Pine Ridge Reservation road items, for they are reimbursable and the Indians have plenty of money in the Treasury.

This is signed by HARRY L. GANDY.

Mr. TILSON. The gentleman's explanation as to the third paragraph is more satisfactory to me than the first two. So far as the first two are concerned, they are small sums, they are new items, and they are for the construction of roads and bridges. How many roads and bridges will \$10,000 construct on the Cheyenne River Reservation? I do not know, but it seems to me that is a small amount of money to be expended in the construction of roads and bridges, and will probably be entirely lost. This money seems not to be reimbursable, but to be taken out of the tribal funds, and should be expended for their benefit. It seems to me that a careful scrutiny of these items is justified, so as to disclose whether or not this is simply a scheme on the part of the citizens of the counties adjoining to use the Indians' money to build roads and bridges. This is the aspect of the question that has appealed to me.

Mr. SNYDER. So far as my information goes, I have given the gentleman all that we have. Mr. GANDY appeared before the committee and asked to have these items put in the bill, giving the justifications I have outlined, and I am unable to state whether the Indians themselves asked for this project.

Mr. CARTER. Will the gentleman yield?

Mr. TILSON. I will.

Mr. CARTER. To begin with the gentleman from South Dakota [Mr. GANDY], as I recall, before the committee stated there were no roads, but they have only trails through this reservation. This is the Pine Ridge Reservation?

Mr. SNYDER. Yes.

Mr. CARTER. As this especially was a reservation where the counties were unorganized or unopened, there are no county officers or government at all. There is no way to make roads through that part of the country except from the tribal funds, and this is a reservation occupied entirely by Indians, I believe; perhaps there may be some tenants and renters. As I recall, I looked through the hearings but did not find it. The



gentleman from South Dakota stated that the Indians were building a road inside, as there were no roads they could get across the reservation to the town, and that this would simply consist in building dirt roads and cutting trees out of the way where there was timber, and so forth, and that the roads would not be very expensive.

Mr. SNYDER. Mr. GANDY says further in his telegram, although the language of the bill does not say so, that the appropriation is reimbursable, and that the Indians have plenty of money in the Treasury.

Mr. TILSON. Of course, they have plenty of money. That fact, coupled with the suspicion that this appropriation might be the result of a desire to build some of these roads from that money without due regard to the interests of the Indian, was the cause of my inquiry.

Mr. CARTER. The Pine Ridge expenditure is taken from the tribal funds.

Mr. TILSON. They are all taken from the tribal funds.

Mr. CARTER. So far as the Federal Treasury is concerned, that is better than if they were reimbursable.

Mr. TILSON. That is true, but I am looking to the interests of the Indians themselves. All I wish is to be satisfied that these items are for their benefit.

Mr. CARTER. Even with the little information I have about that, I will take the responsibility of saying that the items are practically for the benefit of the Indians themselves, because the Pine Ridge Reservation and others are nothing but Indian reservations. The counties are absolutely unorganized, and the roads will be used for the Indians and for the white tenants on the reservation who take the Indians' crops to market.

Mr. TILSON. The statement of the gentleman from Oklahoma, corroborated by the reported statement of the gentleman from South Dakota [Mr. GANDY], carries great weight. Therefore I am willing to withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

For support and civilization of the Makahs, including pay of employees, \$2,000.

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

I have been receiving letters from time to time inquiring about certain Indian lands in the Papago country, in Pima County, Ariz., which are claimed by the heirs of Col. Robert M. Hunter, formerly of Washington, D. C. This claim is based upon 16 pretended deeds purported to have been made on December 8, 1880, by Luis, captain of the Papago village of Santa Rosa, to Col. Hunter, conveying an undivided one-half interest in 2,600,000 acres of land.

Ten of these bogus deeds were placed of record in the county recorder's office at Tucson, Ariz., on June 2, 1917, by Robert M. Martin, of Los Angeles, Calif., who claims to have purchased three-fourths of Hunter's one-half interest in these lands in 1911. Martin is now engaged in selling an interest in these lands at 50 cents an acre, and I understand that he is having considerable success in deceiving people in and around Los Angeles as to the value of what they are purchasing from him. He has carefully avoided using the United States mails, however, in perpetrating this fraud.

The lands in question are now located within the Papago Indian Reservation created by Executive order on February 1, 1917, and the Indians are a unit in their opposition to the Hunter claim. All of the old Indians of Santa Rosa and the adjacent villages have been questioned and not one of them had ever heard of any such grant of land to Col. Hunter. Certainly these Indians received no consideration from him which would entitle him to one-half of their lands, for there is nothing to show that he ever did anything for their benefit.

Martin and the Hunter heirs are now basing their claim upon a decision of the United States Supreme Court rendered on March 3, 1919, which reversed the Supreme Court of the District of Columbia in the case of the Pueblo Santa Rosa against Franklin K. Lane, Secretary of the Interior, and others, and ordered a new trial. This suit was filed by Alton M. Cates, who claims to represent the Indians through an alleged power of attorney given to Col. Hunter in 1880, to prevent the Secretary of the Interior from disposing of the lands of the Papago Indians of the pueblo of Santa Rosa. The Indians now living at Santa Rosa knew nothing about the filing of this suit and are opposed to it. The Supreme Court held that the Papago Indians had occupied these lands from time immemorial, and that the Secretary of the Interior should not be allowed to depose them under the public-land laws. The authority of Capitan Luis, in behalf of the tribe, to give a quitclaim deed to Col. Robert Hunter is not mentioned in this decision. That question has

never been presented to any court. In view of the creation of a reservation for the Papagos, covering the lands claimed by the Hunter heirs, I am satisfied that the Supreme Court of the District of Columbia will soon dismiss the suit filed by Cates.

I make this statement so that all persons who are buying land from Martin may have notice that they can never get title to these Papago lands; that they are being swindled; and that the whole scheme is fraudulent. I mention this matter publicly on the floor of the House in order to discount the activities of these land grafters who are operating in and around Los Angeles, Calif.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the unexpended balance of approximately \$17,025 of the \$22,500 appropriated by the Indian appropriation act for the fiscal year 1919 (40 Stat. L., p. 588), for the construction of a road on the Quinault Reservation, Wash., to be reimbursed from any tribal funds of said Indians on deposit in the Treasury of the United States, is hereby re-appropriated for the same purposes and upon the same terms and conditions as provided in said act, and to be immediately available.

Mr. WALSH. Mr. Chairman, I make the point of order upon the words "to be immediately available."

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For support and education of 275 Indian pupils at the Indian school, Tomah, Wis., including pay of superintendent, \$63,875; for general repairs and improvements, \$8,000; for tile draining, \$1,600; for new laundry equipment, \$4,000; in all, \$77,475.

Mr. EVANS of Nevada. Mr. Chairman, I would like to have unanimous consent to return to page 38 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to return to page 38 for the purpose of offering an amendment. Is there objection?

Mr. SNYDER. Let the amendment be read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. EVANS of Nevada: Page 38, line 9, strike out the words "in all, \$94,000," and insert in lieu thereof "new kitchen and dining room, \$20,000; in all, \$114,000."

The CHAIRMAN. Is there objection?

Mr. SNYDER. Mr. Chairman, I object.

Mr. EVANS of Nevada. Mr. Chairman, "But the greatest of these is charity." Charity, when performed with proper purpose, is a noble act. It is fine to subscribe to the starving and despairing nations of Europe, but why neglect the Indians whose presence in America was in the way of our progress? In Nevada lives the offspring of a once brave people; samples of their craft and handiwork exist to-day, an example of artistic patience the equal of any race.

The early history of Nevada furnishes evidence of their bravery in warfare without compare. Seventy years ago the inevitable conflict was precipitated by our race; assassinations of from one to several Indians became of frequent occurrence. Finally a company of trained pioneers and Indian fighters was formed with the intention of exterminating the several hundred Indians living along the Truckee. With crude weapons, Indian clubs, bows and arrows, the Indians met the conflict some miles northwest of where Wadsworth now stands. The slaughter ended when the last white man of that expedition was dead. Subsequent time has brought subjugation to the natives and treaties which they sacredly kept. I hope to find good in all men. Your policies toward Indians are founded upon good intentions; your paternalism to them well meant. You intend to give them education, providing against cold and hunger. Nothing now stands between the pitiful remnant of a dying race in Nevada but charity. They will not steal, and your governmental policy only tantalizes them. They need food and shelter against a rigorous climate. Their soil will not produce without elaborate systems of irrigation. Paternalism of your bureau supplies positions of comfort to employees administering the lands of Indians, who should be given their own land, but Nevada Indians are very poor and decadent when they could be educated and restored. Do not economize too much. They are dying when proper quarters, food, and clothing would make them happy, and in time, some place, self-sustaining. Much as Europe needs charity, they can not need as does Nevada Indians living upon barren deserts with extreme rigors of winter, deprived of all means for sustenance. They do not comprehend advantages of education, which could be made attractive to them by surroundings of comfort and the opportunity for work, which they perform with gratitude, being very tractable. It is commendable that we retrench and economize upon appropriations, but there are boundary lines for economy. They begin at housing and food. If you built a highway 30 miles toward Richmond you could not economize with value to

the project by leaving 10 impassable miles unfinished. At Carson (Nev.) Indian School there has been a lack of funds for buildings necessary to house and feed the children. Average attendance can be doubled and a genuine interest in work and study created by providing necessary equipment. As a business proposition, 25 per cent increase of the appropriation would stimulate interest, attendance, and results about four times. What business man would expend \$15,000,000 annually without being in constant personal contact with his business? But this department relies entirely upon precedent, custom, and reports. The chairman and two others of the Committee on Indian Affairs should spend 90 days each year in the Indian country. When they do this we will see good results doubled and have something tangible for the enormous sums expended.

The Clerk read as follows:

For the support and civilization of those portions of the Wisconsin Band of Pottawatomie Indians residing in the States of Wisconsin and Michigan, and to aid said Indians in establishing homes on the lands purchased for them under the provisions of the act of Congress approved June 30, 1913, \$6,890, or so much thereof as may be necessary, said sum to be reimbursed to the United States out of the appropriation, when made, of the principal due as the proportionate share of said Indians in annuities and moneys of the Pottawatomie Tribe in which they have not shared as set forth in House Document No. 830 (60th Cong., 1st sess.), and the Secretary of the Interior is hereby authorized to expend the said sum in the clearing of land and the purchase of houses, building material, seed, animals, machinery, tools, implements, and other equipment and supplies necessary to enable said Indians to become self-supporting: *Provided*, That the unexpended balance of the appropriation for the fiscal year 1917 for said Indians, approximating \$28,256.13, and the unexpended balance of the appropriation for the fiscal year 1918, approximating \$35,057.37, are hereby reappropriated and made available until expended: *Provided, however*, That the above-mentioned sums shall be used only for the purposes set forth in section 25 of the act approved May 18, 1910 (39 Stat. L., pp. 156, 157), and section 24 of the act approved March 2, 1917 (39 Stat. L., p. 991).

Mr. SNYDER. Mr. Chairman—

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SNYDER. Mr. Chairman, I desire to offer an amendment on page 64, line 25, after the word "That," as follows:

Strike out all of line 25, and all of line 1, on page 65, and the word "and," on line 2, page 65.

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

Mr. MANN of Illinois. The purpose of this amendment is simply to strike out the reappropriation of the balance of the appropriation for 1917?

Mr. SNYDER. Yes. And for the simple reason that the money has been turned back into the Treasury, and, as I understand, it can not now be reappropriated without becoming an addition to the appropriations carried in the bill. That was not stated to us in the hearings on the section, and therefore I offer the amendment to strike out the amount.

Mr. MANN of Illinois. Of course, all appropriations are covered back into the Treasury at the end of two years, except certain classes of them. This is one of those. The direct appropriation in this paragraph of \$6,890, which is very close figuring, I should say, by the way, it is proposed to expend in the clearing of land and the purchase of houses, and so forth?

Mr. SNYDER. It is the balance of the money they claim to need for the finishing up of the project, in addition to the amounts which have already been appropriated, which they desire to have reappropriated.

Mr. MANN of Illinois. Does the gentleman from New York think that this will finish up the project?

Mr. SNYDER. Well, that was the information that we were given in the matter; that that would finish up the project, and there would be no further appropriation asked.

Mr. MANN of Illinois. Very well. I withdraw the point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn. The gentleman from New York [Mr. SNYDER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SNYDER: Page 64, line 25, after the word "That," strike out the following language: "the unexpended balance of the appropriation for the fiscal year 1917 for said Indians, approximating \$28,256.13, and."

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

The amendment was agreed to.

The Clerk read as follows:

For the purchase of subsistence supplies in relieving cases of actual distress and suffering among those needy St. Croix Indians of Wisconsin whose cases are referred to in report of January 30, 1915, transmitted by the Secretary of the Interior to the House of Representatives March 3, 1915, pursuant to the provisions of the act of Congress of August 1, 1914 (38 Stat. L., pp. 582-595), and printed as House Document No. 1663, Sixty-third Congress, third session, \$1,000.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN of Illinois. Of course, the sum appropriated here is only \$1,000. Is that just an entering wedge for very large appropriations in the future?

Mr. SNYDER. I will say to the gentleman that a year ago, in addition to that \$1,000, there was added to the bill by another branch of Congress an item for \$140,000. We succeeded in cutting out the \$140,000 item by leaving in the \$1,000 item to take care of a few old indigent Indians up there whom nobody seemed to be looking after.

Mr. MANN of Illinois. See if I can refresh the gentleman's recollection about another matter. There is quite a good deal of verbiage here indicating that some commissioner or officer had reported in favor of the expenditure of this money.

Mr. SNYDER. Yes.

Mr. MANN of Illinois. And anyone reading that paragraph would suppose that that was true, but it is not.

Mr. SNYDER. I know that it is not true.

Mr. MANN of Illinois. Now, this recommendation that is referred to here was for the appropriation of a small sum of money for the purpose of relieving cases of actual distress and suffering among these needy Indians in 1915. Here was a report submitted to Congress in 1915, urging that there be a small appropriation made to relieve cases then in existence of actual distress and suffering among these Indians. That report was made on January 30, 1915, transmitted to the House of Representatives March 3, 1915, and referred to here. Along comes a proposition now for an appropriation for the fiscal year 1921 to make this appropriation to relieve this actual distress and suffering, and the only purpose of the report before was to make a temporary appropriation to give these Indians a chance to do something. Now we propose to incorporate into this appropriation bill a provision not for this year, not to be expended probably in the calendar year 1920, but for the fiscal year of 1921. I would like to know whether we are going to follow the policy of supporting these Indians forever, and if so, we should strike out the hypocritical pretense—I do not mean that with offense to the Committee on Indian Affairs, mind you, because they did not prepare this language—but it is according to the report of somebody, apparently, when there is no such report in existence.

Mr. SNYDER. I agree with the gentleman that the reports he refers to, and with which we are familiar, say nothing whatever about this \$1,000 appropriation.

Mr. MANN of Illinois. And it only refers to providing for the year 1915.

Mr. SNYDER. That only. But there is a bill before the House now that has been investigated. I have kept the items to which those reports refer out of this bill; we kept them out last year. The fact that the present chairman of the Committee on Indian Affairs would not permit the item to go into the bill at midnight on March 4 last killed the Indian appropriation bill in the Senate. Now this is an aftermath of that. It has come out of those same reports, and it was carried in the bill last year as well as now. I am not tenacious about that.

Mr. MANN of Illinois. I do not believe in agreeing to these items on the plea that we are following a report when there is no such recommendation in the report. It is a subterfuge on the part of whoever prepared this item.

Mr. SNYDER. If the gentleman will permit me, I would like to read a short statement here that I made in considering this item before the committee. I read:

The CHAIRMAN. Now, as I understand that, Mr. Meritt, that was an item of \$1,000 put in to take care of these few Indians who are in distress up there, until such time as the items referred to here in the report might be enacted into law. Mr. LA FOLLETTE tried to put them in last year—that is, last December, and also again in the spring—and there is legislation in the House now which has been reported out by this committee to correct that situation, and this looks like a continuing proposition. Certainly \$1,000 is not enough to do anything with, and I don't know that there is anybody up there to distribute the \$1,000, and if there isn't it will cost the entire \$1,000 to get ready to distribute it, and so I don't feel disposed to carry the appropriation, unless it is actually shown that there is some benefit accruing to some considerable number of indigent Indians.

Now, I took the same position then that the gentleman from Illinois takes now. I knew then about those reports, and we all knew about them. Probably this language is a subterfuge. I submit that I am not as familiar with the intricacies of legislative language as I ought to be. I am very glad to have the gentleman from Illinois cooperate with us in straightening this up.

Mr. MANN of Illinois. I will say to the gentleman from New York that I think the House is to be congratulated that he is proving himself to be so efficient and able a chairman of the Committee on Indian Affairs. [Applause.] Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.



The Clerk read as follows:

Sec. 25. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, reimbursement to the United States of the expenditures from reimbursable appropriations, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding \$1,436,604 from the funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

Arizona: Colorado River, \$5,000; Fort Apache, \$75,000; Fort Mojave, \$2,700; Kaibab, \$2,000; Leupp, \$690; Pima, \$335; San Carlos, \$100,000; Truxton Canyon, \$15,000; Western Navajo, \$125.

California: Campo, \$50; Fort Bidwell, \$72; Fort Yuma, \$1,727; Greenville, \$500; Round Valley, \$8,020; Tule River, \$800.

Colorado: Southern Ute, \$4,381.50; Ute Mountain, \$10,906.30.

Idaho: Coeur d'Alene, \$15,140; Fort Hall, \$16,250; Fort Lapwai, \$10,000.

Iowa: Sac and Fox, \$3,630.

Kansas: Kickapoo, \$800; Pottawatomie, \$4,200.

Louisiana: Chettimanchi, \$1,316.

Michigan: Mackinac, \$800.

Minnesota: Fond du Lac, \$250; Leech Lake, \$850; Red Lake, \$27,500; White Earth, \$1,400.

Montana: Blackfeet, \$24,200; Crow, \$200,000; Flathead, \$20,000; Fort Belknap, \$50,000; Fort Peck, \$11,827; Rocky Boy, \$8,400; Tongue River, \$25,000.

Nebraska: Omaha, \$11,500; Winnebago, \$5,200.

Nevada: Fort McDermitt, \$337; Nevada, \$7,275; Walker River, \$4,300; Western Shoshone, \$14,180.

New Mexico: Jicarilla, \$50,000; Mescalero, \$10,000; Navajo, \$922; Pueblo Bonito, \$1,118; San Juan, \$5,600.

North Carolina: Eastern Cherokee, \$15,464.

North Dakota: Devils Lake, \$550; Fort Berthold, \$24,350; Standing Rock, \$100,000; Turtle Mountain, \$850.

Oklahoma: Kiowa, \$26,700; Wichita, \$300; Cheyennes and Arapahoes, \$6,689; Cantonment, \$1,350; Seger, \$150; Pawnee, \$300; Ponca, \$1,700; Otoe, \$1,900; Seneca, \$600; Sac and Fox, \$8,000.

Oregon: Klamath, \$50,000; Siletz, \$680; Umatilla, \$9,100; Warm Springs, \$7,300.

South Dakota: Cheyenne River, \$100,000; Crow Creek, \$1,000; Lower Brule, \$15,824; Pine Ridge, \$2,800; Rosebud, \$11,950; Sisseton, \$15,000; Yankton, \$5,000; Santee, \$2,084.

Utah: Goshute, \$6,264; Uintah, \$26,937.20.

Washington: Colville, \$71,000; Puyallup, \$160; Quinault, \$1,000; Spokane, \$4,800; Tulalip, \$8,000; Yakima, \$22,000.

Wisconsin: Lac du Flambeau, \$20,000; La Pointe, \$500; Keshena (Menominee), \$37,000.

Wyoming: Shoshone, \$70,000.

Mr. SNYDER. Mr. Chairman, I feel that I am justified in calling the attention of the House to the fact that these items amount this year to \$1,436,624, whereas for several years under a lump sum the bill has carried for the same objects approximately \$2,500,000. During the very efficient management of the Committee on Indian Affairs by my colleague, Mr. CARTER, an arrangement was made with the Bureau of Indian Affairs to particularize under this item, and in the past two years we have been able by such particularization of expenditures of tribal funds to bring the total of the item in this bill down a million dollars. I do not want to let this opportunity go by without saying that it is our belief that next year, when they have given us a justification for each one of these items, they will be much more diminished than they are in this bill.

Mr. CARTER. After the gentleman's compliment to me, will he yield just a moment to me?

Mr. SNYDER. Yes.

Mr. CARTER. The gentleman's statement is correct, with one exception. No arrangement was made with the Indian Bureau. By the assistance of the gentleman and other members of the committee, as I recall, we incorporated an item in the Indian appropriation bill requiring the Indian Bureau to bring these estimates in in specific items.

Mr. SNYDER. I accept the amendment.

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

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

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 69, after line 13, insert a new section, as follows:

"SEC. 26. That no application for the exchange of private land over which an Indian reservation has been extended for public land, under the terms of the Indian appropriation act approved April 21, 1904 (33 Stats., p. 211), shall be hereafter received by the Secretary of the Interior, and all such applications now pending shall be disposed of on or before the 1st day of January, 1922, and thereafter no such exchange shall be made."

Mr. SNYDER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The amendment is clearly subject to the point of order. The Chair sustains the point of order.

On motion of Mr. SNYDER, the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for

other purposes, for the fiscal year ending June 30, 1921, 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.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SAUNDERS of Virginia. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. Evidently there is no quorum present.

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

A call of the House was ordered.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Anthony	Good	Magee	Rucker
Aswell	Goodall	Mann, S. C.	Sanders, Ind.
Ayres	Graham, Ill.	Mason	Sanders, La.
Bacharach	Hamill	Montague	Sanford
Barkley	Hamilton	Moon	Schall
Begg	Hardy, Colo.	Moore, Va.	Scully
Bell	Harrell	Morin	Sears
Bland, Mo.	Harrison	Mott	Siegel
Booher	Haugen	Mudd	Sisson
Bowers	Hill	Newton, Minn.	Slemp
Brand	Holland	Nicholls, S. C.	Smith, Idaho
Britten	Ireland	Nichols, Mich.	Smith, Ill.
Brooks, Pa.	Jefferis	O'Connor	Smith, N. Y.
Browning	Johnson, Ky.	Oliver	Steele
Brumbaugh	Johnson, Miss.	Parker	Strong, Kans.
Burroughs	Johnson, Wash.	Pell	Sullivan
Candler	Johnston, N. Y.	Peters	Taylor, Ark.
Carew	Jones, Pa.	Phelan	Thompson
Carss	Kahn	Rainey, Ala.	Vare
Crowther	Kennedy, Iowa	Rainey, J. W.	Volstead
Cullen	Kennedy, R. I.	Randall, Calif.	Ward
Dooling	Kincheloe	Rayburn	Weaver
Eagle	Kreider	Reber	Welty
Flood	Langley	Reed, N. Y.	Wilson, Ill.
Fuller, Mass.	McDuffie	Rhodes	Wilson, La.
Gallagher	McKeown	Riordan	Winslow
Gandy	McKinley	Robinson, N. C.	Woodyard
Garrett	McLane	Rouse	Wright
Glynn	McPherson	Rowan	

The SPEAKER. On this call 313 Members have answered to their names. A quorum is present.

Mr. SNYDER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. SNYDER. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask for a separate vote on the amendment proposing to strike from the bill the appropriation for the suppression of traffic in intoxicating liquors among the Indians.

Mr. WALSH. Mr. Speaker, I make a point of order that there is no such amendment.

Mr. SAUNDERS of Virginia. I will ask to have the amendment specifically reported. It is found on page 7, under the head of "Suppression of the liquor traffic."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, strike out the paragraph consisting of lines 3, 4, and 5.

Mr. SAUNDERS of Virginia. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS of Virginia. Was I not correct in stating the proposition?

The SPEAKER. The Chair can not remember the gentleman's precise statement.

Mr. SAUNDERS of Virginia. I asked for a separate vote on the amendment striking out the appropriation for the suppression of traffic in intoxicating liquors.

The SPEAKER. The amendment has been reported. Is there any other amendment upon which a separate vote is desired?

There was no request for a separate vote on any other amendment.

The SPEAKER. If not, the Chair will put them in gross.

The other amendments were agreed to.

The SPEAKER. The question now is on the amendment on which the gentleman from Virginia [Mr. SAUNDERS] desires a separate vote.

The question was being taken when Mr. BLANTON asked for a division.

Mr. CARTER. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 200, not voting 119, as follows:

## YEAS—109.

Ackerman	Pocht	Leshner	Ramsey
Babka	Gallivan	Linthicum	Ricketts
Bee	Ganly	Loneragan	Rodenberg
Benson	Gard	Longworth	Sabath
Blackmon	Garland	Lufkin	Sanford
Bland, Ind.	Garner	McAndrews	Sherwood
Blanton	Goldfogle	McArthur	Snell
Buchanan	Goodykoontz	McFadden	Snyder
Burdick	Gould	McGlennon	Steenerson
Burke	Griffin	McKiniry	Stephens, Miss.
Caldwell	Hardy, Tex.	MacCrate	Stephens, Ohio
Campbell, Pa.	Harreld	MacGregor	Tague
Christopherson	Hernandez	Magee	Tilson
Classon	Hersey	Maher	Tinkham
Cleary	Hicks	Mansfield	Treadway
Coady	Houghton	Martin	Voigt
Crago	Hull, Iowa	Mead	Walsh
Curry, Calif.	Hutchinson	Merritt	Ward
Dent	Igoe	Minahan, N. J.	Watson
Dewalt	Johnson, S. Dak.	Mooney	Watson
Donovan	Juvil	Moores, Ind.	White, Me.
Dunbar	Keller	Newton, Mo.	Wilson, Ill.
Dunn	Kieccka	Nolan	Wood, Ind.
Dupré	Knutson	O'Connell	Young, Tex.
Eagan	Lampert	Ogden	Zihlman
Echols	Layton	Platt	
Edmonds	Lea, Calif.	Quin	
Evans, Nev.	Lehlbach	Radcliffe	

## NAYS—200.

Almon	Doremus	Kraus	Rowe
Anderson	Doughton	Lanham	Rubey
Andrews, Md.	Dowell	Lankford	Rucker
Andrews, Nebr.	Drane	Larsen	Sanders, N. Y.
Anthony	Elliot	Lee, Ga.	Saunders, Va.
Ashbrook	Ellsworth	Little	Scott
Baer	Elston	Luce	Sells
Bankhead	Emerson	Luhning	Shreve
Barbour	Evans, Mont.	McClintic	Sims
Benham	Evans, Nebr.	McCulloch	Sinclair
Black	Fairfield	McKenzie	Sinnett
Bland, Va.	Fess	McLaughlin, Mich.	Small
Box	Fields	McLaughlin, Nebr.	Smith, Mich.
Brand	Fisher	Madden	Smithwick
Briggs	Flood	Major	Steagall
Brinson	Fordney	Mann, Ill.	Stedman
Brooks, Ill.	Foster	Mann, S. C.	Stevenson
Browne	Frear	Mapes	Stiness
Butler	Freeman	Mays	Stoll
Byrnes, S. C.	French	Michener	Strong, Pa.
Byrnes, Tenn.	Fuller, Ill.	Miller	Summers, Wash.
Campbell, Kans.	Goodwin, Ark.	Monahan, Wis.	Summers, Tex.
Cannon	Greene, Mass.	Mondell	Sweet
Cantrill	Griest	Moore, Ohio	Swope
Caraway	Hadley	Morgan	Taylor, Colo.
Carrs	Hastings	Murphy	Taylor, Tenn.
Carter	Hawley	Neely	Temple
Chindblom	Hayden	Nelson, Mo.	Thomas
Clark, Fla.	Hays	Nelson, Wis.	Tillman
Clark, Mo.	Heflin	Oldfield	Timberlake
Cole	Hersman	Olney	Tincher
Collier	Hickey	Osborne	Towner
Connally	Hoch	Overstreet	Upshaw
Cooper	Hoe	Padgett	Vaile
Copley	Howard	Paige	Venable
Costello	Hudspeth	Park	Vestal
Cramton	Hulings	Parrish	Vinson
Crisp	Humphreys	Pou	Volstead
Currie, Mich.	Jacoway	Purnell	Walters
Dale	James	Rainey, Ala.	Watkins
Dallinger	Jones, Tex.	Rainey, H. T.	Webster
Darrow	Kearns	Raker	Welling
Davey	Kelley, Mich.	Ramseyer	Whaley
Davis, Minn.	Kelly, Pa.	Randall, Wis.	Wheeler
Davis, Tenn.	Kendall	Reavis	White, Kans.
Dempsey	Kettner	Reed, W. Va.	Wingo
Denison	Kiess	Riddick	Wise
Dickinson, Mo.	King	Robison, Ky.	Woods, Va.
Dickinson, Iowa	Kinkaid	Rogers	Yates
Dominick	Kitchin	Rose	Young, N. Dak.

## NOT VOTING—119.

Aswell	Godwin, N. C.	Lazaro	Robinson, N. C.
Ayres	Good	McDuffie	Romjue
Bacharach	Goodall	McKeown	Rouse
Barkley	Graham, Pa.	McKinley	Rowan
Begg	Graham, Ill.	McLane	Sanders, Ind.
Bell	Green, Iowa	McPherson	Sanders, La.
Bland, Mo.	Greene, Vt.	Mason	Schall
Boies	Hamill	Montague	Scully
Booher	Hamilton	Moon	Sears
Bowers	Hardy, Colo.	Moore, Va.	Siegel
Britten	Harrison	Morin	Sisson
Brooks, Pa.	Haugen	Mott	Siemp
Browning	Hill	Mudd	Smith, Idaho
Brumbaugh	Holland	Newton, Minn.	Smith, Ill.
Burroughs	Huddleston	Nicholls, S. C.	Smith, N. Y.
Candler	Hull, Tenn.	Nichols, Mich.	Steele
Carew	Husted	O'Connor	Strong, Kans.
Casey	Ireland	Oliver	Sullivan
Crowther	Jefferis	Parker	Taylor, Ark.
Cullen	Johnson, Ky.	Pell	Thompson
Dooling	Johnson, Miss.	Peters	Vare
Dyer	Johnson, Wash.	Phelan	Weaver
Eagle	Johnson, N. Y.	Porter	Welty
Esch	Jones, Pa.	Rainey, J. W.	Williams
Ferris	Kahn	Randall, Calif.	Wilson, La.
Fuller, Mass.	Kennedy, Iowa	Rayburn	Wilson, Pa.
Gallagher	Kennedy, R. I.	Reber	Winslow
Gandy	Kincheloe	Reed, N. Y.	Woodyard
Garrett	Kreider	Rhodes	Wright
Glynn	Langley	Riordan	

So the amendment was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. LAZARO (for) with Mr. SANDERS of Indiana (against).

Mr. HAMILL (for) with Mr. SEARS (against).

Mr. SCULLY (for) with Mr. McKEOWN (against).

Until further notice:

Mr. McKINLEY with Mr. DOOLING.

Mr. JOHNSON of Washington with Mr. MONTAGUE.

Mr. HUSTED with Mr. NICHOLS of South Carolina.

Mr. KAHN with Mr. JOHNSON of Mississippi.

Mr. JONES of Pennsylvania with Mr. McDUFFIE.

Mr. JEFFERIS with Mr. MOON.

Mr. IRELAND with Mr. MOORE of Virginia.

Mr. HILL with Mr. O'CONNOR.

Mr. LANGLEY with Mr. HUDDLESTON.

Mr. KREIDER with Mr. HULL of Tennessee.

Mr. KENNEDY of Rhode Island with Mr. JOHNSON of Kentucky.

Mr. KENNEDY of Iowa with Mr. JOHNSTON of New York.

Mr. HAUGEN with Mr. OLIVER.

Mr. HARDY of Colorado with Mr. PELL.

Mr. HAMILTON with Mr. PHELAN.

Mr. GREENE of Vermont with Mr. JOHN W. RAINY.

Mr. MUDD with Mr. GARRETT.

Mr. MORIN with Mr. GOODWIN of Arkansas.

Mr. MASON with Mr. HARRISON.

Mr. GREEN of Iowa with Mr. RANDALL of California.

Mr. GRAHAM of Pennsylvania with Mr. RAYBURN.

Mr. PARKER with Mr. FERRIS.

Mr. NICHOLS of Michigan with Mr. GALLAGHER.

Mr. GRAHAM of Illinois with Mr. RIORDAN.

Mr. GOODALL with Mr. ROBINSON of North Carolina.

Mr. PORTER with Mr. CASEY.

Mr. PETERS with Mr. EAGLE.

Mr. GOOD with Mr. ROMJUE.

Mr. GLYNN with Mr. ROWAN.

Mr. ESCH with Mr. SANDERS of Louisiana.

Mr. RHODES with Mr. CANDLEY.

Mr. REBER with Mr. CAREW.

Mr. DYER with Mr. SISSON.

Mr. CROWTHER with Mr. SMITH of New York.

Mr. BURROUGHS with Mr. STEELE.

Mr. BRITTEN with Mr. WEAVER.

Mr. SMITH of Idaho with Mr. BLAND of Missouri.

Mr. SLEMP with Mr. BOOHER.

Mr. SIEGEL with Mr. BRUMBAUGH.

Mr. BROWNING with Mr. SULLIVAN.

Mr. BROOKS of Pennsylvania with Mr. TAYLOR of Arkansas.

Mr. THOMPSON with Mr. BARKLEY.

Mr. SMITH of Illinois with Mr. BELL.

Mr. BOWERS with Mr. WELTY.

Mr. BOIES with Mr. WILSON of Louisiana.

Mr. WOODYARD with Mr. GANDY.

Mr. WINSLOW with Mr. McLANE.

Mr. WILLIAMS with Mr. ASWELL.

Mr. VARE with Mr. AYRES.

Mr. BEGG with Mr. WILSON of Pennsylvania.

Mr. BACHARACH with Mr. WRIGHT.

Mr. FULLER of Massachusetts with Mr. CULLEN.

Mr. MCPHERSON with Mr. HOLLAND.

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

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 on a division (demanded by Mr. RAKER) there were—ayes 186, noes 4.

So the bill was passed.

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

## EXTENSION OF REMARKS.

By unanimous consent, leave to extend and revise their remarks on the bill was granted to Mr. CARTER, Mr. SNYDER, Mr. HAYDEN, and Mr. HASTINGS.

## LEAVE OF ABSENCE.

Mr. LEA of California. Mr. Speaker, I ask unanimous consent for leave of absence until the 15th of the month for the gentleman from Utah, Mr. WELTY, on account of important business.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

## PENSIONS.

Mr. SELLS. Mr. Speaker, I ask unanimous consent to consider pension bills on the calendar in the House as in Committee of the Whole.



The SPEAKER. The gentleman from Tennessee asks unanimous consent to consider pension bills from his committee in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. SELLS. Mr. Speaker, I call up the bill (H. R. 9281) granting pensions and increase of pension to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Tennessee calls up the bill H. R. 9281, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws—

The name of James Watson, late of Company E, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of David S. Williams, late of Troop M, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jason Adkins, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Joseph McClure, late of Company D, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of John F. Campbell, late of Battery E, First Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jesse A. R. Forbes, late of Company L, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Anna Kelley, widow of Edward Kelley, late of Company B, Twenty-second Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Patrick H. Madigan, late of Company K, Two hundred and third Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank Shaw, late of Company K, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Pearl A. Hunsaker, widow of the late Orval Hunsaker, Company C, Fourth United States Artillery, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for soldier's minor child until he shall have reached the age of 16 years.

The name of Otto M. Payton, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Emma A. Hobbs, dependent mother of Spencer S. Hobbs, late of Company K, Eighth Regiment Massachusetts Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary A. Powers, widow of James A. Powers, late of Company H, Ninth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month each for soldier's minor children until they shall have reached the age of 16 years.

The name of John McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Martha E. Waldsmith, widow of William A. Waldsmith, late of Twenty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of George W. Turner, late of Company L, First Regiment North Carolina Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George W. Oblisk, late of Company A, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary J. Pack, widow of Thomas J. Pack, late of Company F, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of David M. Allen, late of Company C, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Chester E. Green, late of Company M, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Eddie E. Sterrett, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Ruth McClay, widow of William McClay, late of Battery C, Third Regiment United States Artillery, War with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Bernard M. Stanton, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Ethel A. Kane, widow of William M. Kane, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$12 per month; also \$2 per month additional for sailor's minor child until she shall have reached the age of 16 years.

The name of Fanny Weill, widow of Julius Weill, late of Battery M, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Orville G. Willett, late of Company G, First United States Infantry, Regular Establishment, and pay him a pension at the rate of \$50 per month.

The name of Horace G. Pope, late of Troop D, Second Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Annie M. Wood, widow of Sampson W. Wood, late of Company C, First Regiment Massachusetts Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Albert McManaman, late of Troop K, Thirteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Claude H. Dean, late of Company I, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John Coffey, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Edward S. Coffin, late of Company C, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Irving Wohl, late of Fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Brother Buis, late of Company I, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah E. Kiplinger, widow of John Kiplinger, late of Company D, Sixth Regiment United States Infantry, Indian war, and pay her a pension at the rate of \$12 per month.

The name of Julia I. Zedaker, former widow of William D. Snow, alias William Dudley, late of Company D, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of \$20 per month.

The name of Louis B. Smith, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Philip E. Hartman, late of Companies A and K, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Susan J. Purcell, widow of John J. Purcell, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each of soldier's minor children until they shall have reached the age of 16 years.

The name of Charles T. Durand, late of Company H, Third Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Charles P. Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James W. Duty, late of Company L, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac N. Troutman, late of Company F, First Regiment Idaho Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Elmer Wagar, late of Troop B, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Eva L. Woollacott, widow of William W. Woollacott, late of Company H, First United States Mounted Rifles, Indian war, and pay her a pension at the rate of \$12 per month.

The name of George C. Hazeltine, late of Company K, Second Regiment Texas Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George Milams, late of the Sixty-sixth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Pleasant D. Cooper, late of Company D, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of William Thornton Parker, late hospital steward, United States army, Indian war, and pay him a pension at the rate of \$20 per month.

The name of John Bleiweiss, late of Company C, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of John H. Wynn, late of Company G, Ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Leonard P. Kehrmeier, late of United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Emil J. Olsen, late of Company G, Third Regiment United States Infantry, Company G, Thirteenth Regiment United States Infantry, and Company E, United States Signal Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Lloyd Shaver, late of Company I, Thirteenth Regiment United States Infantry, and Company B, Sixteenth Regiment United States Infantry, and pay him a pension at the rate of \$24 per month.

The name of Michael Mulvey, late of Company E, Forty-first Regiment United States Volunteer Infantry, and Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Rufus F. Gibbs, late of Company I, Twenty-seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary M. Canton, widow of Joseph Canton, late of Company L, Twelfth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Charles Brubaker, late of the band, and Company M, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John A. Kennepohl, late of Company K, First Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James F. Mitchell, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Clarence L. Wimer, late of Company A, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Howard H. Long, late of Company K, Sixth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John W. Paulus, late of Company D, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Simon P. Kleffer, late of Company B, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert Goodman, late of Troop D, Ninth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Charley Douthitt, late of Company H, One hundred and fifty-ninth Indiana Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Schuyler C. Pool, late of Company K, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Casey A. Cox, late of Company E, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James L. Doris, late of Company F, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Frank A. Morton, late of Company H, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Anson B. Countryman, late of Company F, First Regiment Idaho Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Robert S. Parker, late second Lieutenant of Company K, Twentieth Regiment Kansas Infantry, War with Spain, and private, Company H, Forty-fourth Iowa Infantry, Civil War, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frank Vicha, late of Company D, Sixteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of John Leishman, late of Company G, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Eugene E. Clark, late of Company L, First Regiment Montana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Harry Noel, late of Troop B, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Thomas H. Ivers, late of Company B, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert A. Carnegie, late of Company F, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Herman Alexander, late of Troop H, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Eugene Johnson, late of Company L, Twenty-fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James W. Mitchell, late of the United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of August J. Griesbach, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary S. Langston, mother of Omar Langston, late of Company E, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Walter E. Richards, late of the U. S. S. *Maine*, United States Navy, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Thomas L. Feyen, late of Company A, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Otto O. Yaap, late of the United States Marine Corps, and pay him a pension at the rate of \$12 per month.

The name of Thomas D. O'Shea, late of Company L, Forty-seventh Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Martin Tepper, late of Company L, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Robert Noble, late of Company F, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James Prosek, late of Company C, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of George H. Haverkate, late of Company C, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Samuel M. Deets, late of Company E, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George H. Bruckner, late of Troop I, Second United States Cavalry, and Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Michael Long, late of Company I, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Henry Hazlett, late of the Third and Tenth Companies United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Hannah Hasson, widow of John G. Hasson, late of Company D, Sixth Regiment United States Infantry, Indian War, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Marion E. Strunk, late of Companies C and K, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Nathaniel J. Stonecipher, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Eugenie Schottmueller, dependent mother of Gilbert L. Schottmueller, late of the Hospital Corps, United States Army, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Maria Louise Richardson, widow of Robert Richardson, late of Troop I (Marshall's), First Kentucky Cavalry, Mexican War,

and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Katherine G. Manning, widow of Michael Manning, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of sailor's minor children until they shall have reached the age of 16 years.

The name of Charles M. Fink, late of Company C, Eighth United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Herbert E. Van Horn, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of John E. Tingley, late of Company K, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Floyd B. Daugherty, late of the band, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of David U. Denind, late of Company G, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Edward Hinman, late of Company A, Twenty-third Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William E. Warren, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of William A. Waggoner, late of Company I, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Mary R. Adair, mother of Henry R. Adair, late first Lieutenant, Tenth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Charles J. Gilbert, late of Company L, First Regiment Arkansas Infantry, National Guard, border defense, and pay him a pension at the rate of \$24 per month.

The name of George W. Mallin, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Stella A. Simson, widow of Edgar J. Simson, late of Company K, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for soldier's minor child until she shall have reached the age of 16 years.

The name of Phebe Spencer, now Schonhoff, mother of Lawrence L. Spencer, late of Company B, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John Moloney, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of John T. Griggs, father of Jones A. Griggs, late of Company I, Fifth Regiment Georgia Infantry, National Guard, border defense, and pay him a pension at the rate of \$12 per month.

The name of Simeon D. Morrison, late of Company E, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sarah J. Holley, widow of Charles W. Holley, late of Tenth Company, United States Coast Artillery, and Company M, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of James F. Romines, late of Companies D and M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jesse W. Beam, late of Company M, Second Regiment New Jersey Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Harry Patterson, late of Battery H, Third Regiment United States Artillery, and Thirtieth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jane C. A. Porter, widow of Hugh Porter, late of Capt. Maddox's company, Fremont's California Volunteers, Mexican War, and pay her a pension at the rate of \$25 per month.

The name of James I. Sloan, late of Troop G, Third United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of June MacM. Ordway, mother of Elliot W. Ordway, late of Company H, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John H. Page, late of Company A, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Kate B. Horan, widow of Jeremiah J. Horan, late of Troop F, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Leroy F. Moore, late of Company H, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Isaac M. Conley, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of James T. Brown, late of Troop K, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Byrd W. Lasseter, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jesse A. Trent, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Lillie P. Hinman, late a nurse in the War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Adam E. Hanghn, late of Company H, First Battalion Ohio Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.



The name of Joseph W. Nolen, late of Company H, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Daniel J. Breenahan, late of Company B, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Edward J. Davis, late of Company M, Twenty-sixth United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Alice F. Travis, widow of Charles T. Travis, late of United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Anna O'Brien, widow of Frank A. O'Brien, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Richard Williams, late of band, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William E. Gault, late unassigned and of Company E, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Christine E. Geiger, widow of Austin Geiger, late of the Fortieth and Eighty-fifth Companies, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for the soldier's minor child until she reaches the age of 16 years.

The name of Dalbert Gray, late of Company B, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James O'Brien, late of Company G, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Annie E. Arnold, mother of Robert Edgar Arnold, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Edward E. Benton, late of Company I, Seventeenth Regiment, and Company E, Second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles W. Lanham, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John J. Mitchell, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Carl C. Dunham, late of Company I, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Andrew Kravets, late of Company C, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert H. Roberts, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Daniel B. Yeaple, late of Company A, Eighth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Pierre L. Carmouche, late first lieutenant Company L, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John B. Peters, late of Company K, First Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Emma S. Norton, widow of Lewis A. Norton, late first lieutenant Company I, Second Regiment Illinois Volunteers, Mexican War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Tebitha E. Cummings, widow of Frederick Cummings, late of Troop C, Second Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of William D. Craft, late of Company G, First Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Thomas J. Reynolds, late of Troop D, First Regiment Ohio Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John H. Henry, late of Company C, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary Michel, widow of John N. Michel, late a private Company A, Twelfth United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional for soldier's minor child until she reaches the age of 16 years.

The name of John H. Warren, late of Eleventh Recruit Company, General Service, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Rowena Fisher, widow of John Fisher, late of Company A, Sixth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month and \$2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of Charles W. Streeter, late corporal of Company F, Thirty-second Michigan Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Joseph Flewelling, late of Company E, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William Seybold, late of Company G, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jeremiah M. McKenzie, late of Company B, Fifth Tennessee Volunteers, War with Mexico, and pay him a pension of \$50 per month in lieu of that he is now receiving.

The name of Walter E. Harris, late of United States Navy, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Anna M. Neill, widow of Jesse A. Neill, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Adolf S. Szydowski, late of Twenty-seventh Company, United States Coast Artillery Corps, and pay him a pension at the rate of \$17 per month.

The name of Frances T. Denton, widow of George W. Denton, late of Company F, Fourth Regiment Illinois Volunteer Infantry, Mexican War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Mary Conter, widow of John Conter, late of Company I, Tenth Regiment United States Infantry, old war, and pay her a pension at the rate of \$12 per month.

The name of William O'Bryan, late of Company B, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Buster Davis, late of Company D, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Elizabeth C. Bell, widow of the late George H. Bell, quartermaster sergeant, Second Regiment Ohio Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Simon P. Parrish, late of Company I, Eighth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Daniel P. Myers, late of Company I, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Noel M. Pursley, late of Company F, Second Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William Edwards, late of Battery C, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Elizabeth A. Shull, widow of A. P. Shull, late second lieutenant Capt. William Byrnes's Company, First Brigade, Sixth Division California Militia, Indian War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John F. Mulhall, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Lester D. Parkton, late of Company I, Seventeenth Regiment, and Company C, Twenty-seventh Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of William C. Shaffer, late of Company H, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Michael W. Hurley, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Benjamin F. Lamkin, late of Troop C, Third United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Fritz Hintermeier, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John E. Crum, late of Forty-fourth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Bridget Reynolds, widow of James C. Reynolds, who served in Company F, Thirty-fifth Regiment Michigan Infantry, and in Company H, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month; also \$2 per month for each of the soldier's minor children until they shall have reached the age of 16 years.

The name of Donald E. Leslie, late of Company K, Sixteenth Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Peter W. Weber, late of Company A, Third Regiment Ohio Volunteers, Mexican War, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Paul Newton, alias Paul Scott, late of Company C, Second Regiment United States Infantry, and Company L, First Regiment North Dakota Infantry, National Guard, and pay him a pension at the rate of \$24 per month.

The name of Jefferson C. Smith, late of Company G, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Walter L. Jewell, late of Troop B, Thirteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Richard L. Davis, late of Troop C, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles Hoff, late of Company E, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ben B. Sell, late of Company C, Twenty-first Regiment, and Company B, Eighth Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Edward J. Oeding, late of Battery G, Sixth Regiment United States Artillery, and Thirteenth Battery United States Field Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Robert S. Peterson, late of Company B, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

During the consideration of the bill the following amendment was offered by Mr. SELLS, and was agreed to:

Page 23, line 23, strike out the word "Benton" and insert the word "Henton."

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 597. James Watson.	H. R. 767. Pearl A. Hunsaker.
H. R. 601. David S. Williams.	H. R. 779. Otto M. Payton.
H. R. 610. Jason Atkins.	H. R. 802. Emma A. Hobbs.
H. R. 628. Joseph McClure.	H. R. 914. Mary A. Powers.
H. R. 641. John F. Campbell.	H. R. 951. John McGinley.
H. R. 656. Jesse A. R. Forbes.	H. R. 952. Martha E. Waldsmith.
H. R. 662. Anna Kelley.	H. R. 970. George W. Turner.
H. R. 668. Patrick H. Madigan.	H. R. 971. George W. Oblisk.
H. R. 672. Frank Shaw.	H. R. 982. Mary J. Pack.

H. R. 986. David M. Allen.  
 H. R. 1022. Chester E. Green.  
 H. R. 1257. Eddie E. Sterrett.  
 H. R. 1285. Ruth McClay.  
 H. R. 1298. Bernard M. Stanton.  
 H. R. 1302. Ethel A. Kane.  
 H. R. 1310. Fanny Weill.  
 H. R. 1763. Orville G. Willett.  
 H. R. 1783. Horace G. Pope.  
 H. R. 1793. Annie M. Wood.  
 H. R. 1795. Albert McManaman.  
 H. R. 1832. Claude H. Dean.  
 H. R. 1884. John Coffey.  
 H. R. 1931. Edward S. Coffin.  
 H. R. 1963. Irving Wohl.  
 H. R. 2016. Brother Buis.  
 H. R. 2765. Sarah E. Kiplinger.  
 H. R. 2772. Julia I. Zedaker.  
 H. R. 2777. Louis B. Smith.  
 H. R. 2817. Philip E. Hartman.  
 H. R. 2819. Susan J. Purcell.  
 H. R. 2990. Charles T. Durand.  
 H. R. 3008. Charles P. Michener.  
 H. R. 3026. James W. Duty.  
 H. R. 3069. Isaac N. Troutman.  
 H. R. 3221. Elmer Vagar.  
 H. R. 3261. Eva L. Woolcott.  
 H. R. 3269. George C. Hazeltine.  
 H. R. 3271. George M. Hams.  
 H. R. 3599. Plensant D. Cooper.  
 H. R. 3787. William Thornton Parker.  
 H. R. 3790. John Bleiweiss.  
 H. R. 3799. John H. Wynn.  
 H. R. 3845. Leonard P. Kehrmeyer.  
 H. R. 3991. Emil J. Olsen.  
 H. R. 4017. Lloyd Shaver.  
 H. R. 4018. Michael Mulvey.  
 H. R. 4058. Rufus F. Gibbs.  
 H. R. 4212. Mary M. Canton.  
 H. R. 4361. Charles Brubaker.  
 H. R. 4537. John A. Kennepohl.  
 H. R. 4710. James F. Mitchell.  
 H. R. 4901. Clarence L. Wimer.  
 H. R. 4905. Howard H. Long.  
 H. R. 4918. John W. Paulus.  
 H. R. 4961. Simon P. Kieffer.  
 H. R. 4965. Robert Goodman.  
 H. R. 5056. Charley Douthitt.  
 H. R. 5058. Schuyler C. Pool.  
 H. R. 5071. Casey A. Cox.  
 H. R. 5088. James L. Doris.  
 H. R. 5091. Frank A. Morton.  
 H. R. 5192. Anson B. Countryman.  
 H. R. 5197. Robert S. Parker.  
 H. R. 5231. Frank Vicha.  
 H. R. 5243. John Leishman.  
 H. R. 5351. Eugene E. Clark.  
 H. R. 5366. Harry Noel.  
 H. R. 5379. Thomas H. Ivers.  
 H. R. 5388. Robert A. Carnegie.  
 H. R. 5484. Herman Alexander.  
 H. R. 5488. Eugene Johnson.  
 H. R. 5595. James W. Mitchell.  
 H. R. 5689. August J. Griesbach.  
 H. R. 5757. Mary S. Langston.  
 H. R. 5769. Walter E. Richards.  
 H. R. 5969. Thomas L. Feyen.  
 H. R. 5974. Otto O. Yaap.  
 H. R. 5976. Thomas D. O'Shea.  
 H. R. 6072. Martin Tepper.  
 H. R. 6084. Robert Noble.  
 H. R. 6194. James Prosek.  
 H. R. 6195. George H. Haverkate.  
 H. R. 6199. Samuel M. Deets.  
 H. R. 6259. George H. Bruckner.  
 H. R. 6261. Henry Hazlett.  
 H. R. 6262. Michael Long.  
 H. R. 6315. Hannah Hasson.  
 H. R. 6385. Marlon E. Strunk.  
 H. R. 6387. Nathaniel J. Stoncepher.  
 H. R. 6403. Eugene Schottmueller.  
 H. R. 6406. Maria Louise Richardson.  
 H. R. 6411. Katherine G. Manning.  
 H. R. 6480. Charles M. Fink.  
 H. R. 6605. Herbert E. Van Horn.  
 H. R. 6607. John E. Tingley.  
 H. R. 6609. Floyd B. Daugherty.  
 H. R. 6693. David U. Denind.  
 H. R. 6713. Edward Hinman.  
 H. R. 6723. William E. Warren.  
 H. R. 6733. William A. Waggoner.  
 H. R. 6778. Mary R. Adair.  
 H. R. 6820. Charles J. Gilbert.  
 H. R. 6831. George W. Mallin.  
 H. R. 6835. Stella A. Simson.  
 H. R. 6838. Phebe Schonhoff.  
 H. R. 6844. John Moloney.  
 H. R. 6884. John T. Griggs.  
 H. R. 6900. Simeon D. Morrison.  
 H. R. 6966. Sarah J. Holley.  
 H. R. 6984. James F. Romines.  
 H. R. 6985. Jesse W. Beam.  
 H. R. 7032. Harry Patterson.  
 H. R. 7060. Jane C. A. Porter.  
 H. R. 7061. James I. Sloan.  
 H. R. 7074. June MacM. Ordway.  
 H. R. 7078. John H. Page.  
 H. R. 7129. Kate B. Horan.  
 H. R. 7131. Leroy F. Moore.  
 H. R. 7136. Isaac M. Conley.  
 H. R. 7223. James T. Brown.  
 H. R. 7237. Byrd W. Lasseter.  
 H. R. 7282. Jesse A. Trent.  
 H. R. 7284. Lillie P. Hinman.  
 H. R. 7313. Adam E. Haughn.  
 H. R. 7330. Joseph W. Nolen.  
 H. R. 7334. Daniel J. Bresnahan.  
 H. R. 7339. Edward J. Davis.  
 H. R. 7341. Alice F. Travis.  
 H. R. 7389. Anna O'Brien.  
 H. R. 7418. Richard Williams.  
 H. R. 7420. William E. Gault.  
 H. R. 7421. Christine E. Geiger.  
 H. R. 7454. Dalbert Gray.  
 H. R. 7502. James O'Brien.  
 H. R. 7503. Annie E. Arnold.  
 H. R. 7512. Edward E. Henton.  
 H. R. 7513. Charles W. Lanham.  
 H. R. 7518. John J. Mitchell.  
 H. R. 7524. Carl C. Dunham.  
 H. R. 7525. Andrew Kravets.  
 H. R. 7549. Robert H. Roberts.  
 H. R. 7550. Daniel B. Yeaple.  
 H. R. 7556. Pierre L. Carmouche.  
 H. R. 7568. John B. Peters.  
 H. R. 7570. Emma S. Norton.  
 H. R. 7579. Tebitha E. Cummings.  
 H. R. 7603. William D. Craft.  
 H. R. 7604. Thomas J. Reynolds.  
 H. R. 7668. John H. Henry.  
 H. R. 7676. Mary Michel.  
 H. R. 7683. John H. Warren.  
 H. R. 7723. Rowena Fisher.  
 H. R. 7728. Charles W. Streeter.  
 H. R. 7806. Joseph Flewelling.  
 H. R. 7848. William Seybold.  
 H. R. 7873. Walter E. Harris.  
 H. R. 7953. Jeremiah M. McKenzie.  
 H. R. 7967. Anna M. Neill.  
 H. R. 8002. Adolf S. Szydlowski.  
 H. R. 8008. Frances T. Denton.  
 H. R. 8040. Mary Conter.  
 H. R. 8046. William O'Bryan.  
 H. R. 8053. Buster Davis.  
 H. R. 8057. Elizabeth C. Bell.  
 H. R. 8097. Simon P. Parrish.  
 H. R. 8150. Daniel P. Myers.  
 H. R. 8295. Noel M. Pursley.  
 H. R. 8307. William Edwards.  
 H. R. 8309. Elizabeth A. Shull.  
 H. R. 8321. John F. Mulball.  
 H. R. 8332. Lester D. Parkton.  
 H. R. 8368. William C. Shaffer.  
 H. R. 8563. Michael W. Hurley.  
 H. R. 8602. Benjamin F. Lamkin.  
 H. R. 8644. Fritz Hintermeier.  
 H. R. 8684. John E. Crum.  
 H. R. 8700. Bridget Reynolds.  
 H. R. 8713. Donald E. Leslie.  
 H. R. 8788. Peter W. Weber.  
 H. R. 8799. Paul Newton.  
 H. R. 8814. Jefferson C. Smith.  
 H. R. 8830. Walter L. Jewell.  
 H. R. 8857. Richard L. Davis.

Mr. McCLINTIC. Mr. Speaker, I desire to submit some observations to the House relative to this bill, because I have submitted similar observations to the Pension Committee. I do not approve of the present procedure in considering private bills before this committee, because the majority of them are not referred to the committee for consideration until after the chairman and the clerk have decided whether or not the individual measure contains merit and decides the amount the party asking for a pension should be allowed.

During the Sixty-fifth Congress every bill that came before the Pension Committee was referred to a special subcommittee which carefully considered the merits of same and then reported it to the entire committee for consideration. During this session of Congress the chairman of the Pension Committee has appointed subcommittees for the purpose of considering legislation that is introduced by Members residing in various States. These subcommittees should consider every bill coming under their jurisdiction; however, under the present plan adopted by the committee only such legislation as has not re-

ceived the approval of the chairman is referred to these subcommittees, and I think I am safe in saying that 75 per cent of the items in this bill have never been referred to the subcommittee having jurisdiction. If I make a mistake in this statement I want the chairman of the committee to correct me.

Mr. SELLS. Mr. Speaker, I think the gentleman has already made a mistake. As a matter of fact, the chairman never reports out a bill without reference to the full committee. Every bill in these omnibus pension bills after having been considered by the chairman has been reported to the full committee for such action as it might desire to take.

Mr. McCLINTIC. Does the gentleman mean to say that the subcommittees which have been charged with a certain amount of responsibility have had the opportunity of considering these bills?

Mr. SELLS. Yes; most emphatically so.

Mr. McCLINTIC. Have they done so?

Mr. SELLS. They could where they desired to do so.

Mr. McCLINTIC. The point I make is the bills passed on by the chairman of the committee are not referred to the subcommittee or the report of the special examiner is not read to the entire committee.

The SPEAKER. The time of the gentleman has expired.

Mr. TILSON. I ask unanimous consent that the gentleman be allowed to proceed for five minutes.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the gentleman from Oklahoma be allowed to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLINTIC. According to the procedure followed during the last session of Congress every bill considered by the Pension Committee was read before the committee and separate action was taken. I make the statement that no member of the committee has any knowledge of 75 per cent of the items in this bill. I also make the statement that the special reports made by the examiner relating to 75 per cent of the bills in this act have not been read by any member of the subcommittee having jurisdiction or by any member of the Pension Committee. I want to be perfectly fair to the chairman, and will say I do not care to cast any reflection on him personally. I also want to say I have not received any complaint as to favoritism being shown any member, but I do not believe that it was the intention of the creators of the Pension Committee to have legislation considered in this manner.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. McCLINTIC. I shall be glad to do so.

Mr. CAMPBELL of Kansas. There are subcommittees appointed to consider bills introduced from geographical subdivisions.

Mr. McCLINTIC. From the various States.

Mr. CAMPBELL of Kansas. From the various States. Now, when I was a member of the Pension Committee I went to the box and got the pension bills which were within the jurisdiction of the subcommittee of which I was a member.

Mr. McCLINTIC. That is the procedure we followed two years ago.

Mr. CAMPBELL of Kansas. Is there anything to prevent that being done now?

Mr. McCLINTIC. The chairman looks over the bills, decides the amount that the individual should be given without any member of the committee knowing anything about the merits of the individual bill. Later a motion is made in the committee that the action of the chairman be approved.

Mr. CAMPBELL of Kansas. But is there anything to prevent members of the subcommittee from getting bills and passing upon them?

Mr. McCLINTIC. Any member of the Pension Committee, as I understand it, has the right to go there and look into any case; but the point is subcommittees have been appointed to consider certain bills, and if these bills are not referred to them then, of course, they will not feel warranted in asking the chairman to rescind action when the bills have already been passed on by him.

Mr. CAMPBELL of Kansas. The chairman of the subcommittee, and usually the chairman, would have a perfect right—what difference is there; what is the difference now?

Mr. McCLINTIC. Heretofore in other sessions of Congress the committee has always investigated every single bill before granting a pension to any person.

Mr. CAMPBELL of Kansas. That is when the distribution is made members endeavor to get the bills from their respective States.

Mr. McCLINTIC. The committee or the chairman of the committee does not refer all of the pension bills which are intro-



duced by Members of Congress to the subcommittee having jurisdiction.

Mr. CAMPBELL of Kansas. Is it not the fault of the members of the committee rather than the chairman of the committee?

Mr. McCLINTIC. I am making these statements to the House for the reason the committee has departed from the old custom of handling pension legislation, and I am afraid if this policy is continued at some time in the future there may be room for criticism.

Mr. CAMPBELL of Kansas. But if the members of the committee do not do their duty it is incumbent upon somebody to pass upon the bills and lay them before the committee with some statement of facts with reference to them.

Mr. McCLINTIC. During the Sixty-fifth Congress the subcommittees considered every bill that was placed before them, and there was no complaint I have ever heard of from any source.

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

Mr. McCLINTIC. Yes.

Mr. LITTLE. Do I understand the chairman of this Pension Committee is doing all the work?

Mr. McCLINTIC. Seventy-five per cent of it.

Mr. LITTLE. Then, for heaven's sake, why do not the rest of the committee pitch in and help him out?

Mr. McCLINTIC. They have not been given the opportunity.

Mr. LITTLE. You can go and get the bills and look them over.

Mr. McCLINTIC. As I have said before, I do not make these statements to the House for the purpose of casting any reflection on any member of the Pension Committee; but, on the other hand, I feel that the practice of completing legislation without the members of the committee knowing what it contains will later on bring about a condition which will cause criticism to the members of this committee. Inasmuch as I have made a motion in the committee that no legislation be considered until the report of the examiner has been read to the committee, and it has been voted down, I find myself in a position where I can not conscientiously further remain a member of this committee, and my resignation will be sent to the Speaker immediately.

Mr. UPSHAW. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. UPSHAW. I want to oppose the motion.

The SPEAKER pro tempore. The gentleman from Georgia is recognized.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, I simply want to emphasize my indorsement of the course of the chairman of the Committee on Pensions in this matter. I do not like to find myself out of agreement with my good friend, the gentleman from Oklahoma [Mr. McCLINTIC], but I have found in working on this committee what other Members have found, that it seems utterly impossible in the time that is given to it to go through all of these bills. The chairman, with his expert, goes through certain bills and recommends their passage. We indorse them. Certain bills that he thinks are not quite so clear he simply leaves for the committee to examine. Personally, I want to do my duty as a faithful Congressman, but, with the pressing demands upon my crowded time, I never go to this committee that I do not tear myself away from other insistent demands or I am called back from my committee to my office; and it seems there is no way to plow through that tremendous amount of work and get anywhere except by following the line of the chairman. I believe he is right about it. We know that he is faithful. We trust his good judgment, and I believe he is industriously and patiently leading in a way to save the time of busy Members and to do this work in the most expeditious manner. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. BEE. Mr. Speaker, I move to strike out the last three words. I wanted to ask the chairman of the committee with reference to the Mexican War pensions. I notice in this bill that there are included some increases of pensions for widows and survivors of the Mexican War. Has the gentleman any information as to how many of those widows are left and how many war survivors are remaining?

Mr. SELLS. I think there are about 300 Mexican War widows left.

Mr. BEE. I wanted to ask the gentleman if there is any rule of procedure, outside of the introduction of bills, with reference to the increase of pensions of these old widows of the Mexican War? In my own section of Texas there are a great many of them, and I do not believe they are advised of the fact that any special measure would entitle them to have their \$12 a month pension increased. The gentleman says there are about 300 left.

Mr. SELLS. The Committee on Pensions in the House, for six or seven years, has been increasing the pensions of the Mexican War widows from \$12 to \$20 a month, whenever a bill to that effect has been offered.

Mr. BEE. I will say to the gentleman I do not think that \$20 a month is enough. I have no objection to the raise, but I want to understand the procedure as to how some had received increase of pensions and some had remained at \$12.

Mr. CRAMTON. Will the gentleman from Tennessee yield?

Mr. SELLS. Yes.

Mr. CRAMTON. I would like to call to the attention of the gentleman from Texas that I have a general bill pending in the Committee on Pensions that I am hoping the committee will report favorably, to give those Mexican War widows and some others, who are not now being taken care of, the same pensions as the Civil War widows get, and I will be very glad to have the cooperation of the gentleman from Texas in securing its passage.

Mr. BEE. I hope that when the bill comes before the House that there will be a full attendance.

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

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

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 10515.

The SPEAKER. The gentleman from Tennessee calls up a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of James W. Hendrickson, late of Company K, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles E. Kingsley, late of Troop E, First United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William H. Brooks, late of Company G, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Michael W. Murphy, late of Company H, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Peter Black, late of the United States Navy, War with Mexico, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Dora E. Wilson, widow of Frederick Wilson, late of Troop B, Sixth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of \$12 per month.

The name of William H. Miller, late of Companies C and K, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Philip Owen, late first lieutenant, Company L, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Walter C. Tharp, late of Company I, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary A. Johnson, mother of Hilding C. Johnson, late of Company K, Second Regiment Minnesota Infantry, National Guard, and pay her a pension at the rate of \$12 per month.

The name of Charles J. I. Beall, late of Eighty-eighth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Peter F. Van Aiken, late of Battery B, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Joseph E. Divans, late of Battery A, First Regiment Illinois Light Artillery, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Mrs. Eliza L. Ellis, daughter of William West, late of Capt. M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of \$12 per month.

The name of William B. Stroepe, late of Company E, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Henry T. Kinkade, late of Company I, Fifteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Fred F. Bennett, late of Company F, Twenty-second Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John E. Root, late of Troop A, Second Regiment, and Troop D, Eighth Regiment, United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Peter L. Johnson, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Kizzie Gill, widow of Jeremiah Gill, late of Captain Johnson's company, Florida Mounted Militia, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Henry Parrish, late of Captain William Cason's company, Florida Volunteers, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nancy A. Meredith, widow of Frederick Meredith, late of Captain Hall's company, Third Regiment Illinois Mounted Volunteers, Indian war, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Gus H. Weber, late of band, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Helen Cecilia Schaarman, mother of Frank L. Schaarman, alias Frank L. Sherman, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$20 per month.

The name of William Crawford, late of Company I, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Marie Merz, widow of George Merz, late of Company I, Seventy-first Regiment New York National Guard Infantry, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of soldier's minor child until he shall have reached the age of 16 years.

The name of John D. Andrews, late of Company B, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William F. W. Gordon, late of Company G, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nellie L. Benton, widow of Francis Benton, late of Company H, Sixteenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of \$12 per month.

The name of Margrethe Nelson, mother of Henry R. Nelson, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Miguel Archuleta, late of Company F, First Territorial Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Daniel D. Brothers, late of the Tenth Company, Signal Corps, United States Volunteers, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Reuben S. Parker, late of Company K, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John P. Simpson, late of Tyler's Rangers, Colorado Militia, Indian war, and pay him a pension at the rate of \$20 per month.

The name of George J. Cox, late of Company G, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Laura C. Slack, widow of William B. Slack, late second lieutenant, United States Marine Corps, Regular Establishment, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Joseph F. Smith, late of Company E, Twenty-eighth United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alfred M. Graham, late of Company I, Third Regiment Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary J. Beard, widow of John D. Beard, late of Company D, Thirtieth Regiment United States Infantry, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of David J. Hanger, late of Company C, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William L. Brown, late of Battery L, Third Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of James C. Claxton, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Bert B. Hughes, late of Battery B, First Regiment Maine Heavy Artillery, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Stephen Harder, late of Company D, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Daniel Madigan, late of the United States Marine Corps, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Robert E. McCormick, late of Company E, Fourth Regiment Wisconsin Infantry, and Battery D, Fourth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Isabel Bertrand, widow of Joseph Bertrand, alias Abraham Magnus, late of Company C, Tenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment North Carolina National Guard Infantry, Regular Establishment, and pay her a pension at the rate of \$17 per month, and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Mary Plummer (now Hill), mother of Hiram L. Plummer, late of Company E, Twentieth Regiment Kansas Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Walter Sewell, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William Olday, late of Company H, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nathaniel J. Smith, late of Troop L, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Degen, late of Troop B, First United States Cavalry, Indian war, and pay him a pension at the rate of \$30 per month.

The name of Martha J. Comstock, widow of Frank L. Comstock, late of Company E, Battalion United States Engineers, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Everett A. Dibble, late of Company I, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Charles Dolderer, late of Company M, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Samuel A. Berry, late unassigned United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Robert Wilks, late of Company E, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Martin K. Wright, late of Company I, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Bridget Mulcahy, mother of Michael Mulcahy, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John C. McDowell, late of Troop B, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Benjamin W. Clark, late of Company G, Thirteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Harry W. Miller, late captain of Company C, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Charles L. C. Sherwin, late of Troop K, Eighth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Laura S. Gilkey, mother of Charles T. Gilkey, late of Company L, Fourth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Elmer S. Baker, late of Company L, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sarah E. Walker, widow of George Walker, late of Company I, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Anton Casper, late of Company B, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Christina R. Urquhart, mother of William M. Urquhart, late of Company H, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$25 per month.

The name of Lea Toms, late of Company E, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lucian Lindsey, late of Company A, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Catherine Millington, minor of Frank T. Millington, late of Troop C, Third United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$14 per month until she shall have reached the age of 16 years. Payment to be made to duly appointed guardian.

The name of Albert F. Knight, late of Company H, Third Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Thomas H. Coxe, late of Company I, Ninth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Melvin Frazure, late of Troop B, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Albert Yoder, late of Company G, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Mary Jane Graham, former widow of Thomas H. Frazier, late of Company A, Second Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month.

The name of Jacob Hicks, late of Company G, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Leroy Dunn, late of Company C, Twenty-third United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Roscoe Schutt, late of Troop F, Third United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John J. Robinson, late of Company C, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Ann E. Stephens, widow of William M. Stephens, late of Capt. Burnett's Company H, First Regiment Oregon Riflemen, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John W. Redington, late of Maj. W. A. Clark's Battalion of Montana Volunteers and as scout and courier to Gen. O. O. Howard, United States Army, Nez Perce Indian War of 1877, 1878, and 1880, and pay him a pension at the rate of \$20 per month.

The name of Charles C. Mauch, late of Troops C and G, Seventh Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Pearl C. Holt, late of Company D, Sixth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Georgia Gatewood, widow of Charles B. Gatewood, late first lieutenant, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Mary A. Johnson, widow of William H. Johnson, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of John M. Sexton, late of Company I, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Elijah R. Potter, late of Capt. Buckle's Company C, Eldorado campaign, California Volunteers, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Margaret A. Storie, widow of William C. Storie, late of Company C, First Regiment Tennessee Volunteer Cavalry, War with Mexico, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Charles H. V. Wiggin, late of Troop K, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Edmund W. Roderick, late of Company H, Third Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary A. Burke, widow of George H. Burke, late of Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional



for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Sarah Adaline Youngblood, widow of Michael Youngblood, late of Company K, Fifth Regiment Louisiana Volunteers, Mexican War, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Mary Kinne, widow of Sylvanus H. Kinne, late of Company A (Capt. T. Bond's), First Regiment Illinois Volunteers, War with Mexico, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of George T. Keith, late of Company C, First Regiment Alabama Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Mary Furfey, widow of Edward A. Furfey, late of Battery I, Seventh Regiment United States Artillery, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of James Duffy, late of Company B, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George S. Hawkins, late of Troop A, Ninth Regiment United States Cavalry, Indian War, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Mary Jane King, mother of Robert L. King, late of Hospital Corps, United States Army, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Edward McClellan, late of Company G, Seventh Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel J. McDonald, late of United States Navy, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lefe Strickland, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William E. McGee, late of Company E, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Fred A. Safford, late of Troop L, Third United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of George V. M. Sommerhauser, late of Troop M, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James Kelley, late of Troop L, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Maggie Gordon, mother of Allen E. Gordon, late of Company K, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Patrick Flynn, late of Troop D, Sixth United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of John A. Shaw, late of Company F, First Regiment Vermont Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Zadok K. Basden, late of Company I, First North Carolina Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Theodore L. Shaffer, late of Company I, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James H. Hook, father of Edward R. Hook, late of Company H, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Tony K. Wilson, late hospital steward, Twelfth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Anna Kendrick, widow of Herbert N. Kendrick, late of Company G, Twelfth Regiment Minnesota Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Emma A. Esarey, mother of Clarence S. Carr, late of mounted service (white), United States Field Artillery; general service, United States Infantry; and Tenth Recruit Company, border defense, and pay her a pension at the rate of \$12 per month.

The name of Peter Hilliard, late unassigned recruit, Thirty-eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles I. Meck, late of Company G, Twelfth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Theresa Cloyd, widow of Stephen W. Cloyd, late of Company C, Second Kentucky Volunteer Infantry, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Teddy Sexton, late of Company A, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month.

The name of William C. Donlevy, late of Company L, Second Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Murray R. Marshall, late of Company A, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Stanford Holmes, late of Company B, First Regiment Indiana Colored Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Harry L. Vance, late of Company M, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jemima Grigg, mother of George G. Grigg, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The names of Elizabeth Dorothy Canavey and Mary Canavey, minor children of Thomas H. Canavey, late of Battery D, Second Regiment United States Artillery, War with Spain, and pay them a pension at the

rate of \$12 per month, and \$2 per month additional on account of each of the two minor children of the said Thomas H. Canavey until they reach the age of 16 years. Payment to be made to duly appointed guardian.

The name of Elsie Gardner, minor child of John T. Gardner, late of Company E, Eleventh Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$14 per month until she shall have reached the age of 16 years. Payment to be made to duly appointed guardian.

The name of Leatha Chambers, widow of Robert C. Chambers, late of Company B, Thirtieth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Andrew H. Wegman, late of Company K, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Martha E. Johnston, widow of Alfred H. Johnston, who served in Capt. Derrick's company, Georgia Volunteers, Indian war, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Edward R. Baker, late of Company B, First Battalion Engineers, United States Army, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Josiah J. Sikes, late of Capt. Brady's company, First Regiment Florida Mounted Volunteers, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary A. Baldrige, former widow of George W. Berry, late of Company G, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of \$25 per month.

The name of Theodore A. Melter, late of the Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Mary C. Herrington, mother of Lem R. Herrington, late of Company H, First Regiment West Virginia Volunteers, War with Spain, and pay her a pension at the rate of \$20 per month.

The name of Ernest R. Lee, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Frederick E. Troll, late of the Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Martha Ann Welch, former widow of Robert A. Welch, late of the United States Navy, War with Mexico, and pay her a pension at the rate of \$25 per month.

The name of Charles W. Anderson, late of Company H, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$46 per month.

The name of James B. King, late of Company M, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Grace Kavanagh, widow of James Kavanagh, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of the sailor's minor children until they shall have reached the age of 16 years.

The name of Abe Erlich, late of Company I, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Eli Hayes, late of Company D, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William M. Gibson, late of the United States Navy, War of 1917, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Sarah R. Fuller, widow of Samuel L. Fuller, late of Company F, Fifteenth Regiment United States Infantry, Mexican War, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Emily E. McKee, widow of James A. McKee, late of Company E, Palmetto Regiment South Carolina Volunteers, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

Mr. SELLS. Mr. Speaker, I desire to offer an amendment, on page 22, line 23, by striking out the word "Volunteers" and inserting the word "Infantry."

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

The Clerk read as follows:

Amendment offered by Mr. SELLS: Page 22, line 23 (pension of Mary C. Herrington), after the word "Virginia," strike out the word "Volunteers," and insert in lieu thereof the word "Infantry."

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

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

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

The foregoing bill is a substitute for the following House bills referred to the said committee:

H. R. 770. James W. Hendrickson.	H. R. 5239. Gus H. Weber.
H. R. 790. Charles E. Kingsley.	H. R. 5319. Helen Cecilia Schaarman.
H. R. 798. William H. Brooks.	
H. R. 801. Michael W. Murphy.	H. R. 5369. William Crawford.
H. R. 999. Peter Black.	H. R. 5666. Marie Merz.
H. R. 1267. Dora F. Wilson.	H. R. 5786. John D. Andrews.
H. R. 1333. William H. Miller.	H. R. 5856. William F. W. Gordon.
H. R. 1922. Philip Owen.	H. R. 5892. Nellie L. Benton.
H. R. 1933. Walter C. Tharp.	H. R. 6076. Margrethe Nelson.
H. R. 2398. Mary A. Johnson.	H. R. 6085. Miguel Archuleta.
H. R. 2399. Charles J. I. Beall.	H. R. 6108. Daniel D. Brothers.
H. R. 2446. Peter F. Van Auken.	H. R. 6119. Reuben S. Parker.
H. R. 2736. Joseph E. Bivans.	H. R. 6298. John P. Simpson.
H. R. 2739. Eliza L. Ellis.	H. R. 6394. George J. Cox.
H. R. 2836. William B. Stroope.	H. R. 6468. Laura C. Slack.
H. R. 3267. Henry T. Kinkade.	H. R. 6534. Joseph F. Smith.
H. R. 3506. Fred F. Bennett.	H. R. 6608. Alfred M. Graham.
H. R. 4055. John E. Root.	H. R. 6785. Mary J. Beard.
H. R. 4935. Peter P. Johnson.	H. R. 6817. David J. Hanger.
H. R. 5078. Kizzie Gill.	H. R. 6961. William L. Brown.
H. R. 5079. Henry Parrish.	H. R. 6983. James C. Claxton.
H. R. 5116. Nancy A. Meredith.	H. R. 7048. Bert B. Hughes.

H. R. 7080. Stephen Hardew.  
H. R. 7102. Daniel Madigan.  
H. R. 7178. Robert E. McCormick.  
H. R. 7179. Isabel Bertrand.  
H. R. 7209. Islay T. Pittman.  
H. R. 7210. Mary Plummer, now Hill.  
H. R. 7274. Walter Sewell.  
H. R. 7276. William Olday.  
H. R. 7325. Nathaniel J. Smith.  
H. R. 7401. John Degen.  
H. R. 7425. Martha J. Comstock.  
H. R. 7438. Everett A. Dibble.  
H. R. 7514. Charles Dolderer.  
H. R. 7516. Samuel A. Berry.  
H. R. 7552. Robert Wilks.  
H. R. 7731. Martin K. Wright.  
H. R. 7760. Bridget Mulcahy.  
H. R. 7761. John C. McDowell.  
H. R. 7818. Benjamin W. Clark.  
H. R. 7862. Harry W. Miller.  
H. R. 7866. Charles L. C. Sherwin.  
H. R. 7954. Laura S. Gilkey.  
H. R. 7956. Elmer S. Baker.  
H. R. 8129. Sarah E. Walker.  
H. R. 8270. Anton Casper.  
H. R. 8301. Christina R. Urquhart.  
H. R. 8347. Lee Toms.  
H. R. 8353. Lucian Lindsey.  
H. R. 8356. Catherine Millington.  
H. R. 8411. Albert F. Knight.  
H. R. 8412. Thomas H. Cox.  
H. R. 8417. Melvin Frazure.  
H. R. 8517. Albert Yoder.  
H. R. 8552. Mary Jane Graham.  
H. R. 8569. Jacob Hicks.  
H. R. 8571. Leroy Dunn.  
H. R. 8633. Roscoe Schutt.  
H. R. 8685. John J. Robinson.  
H. R. 8795. Ann E. Stephens.  
H. R. 8832. John W. Redington.  
H. R. 8848. Charles C. Mauch.  
H. R. 8849. Pearl C. Holt.  
H. R. 8897. Georgia Gatewood.  
H. R. 9040. Mary A. Johnson.  
H. R. 9058. John M. Sexton.  
H. R. 9081. Elijah R. Potter.  
H. R. 9084. Margaret A. Storie.  
H. R. 9088. Charles H. V. Wiggin.  
H. R. 9104. Edmund W. Roderick.  
H. R. 9166. Mary A. Burke.  
H. R. 9184. Sarah Adaline Youngblood.  
H. R. 9188. Mary Kinne.

H. R. 9191. George T. Keith.  
H. R. 9259. Mary Furfey.  
H. R. 9260. Mary Duffy.  
H. R. 9262. George S. Hawkins.  
H. R. 9289. Mary Jane King.  
H. R. 9308. Edward McClellan.  
H. R. 9328. Samuel J. McDonald.  
H. R. 9329. Lefe Strickland.  
H. R. 9332. William E. McGee.  
H. R. 9334. Fred A. Safford.  
H. R. 9344. George V. M. Sommerhauser.  
H. R. 9345. James Kelley.  
H. R. 9399. Maggie Gordon.  
H. R. 9407. Patrick Flynn.  
H. R. 9429. John A. Shaw.  
H. R. 9455. Zadok K. Basden.  
H. R. 9460. Theodore L. Shaffer.  
H. R. 9461. James H. Hook.  
H. R. 9463. Tony K. Wilson.  
H. R. 9482. Anna Kendrick.  
H. R. 9496. Emma A. Esarey.  
H. R. 9498. Peter Hilliard.  
H. R. 9507. Charles I. Meek.  
H. R. 9518. Theresa Cloyd.  
H. R. 9547. Teddy Sexton.  
H. R. 9557. William C. Donlevy.  
H. R. 9576. Murray R. Marshall.  
H. R. 9588. Stanford Holmes.  
H. R. 9597. Harry L. Vance.  
H. R. 9630. Jemima Grigg.  
H. R. 9649. Elizabeth Dorothy Canavey and Mary Canavey.  
H. R. 9650. Elsie Gardner.  
H. R. 9696. Letha Chambers.  
H. R. 9685. Andrew H. Wegman.  
H. R. 9705. Martha E. Johnston.  
H. R. 9714. Edward R. Baker.  
H. R. 9727. Josiah J. Sikes.  
H. R. 9739. Mary A. Baldrige.  
H. R. 9789. Theodore A. Melter.  
H. R. 9834. Mary C. Herrington.  
H. R. 9856. Ernest R. Lee.  
H. R. 9922. Frederick E. Troll.  
H. R. 9961. Martha Ann Welch.  
H. R. 9969. Charles W. Anderson.  
H. R. 9989. James B. King.  
H. R. 10012. Grace Kavanagh.  
H. R. 10016. Abe Erlich.  
H. R. 10077. Eli Hayes.  
H. R. 10243. William M. Gibson.  
H. R. 10244. Sarah R. Fuller.  
H. R. 10361. Emily E. McKee.

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 11554.

The SPEAKER. The gentleman from Tennessee calls up the bill H. R. 11554, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of John Whittington, late of Troop C, Eleventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Gussie Rash, mother of Roy Degman, late of Company L, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Asa C. Pieratt, late of Troop I, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Lambert, late of Company G, Twenty-sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Logan C. Bohannon, dependent father of James Bohannon, late of Company D, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of John C. Ferneding, late of Company I, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John A. Gaut, late of Company G, Fifteenth Regiment Minnesota Infantry, and Company I, Thirty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Joseph B. Ohr, late of Company E, First Regiment Ohio Infantry, and Companies E and A, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George W. Doney, late of Company C, First Brigade Oregon Mounted Militia, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Bell, late of the United States Signal Corps, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Thirza M. Dolph, widow of Isaac N. Dolph, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Harold A. Salisbury, late of Captain John L. Sperry's company, Umatilla County Guards, Oregon State Militia, Bannock Indian War, and pay him a pension at the rate of \$20 per month.

The name of Julius A. Fuhrman, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James Cunningham, late of Company G, Twenty-second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Walter S. Stewart, late of Company M, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of David Dixon, late of Troop E, Tenth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Oliver P. Jackson, late of Company K, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jonas Bolen, alias James Bolen, late of Troop B, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Gertrude Ballou, widow of Fred D. Ballou, late captain of Company A, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of William H. Culler, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Edward Gaines, late of Company D, Twenty-fourth Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of George B. Locke, late of Company G, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Christopher C. Ogden, late of Company K, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Peter Poirier, late of Company B, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Peter F. O'Brien, late of Company M, Fourth Regiment Pennsylvania Infantry, and United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank Lynch, late of the Forty-eighth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas Lloyd, late of Company G, Twenty-fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alva C. Foster, late of Company C, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Andrew B. Erb, late of Company D, Fifth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Joseph D. Blackwell, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Horace V. Andrews, late of Company C, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Augustus W. Connor, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Thomas C. Nation, late of Company B, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Lucinda Wilson, mother of Albert J. Wilson, late of Company H, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Gustave Stellar, late of Company M, Ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Harry Weinheimer, late of Company F, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alfred Rivers, late of United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John W. Oldfield, late of Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William A. Zinn, late of Company H, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John L. Dick, late of Company B, United States Engineers, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John W. Warman, late of Company B, Fourth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William D. Daniels, late of Company C, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James E. Yeager, late of Company I, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Miner N. Howard, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Amel G. Johnson, late of Company B, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Dillon Collett, late of Company B, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of David A. Turner, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Charles H. Ricker, late of Company K, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Estes, late of Troop I, Ninth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Della Moore, mother of Charles W. Frazee, late of Troop A, Third Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.



The name of Ida C. Huston, widow of William L. Huston, late of Company D, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for soldier's minor child until he shall have reached the age of 16 years.

The name of Simon T. Hickman, late of Company C, First Battalion Engineers, United States Army, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Caroline V. Wallace, widow of William Wallace, late of the Ordnance Detachment, United States Army, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of John Scott, late of Troop K, Ninth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John Sullivan, late of Company G, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Raleigh J. Stanberry, late of Company I, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Edward Schrum, late of Company G, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Charles T. Pickens, late of Company K, Tenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Edward Myers, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Bascum M. Meyers, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary R. Mellinger, mother of Walter A. Mellinger, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of George W. Bales, late of Company B, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Louis H. Trayser, late of Company B, Fourth Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of James M. Pollock, late of Company H, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Katherine Retter, widow of William Retter, late of Troop D, Eighth Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of George Bales, late of Troop D, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Jacob Imhoff, late of Company E, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Robert H. Sheaffer, late of Company F, Eighth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Moses Goldstein, late of Company F, Sixth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John H. Franklin, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James M. Taylor, late of Company K, Second Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John E. Harris, late of Company G, Second Regiment Georgia Infantry, and Fourteenth Company United States Coast Artillery, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of William F. Gross, late of Hospital Corps, United States Army, and Company D, Twentieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Daniel B. Klingensmith, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Emma S. Hanlon, widow of Thomas L. Hanlon, late of Company A, Seventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of William Fussnecker, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John J. Russell, late of Company D, Twenty-first United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William Constable, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nicholas Sharp, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Margaret E. Ward, widow of Willis A. Ward, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Otis O. Milliken, late of Company E, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles A. Bills, alias Frank Button, late of Company K, Nineteenth Regiment Kansas Cavalry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jacob Lyons, late of Company K, Fourteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Thomas N. Pray, late of Troop D, United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Albert Beiro, late of Company G, Second Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Leo V. Burchett, late of Company D, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of David Akridge, late of Twenty-fifth Company United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James K. Vance, late of Company B, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John Kerns, late of Company A, Twentieth Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Samuel C. Braden, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Thomas A. Puyear, late of Company H, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William W. Shortridge, late of Capt. Latshaw's and Wallan's company (A), Second Regiment Oregon Mounted Volunteers, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Speckhardt, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Anna L. Witters, widow of Lloyd D. Witters, late of Company D, Twenty-first United States Infantry, War with Spain, and pay her a pension at the rate of \$25 per month and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Oliver Hull, late of United States Marine Corps, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of William I. Allen, late of Company K, Thirty-second Regiment Michigan Infantry, border defense, and pay him a pension at the rate of \$12 per month.

The name of Jerry Fitzpatrick, late of Company K, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Wade, late of Battery D, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Rachel Ann Tooill, widow of Joseph Tooill, late of Company B, Third Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Cynthia E. Endicott, widow of John R. Endicott, late of Company A, Eighteenth Regiment, United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Harry H. Rockey, late of Company I, Sixth Regiment, Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Walker Anderson, late of Troop A, Tenth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of James E. Johnson, late of Company A, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian war, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Oliver M. McRoberts, late of Company F, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Albert O. McNulty, late of Company G, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Nancy G. West, late a contract nurse, Medical Department, United States Volunteers, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Phillip Ausmus, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Clara J. Sittin, widow of Felix J. Sittin, late of Company H, First Regiment Doniphan's Missouri Mounted Volunteer Infantry, Mexican War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Murray Pierce, late of Company L, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Earl Sanders, late of Company M, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sarah A. Boorman, widow of Elbertus A. Boorman, late of Battery K, Fourth Regiment United States Artillery, Indian wars, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Johanna Murphy, mother of Frank J. Murphy, late of Supply Company, Ninth Infantry, Massachusetts National Guard, border defense, and pay her a pension at the rate of \$12 per month.

The name of Richard M. Gilbert, late of Company F, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Cary M. Carlton, late of Company G, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Claborn Crawford, late of the Forty-ninth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of William C. Jacobs, late of Company H, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of James D. Brown, alias James D. Kester, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Frederick Lewis, late of Company C, Sixth United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of James H. St. Clair, late of Company H, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of James D. Smith, alias James Smith, late of Troop F, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Thomas E. Sutton, alias Birt Sutton, late of Company C, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Blankenship, late of Company I, Seventh Regiment Ohio Infantry, and Company F, Fortieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Alfred N. Oakleaf, late of Company G, Seventh Regiment Ohio Infantry, and Company K, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Minnie Nordyke, widow of Edward C. Nordyke, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Louisa Baumgard, mother of William Baumgard, late of the United States Navy, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Hugh Hoch, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of William N. King, late of Company D, Seventeenth Regiment United States Infantry, and One hundred and tenth Company, Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Venus B. King, widow of Carl King, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Augustus Thompson, late of Company H, Third Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank F. Pittman, late of Company F, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Nathaniel N. Robbins, late of Capt. Kelly's Company C, First Regiment Oregon Mounted Volunteers, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary Silvers, widow of William Silvers, late of Capt. Edward Sheffield's Company A, Second Regiment Oregon Mounted Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Brice Selby, late of One hundred and twentieth Company United States Coast Artillery, and Battery M, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Albert A. Lyke, late of Company C, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Corwin W. Holibaugh, late of Troop C, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Edith Payne Trimm, widow of Edmund W. Trimm, late chaplain Third Regiment Wisconsin Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of James N. Davis, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Robert W. Koontz, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Renshall, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Albert M. Kuppel, late of Company C, Twenty-eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Peter Kankiewicz, late of Company G, Thirteenth Regiment, and Companies I and M, Fourteenth Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of John C. Kulpman, late of Company I, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Maude C. Cooper, widow of Charles C. Cooper, late of Company C, Twelfth Regiment Pennsylvania Infantry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Lewis A. Boone, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Helen Fitton, blind and helpless child of John Fitton, late of the Quartermaster Corps, United States Army, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving, during the period of her helplessness, pension to be paid to duly appointed guardian.

The name of Mike Cattarini, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Ralph Erwin, late of Company G, One hundred and fifty-ninth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Lizzie C. Lefavor, widow of Frederic H. Lefavor, retired, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of \$25 per month.

The name of George Crago, late of Company A, Thirty-first United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of David R. Locke, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Catherine Summers, mother of Lawrence Summers, late of Company L, Second Regiment Mississippi Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of John M. Steele, late of Troop K, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of William Holt, late of Company L, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Frank Godar, late of Company H, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Jacob Cain, late of Company H, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John O. McMahon, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Matthew F. Patch, late of the Forty-ninth and One hundred and eighth Companies, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Conrad H. Rowe, late of Company D, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Alice Barkley, widow of Andrew J. Barkley, late of Company F, Fourth Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Jesse J. Renfro, late of Company A, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Walter G. Smith, late of Company K, Fifth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jean R. Anderson, widow of Keller Anderson, late colonel Second Regiment Tennessee Infantry, and major Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Annie G. Hall, widow of Walter S. Hall, alias Walter McLaughlin, late of Company D, Twelfth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of George W. Rabel, late of the Twenty-eighth Battery Indiana Light Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William H. Brown, late of Company E, Fifth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles C. Chilson, late of Company I, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Margaret Huling, widow of John Huling, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Hester Walk, widow of Henry Walk, late of General Mounted Service, United States Army, Indian war, and pay her a pension at the rate of \$12 per month.

The name of Edward C. Walt, late of Company G, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Bert M. Dorton, late of Battery K, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Maria Gaines, mother of Albert Gaines, late of Company C, Second Regiment New York Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Hans R. Jacobson, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Roy W. Turner, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Wesley Priest, late of Company M, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Harry S. Stahl, late of Company K, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles O. Wallace, late of Company I, Sixth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Frank M. Preston, late of Company M, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank S. Schmidt, late of Company F, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Walter C. Hathaway, late of Troop I, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Louise Shoat, widow of John W. Shoat, late of Troop C, Fourth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Rhoda M. Gates, former widow of Woodson Clay Gates, late of Captain Hunter's and Miller's First Regiment Tennessee Infantry, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Nancy Jane Howard, mother of James Howard, late of Troop G, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Thomas Flinchum, late of Company C, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Frank H. Gullett, late of the Eighty-fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.



The name of Mary S. Wilson, widow of Joshua Wilson, late of Company I, First Regiment Tennessee Mounted Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Christopher L. Einkopf, late of Company D, Fourteenth Regiment United States Infantry, and Company G, Twenty-first Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Docie D. Keeble, late of the Forty-seventh Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Jane Polsgrove, widow of Almus W. Polsgrove, late of Company B, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Eugene P. Williams, late of Company L, Sixth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Daniel Burkey, late of Company D, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James S. Haggard, late of Company C, Ninth Battalion Ohio Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Joseph Tewell, late of Company B, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank H. Howell, late of Company A, First Regiment North Dakota National Guard Infantry, Border Defense, and pay him a pension at the rate of \$24 per month.

The name of Ivar A. Amell, late of Company K, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jean B. Kopf, late of Troop B, First Regiment Illinois Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Robert Hand, late of Company L, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John B. A. Richard, late of Company D, First Regiment Rhode Island Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Alvis F. Ritter, late of Company I, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Harvey L. Williams, late of Company A, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Simeon H. Johnston, late of Company D, Sixth Regiment United States Artillery, and Twelfth and Twenty-second Batteries United States Field Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of La Barron T. Marshall, late of Company F, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Charles S. Kinman, late of Company C, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Zittle King, late of the Thirty-seventh Company, Tenth Battalion, One hundred and fifty-ninth Depot Brigade, War of 1917, and pay him a pension at the rate of \$30 per month.

The name of William H. Fish, late of Company K, Fiftieth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Horace B. Case, late of Company A, Nineteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Walter Barbo, late of Company I, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Harry A. Smith, late of Company E, Twenty-second Regiment United States Infantry, and Eighth Band, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Margaret Goldie, dependent mother of William Goldie, jr., late of Company L, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Edward C. Crawford, late of Company F, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Joseph Phillips, late of Company H, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles A. Helland, late of Company B, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Leonidas Duncan, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Joseph Dole, late of Troop B, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John Bennett, late of Company E, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Frazier, late of the One hundred and forty-second Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Bridget E. Reid, widow of James J. Reid, late of the United States Navy, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of sailor's minor children until they reach the age of 16 years.

The name of Mary M. Newman, widow of John R. Newman, late captain Company K, Second Regiment Arkansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$25 per month, with \$2 per month additional for soldier's minor child until he shall have reached the age of 16 years.

The name of Frank Scott, late of Troop K, Tenth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of \$20 per month.

The name of Mary Brown, widow of Alexander Brown, late of Capt. Kelly's Independent company, Florida Volunteers, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Hector H. Bryant, late of Troop B, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Charles Knight, late of Company K, First Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Theresaa Brisbois, widow of Gabriel A. Brisbois, late of Knowlton's Independent company, Wisconsin Volunteers, War with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of John E. Collins, late acting hospital steward, United States Army, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Charles Grunert, late of Company L, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Hugh O. Neville, late of Troop F, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel G. Dinsmore, late of Company E, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Russell M. Huff, late of Company L, Seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Thomas G. Pardue, late of Troop G, Seventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Cynthia Martin, widow of James L. Martin, late of Capt. Tedford's company, First Regiment Tennessee Volunteers, Indian war, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving. Payment to be made to duly appointed guardian.

The name of George A. Cooper, late of Company H, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Susanah Raines, mother of William R. Raines, late of Company M, Seventeenth Regiment United States Infantry, Regular Establishment, border defense, and pay her a pension at the rate of \$12 per month.

The name of Charles A. Rogers, late of Company A, Third Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Lewis W. Taft, late of Company K, Fifteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John F. Dile, late unassigned recruit, United States Army, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Guy Robison, late of the Sixty-sixth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Lucy E. Blue, dependent mother of Arthur Blue, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Mary Stewart, widow of Robert W. Stewart, late of Starbuck's company, Second Illinois Volunteers, War with Mexico, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

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The name of Mary Stewart, widow of Robert W. Stewart, late of Starbuck's company, Second Illinois Volunteers, War with Mexico, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

**THE SPEAKER.** The question is on the engrossment and third reading of the bill.

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

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 604. John Whittington.	H. R. 5054. John W. Warman.
H. R. 618. Gussie Rash.	H. R. 5087. William D. Daniels.
H. R. 620. Asa C. Pieratt.	H. R. 5096. James E. Yeager.
H. R. 631. George W. Lambert.	H. R. 5099. Miner N. Howard.
H. R. 642. Logan C. Bohannon.	H. R. 5090. Amel G. Johnson.
H. R. 654. John C. Fernald.	H. R. 5355. Dillon Collett.
H. R. 658. John A. Gaut.	H. R. 5304. David A. Turner.
H. R. 670. Joseph B. Orr.	H. R. 5307. Charles H. Ricker.
H. R. 693. George W. Doney.	H. R. 5308. William Estes.
H. R. 698. William Bell.	H. R. 5799. Della Moore.
H. R. 699. Thirza M. Dolph.	H. R. 5808. Ida C. Huston.
H. R. 702. Harold A. Salisbury.	H. R. 6181. Simon T. Hickman.
H. R. 703. Julius A. Fuhrman.	H. R. 6329. Caroline V. Wallace.
H. R. 805. James Cunningham.	H. R. 6615. John Scott.
H. R. 1798. Walter S. Stewart.	H. R. 6618. John Sullivan.
H. R. 1808. David Dixon.	H. R. 6619. Raleigh J. Stanberry.
H. R. 2747. Oliver P. Jackson.	H. R. 6694. Charles T. Picken.
H. R. 2759. Jonas Bolen, alias James Bolen.	H. R. 6720. Edward Myers.
H. R. 2760. Gertrude Ballou.	H. R. 6727. Pascum M. Meyers.
H. R. 2762. William H. Culler.	H. R. 6779. Mary R. Mellinger.
H. R. 2764. Edward Gaines.	H. R. 6784. George W. Bales.
H. R. 2767. George B. Locke.	H. R. 6942. Louis H. Trayser.
H. R. 2768. Christopher C. Ogden.	H. R. 6988. James M. Pollock.
H. R. 2769. Peter Poirien.	H. R. 7046. Katherine Retter.
H. R. 2802. Peter F. O'Brien.	H. R. 7069. George Bales.
H. R. 2804. Frank Lynch.	H. R. 7072. Jacob Imhoff.
H. R. 2809. Thomas Lloyd.	H. R. 7076. Robert H. Sheaffer.
H. R. 2829. Alva C. Foster.	H. R. 7270. Moses Goldstein.
H. R. 3052. Andrew B. Erb.	H. R. 7285. John H. Franklin.
H. R. 3063. Joseph D. Blackwell.	H. R. 7329. James M. Taylor.
H. R. 3068. Horace V. Andrews.	H. R. 7364. John E. Harris.
H. R. 3203. Augustus W. Connor.	H. R. 7427. William F. Gross.
H. R. 3272. Thomas C. Nation.	H. R. 7430. Daniel B. Klingensmith.
H. R. 3510. Lucinda Wilson.	H. R. 7509. Emma S. Hanlon.
H. R. 3514. Gustave Stellar.	H. R. 7511. William Fussnecker.
H. R. 4001. Harry Weinheimer.	H. R. 7534. John J. Russell.
H. R. 4012. Alfred Rivers.	H. R. 7739. William Constable.
H. R. 4040. John W. Oldfield.	H. R. 7772. Nicholas Sharp.
H. R. 4721. William A. Zinn.	H. R. 7813. Margaret E. Ward.
H. R. 4907. John L. Dick.	

H. R. 7851. Otis O. Milliken.  
 H. R. 7853. Charles A. Bills.  
 H. R. 7896. Jacob Lyons.  
 H. R. 7964. Thomas N. Pray.  
 H. R. 8001. Albert Beiro.  
 H. R. 8010. Leo V. Burchett.  
 H. R. 8016. David Aklridge.  
 H. R. 8017. James K. Vance.  
 H. R. 8135. John Kerns.  
 H. R. 8361. Samuel C. Braden.  
 H. R. 8373. Thomas A. Puyear.  
 H. R. 8409. William W. Shortridge.  
 H. R. 8556. William Speckhardt.  
 H. R. 8792. Anna L. Witters.  
 H. R. 8879. Oliver Hull.  
 H. R. 8922. William I. Allen.  
 H. R. 9071. Jerry Fitzpatrick.  
 H. R. 9187. William Wade.  
 H. R. 9347. Rachel Ann Tooll.  
 H. R. 9380. Cynthia E. Endicott.  
 H. R. 9400. Harry H. Rockey.  
 H. R. 9427. Walker Anderson.  
 H. R. 9535. James E. Johnson.  
 H. R. 9544. Emma R. Foster.  
 H. R. 9545. Oliver M. McRoberts.  
 H. R. 9585. Albert O. McNulty.  
 H. R. 9599. Nancy G. West.  
 H. R. 9622. Philipp Ausmus.  
 H. R. 9658. Clara J. Sitten.  
 H. R. 9665. Murray Pierce.  
 H. R. 9674. Earl Sanders.  
 H. R. 9677. Sarah A. Boorman.  
 H. R. 9681. Johanna Murphy.  
 H. R. 9741. Richard M. Gilbert.  
 H. R. 9743. Cary M. Carlton.  
 H. R. 9746. Claborn Crawford.  
 H. R. 9771. William C. Jacobs.  
 H. R. 9809. James D. Brown, alias  
 James D. Kester.  
 H. R. 9813. Frederick Lewis.  
 H. R. 9828. James H. St. Clair.  
 H. R. 9829. James D. Smith, alias  
 James Smith.  
 H. R. 9842. Thomas E. Sutton, alias  
 Birt Sutton.  
 H. R. 9852. Charles H. Helmlich,  
 alias Charles H. Henderson.  
 H. R. 9884. Henry Blankenship.  
 H. R. 9885. Alfred N. Oakleaf.  
 H. R. 9892. Minnie Nordyke.  
 H. R. 9918. Louisa Baumgard.  
 H. R. 9920. Hugh Hoch.  
 H. R. 9941. William N. King.  
 H. R. 9956. Venus B. King.  
 H. R. 9962. Augustus Thompson.  
 H. R. 9970. Frank F. Pittman.  
 H. R. 9991. Nathaniel N. Robbins.  
 H. R. 9992. Mary Silvers.  
 H. R. 9993. Brice Selby.  
 H. R. 9994. Albert A. Lyke.  
 H. R. 9995. Corwin W. Holibaugh.  
 H. R. 10015. Edith Payne Trimm.  
 H. R. 10017. James N. Davis.  
 H. R. 10030. Robert W. Kootz.  
 H. R. 10040. James Renshall.  
 H. R. 10090. Albert M. Kuppel.  
 H. R. 10097. Peter Kankiewicz.  
 H. R. 10141. John C. Kulpman.  
 H. R. 10143. Maude C. Cooper.  
 H. R. 10153. Lewis A. Boone.  
 H. R. 10170. Helen Fitton.  
 H. R. 10178. Ralph Erwin.  
 H. R. 10194. Lizzie C. Lefavor.  
 H. R. 10199. George Crago.  
 H. R. 10173. Mike Cattarini.  
 H. R. 10217. David R. Locke.  
 H. R. 10247. Catherine Summers.  
 H. R. 10262. John M. Steele.  
 H. R. 10275. William Holt.  
 H. R. 10294. Frank Godar.  
 H. R. 10295. May A. Sanders.  
 H. R. 10298. Jacob Cain.  
 H. R. 10314. John O. McMahon.  
 H. R. 10316. Matthew F. Patch.  
 H. R. 10319. Conrad H. Rowe.  
 H. R. 10320. Alice Barkley.  
 H. R. 10323. Jesse J. Renfro.  
 H. R. 10342. Walter G. Smith.  
 H. R. 10352. Jean R. Anderson.  
 H. R. 10364. Annie G. Hall.  
 H. R. 10387. George W. Rabel.  
 H. R. 10389. William H. Brown.  
 H. R. 10391. Charles C. Chilson.  
 H. R. 10392. Margaret Huling.  
 H. R. 10400. Hester Walk.  
 H. R. 10415. Edward C. Wait.  
 H. R. 10429. Bert M. Dorton.  
 H. R. 10444. Maria Gaines.  
 H. R. 10445. Hans R. Jacobson.  
 H. R. 10465. Roy W. Turner.  
 H. R. 10468. Wesley Priest.  
 H. R. 10474. Harry S. Stahl.  
 H. R. 10476. Charles O. Wallace.  
 H. R. 10496. Frank M. Preston.  
 H. R. 10500. Frank S. Schmitt.  
 H. R. 10503. Walter C. Hathaway.  
 H. R. 10569. Louise Shoat.  
 H. R. 10577. Rhoda M. Gates.  
 H. R. 10600. Nancy Jane Howard.  
 H. R. 10602. Thomas Flinchum.  
 H. R. 10603. Frank H. Gullett.  
 H. R. 10624. Mary S. Wilson.  
 H. R. 10633. Christopher L. Einkopf.  
 H. R. 10642. Dodie L. Keeble.  
 H. R. 10659. Jane Polsgrove.  
 H. R. 10724. Eugene P. Williams.  
 H. R. 10751. Daniel Burkey.  
 H. R. 10754. James S. Haggard.  
 H. R. 10755. Joseph Tewell.  
 H. R. 10756. Frank H. Howell.  
 H. R. 10766. Ivar A. Amell.  
 H. R. 10767. Jean B. Kopf.  
 H. R. 10768. Robert Hand.  
 H. R. 10777. John B. A. Richard.  
 H. R. 10791. Alvis F. Ritter.  
 H. R. 10814. Harvey L. Williams.  
 H. R. 10815. Simeon H. Johnston.  
 H. R. 10816. La Barron T. Marshall.  
 H. R. 10865. Charles S. Kinman.  
 H. R. 10890. Zittie King.  
 H. R. 10894. William H. Fish.  
 H. R. 10910. Horace B. Case.  
 H. R. 10927. Walter Barbo.  
 H. R. 10934. Harry A. Smith.  
 H. R. 10938. Margaret Goldie.  
 H. R. 10944. Edward C. Crawford.  
 H. R. 10949. Joseph Phillips.  
 H. R. 10956. Charles A. Heiland.  
 H. R. 10982. Leonidas Duncan.  
 H. R. 10995. Joseph Dole.  
 H. R. 11001. John Bennett.  
 H. R. 11002. Samuel Frazier.  
 H. R. 11005. Bridget E. Reid.  
 H. R. 11007. Mary M. Newman.  
 H. R. 11037. Frank Scott.  
 H. R. 11043. Mary Brown.  
 H. R. 11062. Hector H. Bryant.  
 H. R. 11073. Charles Knight.  
 H. R. 11095. Theresa Brisbois.  
 H. R. 11138. John E. Collins.  
 H. R. 11167. Charles Grunert.  
 H. R. 11171. Hugh O. Neville.  
 H. R. 11184. Samuel G. Dinsmore.  
 H. R. 11188. Russell M. Huff.  
 H. R. 11189. Thomas G. Pardue.  
 H. R. 11220. Cynthia Martin.  
 H. R. 11242. George A. Cooper.  
 H. R. 11285. Susanah Raines.  
 H. R. 11287. Charles A. Rogers.  
 H. R. 11288. Lewis W. Taft.  
 H. R. 11295. John F. Dille.  
 H. R. 11374. Guy Robison.  
 H. R. 11402. Lucy E. Blue.  
 H. R. 11415. Mary Stewart.

Mr. SELLS. Mr. Speaker, I call up Senate bill 1726, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Charles F. Cavanaugh, late of Company F, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Milton M. Lile, late of Company F, Second Battalion of Engineers, United States Army, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Amme A. Wilson, late of Company H, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles B. Smith, late of Troop G, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Edward Flannery, late of Troop G, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Thomas Kent, late of Thirty-sixth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Palmyra Johnson, dependent mother of Edward W. Johnson, late of Company K, Twenty-fifth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of James A. Criswell, late of Company D, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Andrew E. Waterman, late of Company H, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Henry L. Henrysen, late of Company B, Twentieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Isaac F. Roberts, late of Company D, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Eugene M. Symonds, late of Company C, Sixty-fifth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of Mary E. Allen, former widow of William T. Boles, late of Capt. Preston's company, First Regiment Virginia Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month.

The name of Frank H. Seay, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William H. Hart, late fireman, second class, United States Navy, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Thomas J. Scanlan, late of Company C, Eighth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Arthur G. Bosson, late of Company C, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Albert Grimes, late of Company D, Fifteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$30 per month.

The name of James L. Graham, late of Thirty-second Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of David Britton, late of Troop H, Second Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Tarter, late of Company A, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John Clark, late of Company K, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George E. Lawrence, late captain, United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of \$20 per month.

The name of Charles Weiffle, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$20 per month.

The name of Mary Melissa Anderson, widow of John F. Anderson, late of Company F, Calhoun's Mounted Battalion, Georgia Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Wilfred W. Phaneuf, late of Company M, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Rufus H. Hopkins, late of Company F, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Ulysses S. G. Canfield, late of Troops C and E, Eleventh Regiment United States Cavalry, and Company A, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Joseph J. Horan, late of Company E, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Dennis Driscoll, late of Troop I, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James D. Wilder, late of Troop M, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lemuel Langer, late of Company M, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Moir, late of Battery B, Battalion Utah Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles H. Skillings, late of Company M, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Elizabeth E. Baker, widow of Laurence S. Baker, late second lieutenant Companies A and F, United States Mounted Rifles, Texas and New Mexico Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John F. Manuel, late of Capt. Alexander McRay's company, Nauvoo Legion, Utah Volunteers, Utah Indian War, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph W. Culbertson, late Indian scout, United States Army, Indian wars, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Elvina Adams, widow of William R. Adams, late of Capt. Newbern's and Capt. Johnson's companies, Florida Mounted Volunteers, Seminole Indian War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ellen Jones, widow of Harry Jones, late of Company F, Sixth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Cornelia A. Nickels, widow of John A. H. Nickels, late commodore, United States Navy, retired, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of James J. Butler, late of Company L, First Regiment Washington Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Susan Owens, widow of Thomas J. Owens, late of Company B, Twelfth Regiment United States Infantry, War with Mexico,



and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of John Franklin Haynes, late of Company B, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Marion T. Mitchell, late of Company E, Signal Corps, United States Army, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Francis E. Searway, late of Company H, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John J. Duke, late of Company H, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Emeline A. Spaulding, widow of Herbert O. Spaulding, late of Company G, Second Battalion, Eleventh Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Jacob D. Emery, late of Company M, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Lily D. Murphy, widow of Frank T. Murphy, late of Battery K, Third Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Albert L. Newland, late of Company L, Second Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. McMahan, late of Company E, Sixteenth Regiment, and Company I, Nineteenth Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Oscar S. Pomeroy, late of Company F, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of David W. Herriman, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Edwin W. Gordon, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John Daley, late of Company F, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$50 per month.

The name of Charles F. Hahn, late of Company D, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Arthur H. Letts, late of Company G, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Floyd E. Driskel, late of Troop I, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah Hale, widow of George W. Hale, late of Company B, First Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of \$25 per month.

The name of Amanda F. Mahin, widow of Elijah L. Mahin, late of Company B, Third Regiment Kentucky Volunteers, War with Mexico, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of William W. Treadway, late of Company G, Fourth Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Benjamin H. Kimbler, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Lee Begley, late of Company M, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Henry Fields, late of Company A, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charley Shelton, late of the Eighty-second Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

Mr. CRAMTON. Mr. Speaker, I move to strike out the last word, for the purpose of asking a question of the gentleman from Tennessee [Mr. SELLS], the chairman of the committee.

The SPEAKER. The gentleman from Michigan moves to strike out the last word.

Mr. CRAMTON. Mr. Speaker, has the gentleman from Tennessee some hope that some of the House bills now pending in the Senate may receive action by that body in the near future?

Mr. SELLS. I could not give the gentleman any definite information. We are only hoping that they will.

Mr. CRAMTON. I assume that the gentleman in taking up this Senate bill is not seeking to give the impression that all the Senate bills are to be promptly disposed of, while ours slumber over there.

Mr. SELLS. I will just say to the gentleman that this bill was passed by the Senate during the last session of the Sixty-fifth Congress. It came to the House and objection was made to its consideration, and so it went over without action. The bill was then again passed by the Senate during the extra session, and it seems but fair, in view of the fact that the bill has been prepared for more than a year, that it should be considered by the House and passed.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, strike out all of lines 13 to 19, inclusive (pensions of Edward Flannery and Thomas Kent).

Page 3, line 5, strike out "\$12" and insert "\$24" (pension of Andrew E. Waterman).

Page 3, strike out all of lines 7 to 13, inclusive (pensions of Henry L. Henrisen and Isaac F. Roberts).

Page 4, strike out all of lines 20 to 23, inclusive (pension of David Britton).

Page 5, strike out lines 10 to 12, inclusive (pension of Charles Weltfle).

Page 6, line 23, strike out "\$24" and insert in lieu thereof "\$17" (pension of George Moir).

Page 8, strike out lines 3 to 6, inclusive (pension of Cornelia A. Nickels).

Page 10, strike out all of lines 12 to 24, inclusive, and lines 1 and 2 on page 11 (pensions of John Daley, Charles F. Hahn, Arthur H. Letts, and Floyd E. Driskel).

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were severally agreed to.

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

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

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

The foregoing bill is a substitute for the following Senate bills referred to the House Committee on Pensions:

S. 201. Charles F. Cavanaugh.	S. 4821. Charles H. Skillings.
S. 254. Milton M. Lile.	S. 4845. Elizabeth E. Baker.
S. 327. Anne A. Wilson.	S. 4840. John F. Mannel.
S. 1073. Charles B. Smith.	S. 4851. Joseph W. Culbertson.
S. 1958. Palmyra Johnson.	S. 4863. Elvina Adams.
S. 2132. James A. Criswell.	S. 4867. Ellen Jones.
S. 2195. Andrew E. Waterman.	S. 4908. James J. Butler.
S. 3107. Eugene M. Symonds.	S. 4935. Susan Owens.
S. 3290. Mary E. Allen.	S. 4958. John Franklin Haynes.
S. 3497. Frank H. Seay.	S. 4977. Marion T. Mitchell.
S. 3590. William H. Hart.	S. 4978. Francis E. Searway.
S. 3706. Thomas J. Scanlain.	S. 5007. John J. Duke.
S. 3866. Arthur G. Bosson.	S. 5009. Emeline A. Spaulding.
S. 4214. Albert Grimes.	S. 5046. Jacob D. Emery.
S. 4323. James L. Graham.	S. 5110. Lily D. Murphy.
S. 4335. George W. Carter.	S. 5111. Albert L. Newland.
S. 4411. John Clark.	S. 5124. George W. McMahan.
S. 4412. George E. Lawrence.	S. 5196. Oscar S. Pomeroy.
S. 4579. Mary Melissa Anderson.	S. 5209. David W. Herriman.
S. 4655. Wilfred W. Phaneuf.	S. 5219. Edwin W. Gordon.
S. 4657. Rufus H. Hopkins.	S. 5399. Sarah Hale.
S. 4730. Ulysses S. G. Canfield.	S. 5454. Amanda F. Mahin.
S. 4737. Joseph J. Horan.	S. 5527. William W. Treadway.
S. 4744. Dennis Driscoll.	S. 5529. Benjamin H. Kimbler.
S. 4756. James D. Wilder.	S. 5530. Lee Begley.
S. 4778. Lemuel Linger.	S. 5531. Henry Fields.
S. 4790. George Moir.	S. 5532. Charley Shelton.

Mr. SELLS. Mr. Speaker, I ask unanimous consent that the several votes whereby the preceding bills were agreed to may be reconsidered and that that motion lie on the table.

The SPEAKER. Is there objection?

There was no objection.

Mr. SELLS. Mr. Speaker, I call up House bill 9182 and ask that it go to the table. The House bill 9281, which was passed this afternoon, is a substitute for it.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the bill H. R. 9182 be laid on the table. Is there objection?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I call up House bill 11310, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER. The gentleman from Illinois calls up the bill H. R. 11310, which the Clerk will report.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to revise my remarks on the pension legislation just passed.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks on the legislation just passed. Is there objection?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent that the bill H. R. 11310 be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill named may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rosa Fitzpatrick, widow of William Fitzpatrick, alias Michael O'Brian, late of Company C, Fourth Regiment New Jersey Volunteer Infantry, and Company L, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Mary S. Runion, former widow of James T. Newberry, late of Company E, Forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Anne Casey, widow of James Casey, late landsman, United States Navy, and pay her a pension at the rate of \$25 per month.

The name of Andrew J. Allen, late of Company G, Twenty-first Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of William S. Eberman, late of Company E, Eighth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Nicholas Baggs, late of Company D, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Joseph Evans, late of Company C, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Elizabeth Weeks, widow of Samuel B. Weeks, late of Company K, Seventy-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Lewis Hyde, late of Company H, Twentieth Regiment, and Company D, Thirty-fifth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of David Wolf, late of Company C, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John H. Black, late of Company H, Eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Enos Snodgrass, late of Company I, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Silas F. Fowler, late of Company H, Eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry A. Rowley, helpless and dependent son of Robert Rowley, late of Company C, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Jacob W. Cline, late of Company D, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Leroy Hines, late of Company G, Sixteenth Regiment Kansas Volunteer Cavalry, and Company K, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Robert J. Bingham, late of Company F, One hundred and eighty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mattie L. Wade, helpless and dependent daughter of Francis M. Loud, late of Company H, Twelfth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Esther A. Van Camp, widow of James H. Van Camp, late of Company I, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Thomas C. Wallace, late of Company B, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Eliza Gnatz, widow of Paul H. Gnatz, alias Paul F. Ochs, late of Company A, Fifth Regiment Pennsylvania Volunteer Cavalry, and Company H, One hundred and seventy-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joanna Gloster, widow of John Gloster, late of Company D, Eleventh Regiment Connecticut Volunteer Infantry, and Company F, First Regiment Connecticut Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of George W. Page, late of Company I, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Richard M. Johnson, late of Company B, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Anna D. Abel, widow of William A. Abel, late of Company E, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of George W. Ryan, late of Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John C. MacGregor, late of Company H, One hundred and forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Christian C. Warner, late of Company H, Fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Oscar McPike, helpless and dependent son of John McPike, late of Company D, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Minard Wood, late acting master's mate, United States Navy, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Willis Vidito, late of Company F, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mathew A. Hogan, late United States ship *Portsmouth*, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frederick S. Chamberlin, helpless and dependent son of Henry N. Chamberlin, late of Company G, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Henry Conger, alias Henry Stevens, late of Company A, One hundred and twenty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John Trimble, late of Company C, Seventy-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac Slygh, late of Company F, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Edith Butler, widow of John Butler, late of Company A, Ninth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Mary A. Watts, former widow of John T. Baker, late of Company F, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Flora Walls, helpless and dependent daughter of George Walls, late of Company D, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Elizabeth Cravens, former widow of Benjamin Parker, late of Company A, Eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William W. Hawley, late of Company K, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isabella Martin, former widow of William Spatch, late of Company A, Second Battalion, Sixteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Sarah Prim, widow of George Prim, late of Company H, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Amanda Trauger, widow of Paul Trauger, late of Company C, Forty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Miley Polly, late of Company B, Thirteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Samuel D. Hess, late of Company C, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of David W. Bachelder, late of Company A, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Clarissa Bell, widow of Thomas M. Bell, late of Company D, One hundred and second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Lavina W. Ellis, widow of Myron H. Ellis, late of Company I, Seventh Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Isabella Holt, former widow of Orren J. Holt, late of Company H, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Benjamin Franklin Fawbush, late of Company D, Twelfth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Janet Millage, widow of Abraham Millage, late landsman, United States Navy, and pay her a pension at the rate of \$25 per month.

The name of Richard A. M. Harner, late of Company H, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Alice H. Bryant, widow of Permenus Bryant, late of Company H, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$25 per month.

The name of L. Alonzo Dennett, late of Company C, Sixty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Benjamin F. Patterson, late of Company G, First Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Joseph P. Clark, late of Company A, First Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John W. Burks, late of Capt. Hawkins's Independent company Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Vasthena Burger, widow of Jacob Burger, late of Company E, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Glennie Burger, helpless and dependent son of said Jacob and Vasthena Burger, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Vasthena Burger the name of said Glennie Burger shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Vasthena Burger.

The name of Israel Redinger, late of Company D, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Jennie D. Matteson, former widow of David Johns, late of Company C, Nineteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Louisa Taylor, widow of Edward Taylor, late of Company K, One hundred and nineteenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Maria L. Gill, widow of John Gill, late of Company I, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joseph Hutzell, late of Company A, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Alice G. Donze, widow of Charles F. Donze, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Alfred Adams, late of Company I, One hundred and fifty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Lenora A. Simmons, former widow of William F. Baker, late of Company F, One hundred and thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of John L. B. Breighner, helpless and dependent son of Francis Breighner, late of Company F, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Savannah Noll, widow of George Noll, late of Company G, Twelfth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Dellah J. Feist, widow of Albert Feist, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$35 per month.

The name of Euphrates Huff, widow of John A. Huff, late of the U. S. S. *Tyler*, Western Gunboat Flotilla, and pay her a pension at the rate of \$25 per month.



The name of Jemima Trueax, widow of George M. Trueax, late of Company A, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$35 per month.

The name of Leroy Hines, late of Company K, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lydia A. Clark, widow of Calvin W. Clark, late of Company G, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William Blades, late of Company B, Permanent Battalion, Camp Russell, Wisconsin Volunteer Infantry, and unassigned, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of John C. Edwards, late of Company D, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Emma L. Crisler, widow of David Crisler, late of Company D, One hundred and twenty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Malinda E. Gildewell, widow of William Gildewell, late of Company B, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Elizabeth Mariatt, widow of Jacob Mariatt, late of Company A, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Sarah Virginia Pollard, widow of Allison W. Pollard, late of Company K, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of John Minahan, alias John Bagley, late of Company K, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$40 per month.

The name of Belle Thompson Alter, late Army nurse, Civil War, and pay her a pension at the rate of \$25 per month.

The name of Adam Mille, late of Company A, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month.

The name of Esmeralda C. Adams, former widow of Albert H. Buttrick, late landsman, United States Navy, and pay her a pension at the rate of \$25 per month.

The name of Sanford R. Bryant, late of Company D, Twelfth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John J. Moll, alias James Moore, late of Company A, Second Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Josephus McMurrey, late of Company F, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Henry M. Clark, late of Company E, Sixty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James O'Connell, late of Company A, Eighteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Samuel Marsh, late of Company C, One hundred and seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Amos Carlin, late of Company H, Thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Hutchison, late of Company I, Forty-sixth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Edgar C. Martin, late of Company K, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Lysa B. Ringold, widow of Benjamin B. Ringold, late colonel One hundred and third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Joseph R. Montgomery, late of Company K, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Margaret I. Reider, widow of Emanuel Reider, late of Company C, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Joseph Reider, helpless and dependent son of said Margaret I. and Emanuel Reider, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Margaret I. Reider, the name of said Joseph Reider shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Margaret I. Reider.

The name of Julia A. Birge, widow of Wilbur W. Birge, late of Company I, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Mertie Hudson, former widow of George B. Hudson, late of Company K, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Peter Netz, late of Company A, Fifty-fourth Regiment, and Company D, Second Regiment, Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$40 per month.

The name of Frank C. Stevens, late of Company A, Eleventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary J. Miller, widow of James Miller, late of Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Kate M. Henry, widow of Charles V. Henry, late first lieutenant and regimental quartermaster, Ninety-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William C. Adams, late of Company D, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Brooks E. Rogers, late of Company I, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Frank Ephraim Drew, late of Company E, Seventh Regiment Maine Volunteer Infantry, and Company J, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Alzina S. Swobe, widow of Thomas Swobe, late of Company E, Twelfth Regiment Michigan Volunteer Infantry, and late lieutenant colonel, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Idella Norton, widow of John Norton, late of Company E, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Almera Norton, helpless and dependent daughter of said Idella and John Norton, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Idella Norton the name of said Almera Norton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Idella Norton.

The name of David Brummett, late of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Erastus F. Sparks, late of Company C, First Regiment United States Veteran Engineers, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Leman Bartholomew, late of Company A, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Hannah C. Ritter, former widow of John C. Edington, late of Company E, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of John Greek, late of Company D, One hundred and forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William H. Clouser, late of Company I, One hundred and thirty-third Regiment, and Company G, Two hundred and eighth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Josephine M. Chittenden, widow of A. Gus Chittenden, late of Company D, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Olney A. Gifford, late of Company E, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Annie Hoover, helpless and dependent daughter of Jacob Hoover, late of Company A, Ringold Battalion, and Company A, Twenty-second Regiment, Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Lydia Lenora Henson, widow of Thomas J. Henson, late of Company E, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William Todd, late of Company A, Thirty-first Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Thomas R. Henthorne, late of Company D, Forty-second Regiment, and unassigned, Sixty-third Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sarah J. Handy, widow of Edward S. Handy, late of Company I, Fourth Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Florence E. Handy, helpless and dependent daughter of said Sarah J. and Edward S. Handy, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah J. Handy, the name of said Florence E. Handy shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sarah J. Handy.

The name of John W. Scott, late of Company E, One hundred and fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James Murphy, late of Company F, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Franklin A. Lindsey, late of Company F, Eleventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Henry E. Torrence, late of Company H, Fifty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sylvester F. Wallace, late of Company G, One hundred and seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary M. Gunsolus, former widow of Mathew M. Gunsolus, late of Company K, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Robert Hill, late of Company H, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Richard H. Virts, late of Company H, Ninetieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Martin McDermott, helpless and dependent son of Michael McDermott, late of Company I, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of William A. Beer, late of Companies K and B, One hundred and second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary Busher, former widow of William F. Hurst, late of Companies G and F, Nineteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Jay Cobb, helpless and dependent son of Charles Cobb, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Mary A. Kimball, former widow of James W. Kimball, late of Company B, Fifth Regiment, and Company G, Twentieth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William S. Rowe, late of Company D, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Margaret A. Kinney, widow of Jireh Kinney, late attached Twenty-third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Charles Leathers, late of Company H, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James Dushane, late of Company E, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George Yocum, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Margaret Osborn, widow of Henry Osborn, late of Company E, One hundred and seventeenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William Wheatley, late of Company B, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Emily Onderdonk, now Emily Elmer, late Army nurse, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Reuben E. Lawrence, late of Company G, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month.

The name of Mary A. Johnston, widow of John W. Johnston, late of Company B, Twelfth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Elizabeth A. Hinman, widow of Walter C. Hinman, late of Company G, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Cordelia D. Maynard, widow of Chauncey J. Maynard, late of Company C, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Catherine E. Brinkman, helpless and dependent daughter of Joseph Brinkman, late of Company E, Fortieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John W. Lane, late of Company K, First Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James M. Turley, late of Company H, and major, Thirtieth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Benjamin T. Pool, late of Company K, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of August Clair, late of Company I, Fourth Regiment United States Volunteer Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George Knaggs, late of Company C, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Bonus W. Fontaine, helpless and dependent son of Simon Fontaine, late of Company H, Thirty-seventh Regiment, and Company K, Twentieth Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Morton Brandemere, late of Company A, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Louis K. Lewis, helpless and dependent son of Alexander Lewis, late of Company C, One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Sinclair Binkley, late of Company E, Sixty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William Dewalt, late of Company A, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Letitia A. Clifford, widow of Emery W. Clifford, late of Company G, Seventeenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William Rolston, late of Company D, Twenty-fifth Regiment Missouri Volunteer Infantry, and Company B, First Regiment Missouri Volunteer Engineers, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Emma M. Johnson, widow of Arthur M. Johnson, late of Company E, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Tracy M. Johnson, helpless and dependent son of said Emma M. and Arthur M. Johnson, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Emma M. Johnson the name of said Tracy M. Johnson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Emma M. Johnson.

The name of Margaret Steele, widow of Edward Steele, late of Company I, Twelfth Regiment Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of \$25 per month.

The name of Sarah Blackburn, widow of James Blackburn, late of Company G, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Nancy J. Markham, former widow of Orville W. Smith, late of the Ninth Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$25 per month.

The name of William Logsdon, late of Company B, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Anna M. Amer, former widow of Joseph Amer, late of Company K, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Caroline Miller, widow of Herman J. Miller, late of Company L, Eleventh Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Joseph Lukehart, late of Company M, Fourth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Travis H. Stilwell, helpless and dependent son of Lewis A. Stilwell, late of Company B, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Lydia A. Gaines, former widow of Alvis Fields, late of Company C, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of \$25 per month.

The name of Frederic C. Anderson, widow of Asbury E. Anderson, late of Company B, Ninth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$25 per month.

The name of Mary J. Otto, helpless and dependent daughter of Ludwig, alias Louis, Otto, late of Company E, Seventy-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Aaron S. Davis, late of Company C, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William M. Williamson, late of Company G, Seventy-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Willoughby, late of Company B, First Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Milton Hurley, late of Company I, Second Regiment Iowa Volunteer Infantry, and Company H, One hundred and ninety-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mattie Shepherd, helpless and dependent daughter of Ira Shepherd, late of Company K, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Perkins, late of Company F, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Eliza M. Keyes, former widow of Francis H. Rasey, late of Company C, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary Hewitt, widow of Walter S. Hewitt, late of Company H, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Nathaniel Sanford, late of Company E, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George L. Wells, late of Company A, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William W. Jackson, late of Company B, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James Braley, alias James Bradley, late of Company B, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James A. Benjamin, late of Company A, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Huston M. Jones, late of Company K, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Thomas Kerrigan, late of Company H, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary J. McDonald, widow of Luke McDonald, late of Company B, Second Battalion, Nineteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Joseph W. Santee, late of Company H, One hundred and sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Christopher Slatzer, late of Company D, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Clara A. Harlow, helpless and dependent daughter of William A. Harlow, late of Company C, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Angelia Meredith, widow of William H. Meredith, late acting chief engineer United States Navy, and pay her a pension at the rate of \$25 per month.

The name of John C. Goodin, late of Company E, First Regiment Tennessee Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Amanda E. Buck, former widow of Elias Harvey, late of Company A, Twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Mary Reynolds, widow of Levi Reynolds, late of Company F, Twelfth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Melissa S. Lee, widow of Gideon E. Lee, late of Company K, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Lucy L. Lee, helpless and dependent daughter of said Melissa S. and Gideon E. Lee, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Melissa S. Lee, the name of said Lucy L. Lee shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Melissa S. Lee.

The name of Tillman W. Edmonds, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Thomas B. Beasley, helpless and dependent son of John C. Beasley, late of Company A, Second Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Phoebe Hamilton, widow of George W. Hamilton, late of Company F, Fortieth Regiment, and Company G, Fifty-first Regiment,



Ohio Volunteer Infantry, and pay her a pension at the rate of \$65 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ethel L. Hamilton, helpless and dependent daughter of said Phebie and George W. Hamilton, \$20 per month of the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Georgianna Hamilton, helpless and dependent daughter of said Phebie and George W. Hamilton, \$20 per month of the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Phebie Hamilton, the names of Ethel L. Hamilton and Georgianna Hamilton shall both be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month to each of them from and after the date of death of said Phebie Hamilton.

The name of Martha J. McCleary, widow of James H. McCleary, late of Company G, Twenty-second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of William N. Bridges, helpless and dependent son of Joseph Bridges, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Martha J. McCleary, widow of James H. McCleary, late of Company G, Twenty-second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Francis Tolson, late of Company B, Third Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William Greer, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary C. Haskins, widow of Henry Haskins, late of Company B, Third Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Hans Halvorson, late of Company D, Fifteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Rissie Swords, widow of William H. Swords, late of Company K, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Steven Marcum, late of the U. S. S. *Nero Ironside*, United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of George W. Burk, late of Company F, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of George Hinds, late of Company M, Seventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Pricy E. Cook, widow of Timothy Cook, late of Company C, Seventh Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Anna E. Judd, widow of Rollin Judd, late of Company K, Thirty-sixth Regiment Iowa Volunteer Infantry, and Company B, First Regiment Mississippi Marine Brigade Infantry, and pay her a pension at the rate of \$25 per month.

The name of John T. Fleener, helpless and dependent son of Samuel W. Fleener, late of Company G, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Cora A. Trueblood, widow of Freeland Trueblood, late of Company C, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Samantha Sedore, widow of Isaac Sedore, late of Company A, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of David Sedore, helpless and dependent son of said Samantha and Isaac Sedore, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Samantha Sedore the name of said David Sedore shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Samantha Sedore.

The name of Julia E. Pierrepont, former widow of Charles A. Barnum, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Maranda Stanfield, widow of Horatio C. Stanfield, late of Company G, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Myrtle Stanfield, helpless and dependent daughter of said Maranda and Horatio C. Stanfield, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Maranda Stanfield, the name of said Myrtle Stanfield shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Maranda Stanfield.

The name of William Connell, late of Company C, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Sophie P. Harris, widow of James W. Harris, late of Company C, Sixty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Edwards Harris, helpless and dependent son of said Sophie P. and James W. Harris, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sophie P. Harris, the name of said John Edwards Harris shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sophie P. Harris.

The name of Samuel O. Stanley, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James Hall, late of Company E, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Martina Ruebel, former widow of Jacob Zeut, alias Joseph Sente, late of Company F, Twenty-ninth Regiment, and Company I, Thirty-second Regiment, Missouri Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Henry Gompf, late of Company B, One hundred and fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of William T. Stevens, late of Company K, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Robert R. Reardon, late of Company H, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Wharton, late of Company G, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Victoria M. Davis, widow of Tilden S. Davis, late of Company H, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Maria C. Sinclair, widow of Sidney F. Sinclair, late of Company G, One hundred and eighty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William Haines, late of Company C, Fiftieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Harriet L. Potter, widow of Edward E. Potter, late captain and commodore, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lucy A. Leach, widow of Welcome G. Leach, late of Company E, Second Regiment United States Sharpshooters, and Company G, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of James T. Dunn, late of Company G, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John C. Langford, late of Company F, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Donly Toland, late of Company C, Twenty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Franklin D. Russell, late of Company M, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Florence Moxey, helpless and dependent daughter of Henry L. Moxey, late of Company F, Twelfth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The name of Lulu M. Jones, helpless and dependent daughter of Samuel T. Jones, late of Company A, Eightieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Noah C. Reichelderfer, late of Company B, One hundred and fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Lavina Humphrey, widow of William J. Humphrey, late of Company K, One hundred and twelfth Regiment, and Company A, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of Samuel Adair, late of Company B, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Mary A. Moessner, widow of Christopher F. Moessner, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of John Schoonover, late of Company C, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Cornelius Albertson, late of Company C, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Joseph A. Kashner, late of Company G, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of David O. Spencer, helpless and dependent son of Oliver Spencer, late of Company C, Fortieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Perry Harris, alias James Sampson, late of Company D, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Annie Belle Gaunt, helpless and dependent daughter of Nev Gaunt, late of Company A, Eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Armstead Shain, late of Company K, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of James P. Ritchie, late of Company F, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Sowers, late of Ninth Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elisha Childress, late of Company K, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John Bounds, late of Company L, First Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elijah Parrish, late of Company H, One hundred and nineteenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The name of Martha I. McGinnis, widow of Joseph M. McGinnis, late of Company D, Ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of John E. Markley, late of Company E, Sixty-eighth Regiment, and Company K, One hundred and ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

This bill is the substitute for the following bills referred to the Committee on Invalid Pensions:

H. R. 564. Rosa Fitzpatrick.	H. R. 2478. Nicholas Baggs.
H. R. 709. Mary S. Runlon.	H. R. 2796. Elijah Parrish.
H. R. 904. Henry Conger, alias Henry Stevens.	H. R. 3187. Joseph Evans.
H. R. 990. Annie Casey.	H. R. 3523. Elizabeth Weeks.
H. R. 1329. Andrew J. Allen.	H. R. 3571. John Trimble.
H. R. 2437. William S. Eberman.	H. R. 3797. Lewis Hyde.
	H. R. 3833. David Wolf.

H. R. 4341. John H. Black.  
 H. R. 4946. Enos Snodgrass.  
 H. R. 5446. Silas F. Fowler.  
 H. R. 5863. Henry A. Kowley.  
 H. R. 5886. Jacob W. Cline.  
 H. R. 5943. Leroy Hines.  
 H. R. 6184. Robert J. Bingham.  
 H. R. 6213. Mattie L. Wade.  
 H. R. 6309. Isaac Slygh.  
 H. R. 6525. Esther A. Van Camp.  
 H. R. 6591. Edith Butler.  
 H. R. 6695. Thomas C. Wallace.  
 H. R. 6699. Mary A. Watts.  
 H. R. 6775. Eliza Gnatz.  
 H. R. 6964. Joanna Gloster.  
 H. R. 7029. George W. Page.  
 H. R. 7031. Richard M. Johnson.  
 H. R. 7143. Flora Walls.  
 H. R. 7423. Anna D. Abel.  
 H. R. 7580. George W. Ryan.  
 H. R. 7599. John C. MacGregor.  
 H. R. 7892. Elizabeth Cravens.  
 H. R. 7899. William W. Hawley.  
 H. R. 7959. Christian C. Warner.  
 H. R. 7961. Oscar McPike.  
 H. R. 8020. Minard Vido.  
 H. R. 8042. Willis Witto.  
 H. R. 8048. Mathew A. Hogan.  
 H. R. 8098. Frederick S. Chamberlin.  
 H. R. 8299. Isabella Martin.  
 H. R. 8334. Clarissa Bell.  
 H. R. 8349. Sarah Prim.  
 H. R. 8406. Amanda Trauger.  
 H. R. 8455. Milley Polly.  
 H. R. 8676. Sampel D. Hess.  
 H. R. 8707. David W. Bachelder.  
 H. R. 8791. Lavina W. Ellis.  
 H. R. 8858. Isabella Holt.  
 H. R. 8914. Benjamin Franklin Fawbush.  
 H. R. 8918. Janet Millage.  
 H. R. 8964. Richard A. M. Harner.  
 H. R. 8967. Alice H. Bryant.  
 H. R. 9044. Aizina S. Swobe.  
 H. R. 9052. L. Alonzo Dennett.  
 H. R. 9070. Benjamin F. Patterson.  
 H. R. 9097. Joseph P. Clark.  
 H. R. 9071. John W. Burks.  
 H. R. 9196. Vasthena Burger.  
 H. R. 9200. Israel Redinger.  
 H. R. 9209. Jennie D. Matteson.  
 H. R. 9218. Louisa Taylor.  
 H. R. 9261. Maria L. Gill.  
 H. R. 9288. Joseph Hutzell.  
 H. R. 9311. Alice G. Donze.  
 H. R. 9383. Alfred Adams.  
 H. R. 9411. Lenora A. Simmons.  
 H. R. 9423. John L. B. Breighner.  
 H. R. 9440. Savannah Noll.  
 H. R. 9492. Delilah J. Feist.  
 H. R. 9520. Euphrates Huff.  
 H. R. 9548. Jimima Trueax.  
 H. R. 9573. Leroy Hines.  
 H. R. 9590. Lydia A. Clark.  
 H. R. 9616. William Blades.  
 H. R. 9621. John C. Edwards.  
 H. R. 9635. Emma L. Cryslar.  
 H. R. 9638. Malinda E. Glidewell.  
 H. R. 9639. Elizabeth Marlatt.  
 H. R. 9652. Sarah Virginia Bollard.  
 H. R. 9653. John Minahan, alias John Bagley.  
 H. R. 9679. Belle Thompson Alter.  
 H. R. 9680. Joseph R. Montgomery.  
 H. R. 9687. Adam Mickle.  
 H. R. 9732. James O'Connell.  
 H. R. 9737. Esmeralda C. Adams.  
 H. R. 9744. Sanford R. Bryant.  
 H. R. 9763. John J. Moll, alias James Moore.  
 H. R. 9774. Josephus McMurtrey.  
 H. R. 9796. Henry M. Clark.  
 H. R. 9799. Samuel Marsh.  
 H. R. 9800. Amos Carlin.  
 H. R. 9839. John Hutchinson.  
 H. R. 9854. Edgar C. Martin.  
 H. R. 9855. Lysa B. Ringold.  
 H. R. 9877. Margaret I. Reider.  
 H. R. 9889. Julia A. Birge.  
 H. R. 9897. Mertie Hudson.  
 H. R. 9909. Peter Netz.  
 H. R. 9910. Frank C. Stevens.  
 H. R. 9912. Mary J. Miller.  
 H. R. 9915. Kate M. Henry.  
 H. R. 9917. William C. Adams.  
 H. R. 9919. Brooks E. Rogers.  
 H. R. 9935. Frank Ephraim Drew.  
 H. R. 9953. Idella Norton.  
 H. R. 9955. David Brummett.  
 H. R. 9960. Erastus F. Sparks.  
 H. R. 9963. Leman Bartholomew.  
 H. R. 9965. Hannah C. Ritter.  
 H. R. 9986. John Greek.  
 H. R. 9987. William H. Clouser.  
 H. R. 9989. Josephine M. Chittender.  
 H. R. 9990. Olney A. Gifford.  
 H. R. 10000. Annie Hoover.  
 H. R. 10014. Lydia Lenora Henson.  
 H. R. 10018. William Todd.  
 H. R. 10021. Thomas R. Henthorne.  
 H. R. 10025. Sarah J. Handy.  
 H. R. 10027. John W. Scott.

H. R. 10035. James Murphy.  
 H. R. 10039. Franklin A. Lindsey.  
 H. R. 10041. Reuben E. Lawrence.  
 H. R. 10042. Henry E. Torrence.  
 H. R. 10050. Sylvester F. Wallace.  
 H. R. 10052. Mary M. Günsolus.  
 H. R. 10054. Robert Hill.  
 H. R. 10060. Richard H. Virts.  
 H. R. 10076. Martin McDermott.  
 H. R. 10078. William A. Beer.  
 H. R. 10079. Mary Busher.  
 H. R. 10083. Jay Cobb.  
 H. R. 10086. Mary A. Kimball.  
 H. R. 10089. William S. Rowe.  
 H. R. 10094. Margaret A. Kinney.  
 H. R. 10099. Charles Leathers.  
 H. R. 10113. James Dushane.  
 H. R. 10118. George Yocum.  
 H. R. 10119. Margaret Osborn.  
 H. R. 10125. William Wheatley.  
 H. R. 10126. Emily Onderdonk, now Emily Elmer.  
 H. R. 10144. Mary A. Johnston.  
 H. R. 10147. Elizabeth A. Hinman.  
 H. R. 10148. Cordelia D. Maynard.  
 H. R. 10149. Catherine E. Brinkman.  
 H. R. 10160. John W. Lane.  
 H. R. 10161. James M. Turley.  
 H. R. 10162. Benjamin T. Pool.  
 H. R. 10163. August Clair.  
 H. R. 10164. George Knaggs.  
 H. R. 10166. Bonus W. Fontaine.  
 H. R. 10167. Morton Brandemere.  
 H. R. 10168. Louis K. Lewis.  
 H. R. 10171. Sinclair Binkley.  
 H. R. 10174. William Dewalt.  
 H. R. 10175. Letitia A. Clifford.  
 H. R. 10190. William Rolston.  
 H. R. 10193. Emma M. Johnson.  
 H. R. 10197. Margaret Steele.  
 H. R. 10215. Sarah Blackburn.  
 H. R. 10218. Nancy J. Markham.  
 H. R. 10220. William Logsdon.  
 H. R. 10223. Anna M. Amer.  
 H. R. 10231. Caroline Miller.  
 H. R. 10237. Joseph Lukehart.  
 H. R. 10239. Travis H. Stilwell.  
 H. R. 10240. Lydia A. Gaines.  
 H. R. 10246. Frederieke C. Anderson.  
 H. R. 10249. Mary J. Otto.  
 H. R. 10263. Aaron S. Davis.  
 H. R. 10267. John E. Markley.  
 H. R. 10276. William M. Williams.  
 H. R. 10279. John Willoughby.  
 H. R. 10284. Milton Hurley.  
 H. R. 10292. Mattie Shepherd.  
 H. R. 10296. William Perkins.  
 H. R. 10299. Eliza M. Keyes.  
 H. R. 10302. Mary Hewitt.  
 H. R. 10312. Nathaniel Sandford.  
 H. R. 10332. George L. Wells.  
 H. R. 10337. Martha I. McGinnis.  
 H. R. 10340. William W. Jackson.  
 H. R. 10343. James Braley alias James Bradley.  
 H. R. 10357. James A. Benjamin.  
 H. R. 10382. Huston M. Jones.  
 H. R. 10388. Thomas Kerrigan.  
 H. R. 10390. Mary J. McDonald.  
 H. R. 10396. Joseph W. Santee.  
 H. R. 10397. Christopher Slatzer.  
 H. R. 10412. Clara A. Harlow.  
 H. R. 10418. Angelica Meredith.  
 H. R. 10421. John C. Goodin.  
 H. R. 10426. Amanda E. Buck.  
 H. R. 10427. Mary Reynolds.  
 H. R. 10443. Melissa S. Lee.  
 H. R. 10448. Tilman W. Edmonds.  
 H. R. 10458. Thomas R. Beasley.  
 H. R. 10459. Phebe Hamilton.  
 H. R. 10461. Martha Scott.  
 H. R. 10464. William N. Bridges.  
 H. R. 10466. Martha J. McCleary.  
 H. R. 10467. Francis Tolson.  
 H. R. 10469. William Greer.  
 H. R. 10493. Mary C. Haskins.  
 H. R. 10495. Hans Halvorson.  
 H. R. 10498. Rissie Swords.  
 H. R. 10499. Stephen Marcum.  
 H. R. 10502. George W. Burk.  
 H. R. 10505. George Hinds.  
 H. R. 10526. Price E. Cook.  
 H. R. 10541. Anna E. Judd.  
 H. R. 10543. John T. Fleener.  
 H. R. 10544. Cora A. Trueblood.  
 H. R. 10547. Samantha Sedore.  
 H. R. 10553. Julia E. Pierrepont.  
 H. R. 10557. Maranda Stanfield.  
 H. R. 10567. William Connell.  
 H. R. 10590. Sophie P. Harris.  
 H. R. 10593. Samuel O. Stanley.  
 H. R. 10595. James Hall.  
 H. R. 10597. Martha Ruebel.  
 H. R. 10605. Henry Gompf.  
 H. R. 10606. William T. Stevens.  
 H. R. 10607. Robert R. Reardon.  
 H. R. 10619. John Wharton.  
 H. R. 10620. Victoria M. Davis.  
 H. R. 10621. Maria C. Sinclair.

H. R. 10627. William Haines.  
 H. R. 10630. Harriet L. Potter.  
 H. R. 10631. Lucy A. Leach.  
 H. R. 10632. James T. Dunn.  
 H. R. 10637. John C. Langford.  
 H. R. 10639. Donly Toland.  
 H. R. 10641. Franklin D. Russell.  
 H. R. 10646. Florence Moxey.  
 H. R. 10660. Lulu M. Jones.  
 H. R. 10665. Noah C. Reichelderfer.  
 H. R. 10667. Lavina Humphrey.  
 H. R. 10732. Samuel Adair.  
 H. R. 10749. Mary A. Moessner.

H. R. 10750. John Schoonover.  
 H. R. 10760. Joseph A. Kashner.  
 H. R. 10769. David O. Spencer.  
 H. R. 10771. Perry Harris, alias James Sampson.  
 H. R. 10789. Annie Belle Grant.  
 H. R. 10790. Armstead Shain.  
 H. R. 10792. James P. Ritchie.  
 H. R. 10797. John Sowers.  
 H. R. 10852. Cornelius Albertson.  
 H. R. 10905. Elisha Childress.  
 H. R. 11211. John Bounds.

During the reading of the bill,

Mr. FULLER of Illinois. Mr. Speaker, I move to amend, on page 6, line 11, by striking out the name "Christian" and inserting in lieu thereof the word "Christopher."

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 6, line 11, strike out the word "Christian" and insert in lieu thereof the word "Christopher."

The amendment was agreed to.

Mr. FULLER of Illinois. Mr. Speaker, on page 10, line 7, I move to strike out the name "Janet" and to insert in lieu thereof the name "Janett."

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 10, line 7, strike out the word "Janet" and insert in lieu thereof "Janett."

The amendment was agreed to.

Mr. FULLER of Illinois. Mr. Speaker, I move to amend, on page 12, line 18, by inserting after the word "Donze," the words "known as Charles F. Douze."

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 12, line 18, after the word "Donze," insert the words "known as Charles F. Douze."

The amendment was agreed to.

Mr. FULLER of Illinois. Mr. Speaker, on page 18, line 18, I move to correct the spelling of the word "Main" by inserting the letter "e."

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 18, line 18, strike out the word "Main" and insert in lieu thereof the word "Maine."

The amendment was agreed to.

Mr. FULLER of Illinois. Mr. Speaker, I move to amend, on page 25, by striking out lines 19, 20, 21, and 22, the proposed beneficiary being dead.

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 25, strike out lines 19 to 22, inclusive.

The amendment was agreed to.

Mr. CAMPBELL of Kansas. Mr. Speaker, on page 33, line 13, I move to strike out "\$40" and insert "\$50."

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

The Clerk read as follows:

Amendment by Mr. CAMPBELL of Kansas: On page 33, line 13, strike out the figures "\$40" and insert in lieu thereof "\$50."

Mr. FULLER of Illinois. Mr. Speaker, I think that amendment should be adopted.

Mr. CAMPBELL of Kansas. Then I have no comment to make.

Mr. WALSH. Mr. Speaker, I do not think any amendment of that nature ought to be adopted without some explanation to the House. It is a little unusual.

Mr. CAMPBELL of Kansas. This bill for Mr. Sanford was introduced a long time ago. As is known to everybody, these pension bills have not been considered as rapidly as we have heretofore considered them, because other matters were under consideration. At the time the bill was considered by the committee Mr. Sanford was still able to be about. He is now 84 years of age. He has an old gunshot wound in the knee. He is now confined to his bed.

Mr. LONGWORTH. His disability has increased and his age has increased a year since the bill was introduced.

Mr. CAMPBELL of Kansas. Yes. I think his necessities are such that the amendment should be agreed to.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.



Mr. WALSH. Is it because of a change for the worse in the pensioner's condition since the introduction of the bill or its consideration by the committee?

Mr. CAMPBELL of Kansas. The bill was introduced for \$50, but at the time it was considered by the committee the evidence did not show that Mr. Sanford was confined to his bed. He is now confined to his bed.

Mr. WALSH. This is a case of which the gentleman has personal knowledge?

Mr. CAMPBELL of Kansas. I know Nathan Sanford very well.

Mr. WALSH. The gentleman does not know whether there are other items in the bill of a like nature?

Mr. CAMPBELL of Kansas. I am quite sure that if there were any other items of a similar nature in the bill, the Members interested would call attention to them, and the chairman of the committee would do as he has done in this case.

Mr. WALSH. The gentleman thinks that other Members would follow the illustrious example of the distinguished gentleman from Kansas?

Mr. CAMPBELL of Kansas. Yes.

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

The amendment was agreed to.

Mr. FULLER of Illinois. I move to amend, on page 44, line 15, by striking out the name "Moxey" and inserting in lieu thereof the name "Maxey."

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

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: Page 44, line 15, strike out "Moxey" and insert in lieu thereof "Maxey."

The amendment was agreed to.

Mr. FULLER of Illinois. I offer the same amendment in line 16.

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

The Clerk read as follows:

Page 44, line 16, strike out the name "Moxey" and insert in lieu thereof "Maxey."

The amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

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

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

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

#### POST OFFICE APPROPRIATIONS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 433.

Resolved, That during the consideration in the Committee of the Whole House on the state of the Union of the bill (H. R. 11579) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes, it shall be in order, notwithstanding the general rules of the House, to consider the following items of said bill:

Page 2, line 12, beginning with the word "including," and all of line 13, as follows: "Including increases hereinafter provided, \$931,500."

Page 3, line 6, beginning with the word "including," and all of line 7, as follows: "Including increases hereinafter provided, \$184,825."

Page 4, line 21, beginning with the word "including," and all of line 22, as follows: "Including increases hereinafter provided, \$40,300,000."

Page 5, line 11, beginning with the word "including," as follows: "Including increases hereinafter provided, \$5,672,125."

Page 10, line 19, beginning with the word "including," and line 20, down to and including " \$84,500,000," as follows: "Including increases hereinafter provided, \$84,500,000."

Page 11, line 5, beginning with the word "including," and all of line 6, as follows: "Including increases hereinafter provided, \$81,200."

Page 11, line 9, beginning with the word "including," and all of line 10, as follows: "Including increases hereinafter provided, \$3,241,875."

Page 11, line 16, beginning with the word "including," and all of line 17, as follows: "Including increases hereinafter provided, \$9,750,000."

Page 11, line 20, beginning with the word "including," and all of lines 21, 22, 23, 24, and 25, and all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, on page 12, as follows:

"Including increases hereinafter provided, \$250,000: *Provided*, That

wherever unusual conditions prevail the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate presidential class indicated by the receipts of the preceding quarter, notwithstanding section 16 of the act approved May 18, 1916, as amended, which requires the compensation of fourth-class postmasters to reach \$1,000 for four consecutive quarters, exclusive of commissions on money-order business, and that the receipts of such post office for the same period shall aggregate as much as \$1,900, before such advancement is made: *Provided further*, That in cases where the Postmaster General has exercised the authority herein granted, he shall, wherever the receipts are no longer sufficient to justify retaining such post office in the presidential class to which it has been advanced, reduce the grade

of such office to the appropriate class indicated by its receipts for the last preceding quarter."

Page 12, line 16, beginning with the word "Provided," and all of lines 17, 18, 19, 20, and 21, as follows:

"Provided, That hereafter the Postmaster General may, in the disbursement of the appropriation for such purposes, apply a part thereof to the purpose of leasing premises for the use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid quarterly, for a term of not exceeding 20 years."

Page 13, line 1, beginning with the word "including," and line 2, as follows: "Including increases hereinafter provided, \$60,000,000."

Page 13, line 5, beginning with the word "including," and line 6, as follows: "Including increases hereinafter provided, \$9,000,000."

Page 13, line 9, beginning with the word "including," and line 10, as follows: "Including increases hereinafter provided, \$130,000."

Page 14, line 7, as follows: "Including increases hereinafter provided, \$253,000."

Page 14, line 14, as follows: "Including increases hereinafter provided, \$1,185,000."

Page 14, line 15, beginning with the word "including," and line 16, down to and including " \$60,000,000," as follows: "Including increases hereinafter provided, \$60,000,000."

Page 15, line 19, beginning with the word "including," and line 20, down to and including " \$37,109,275," as follows: "Including increases hereinafter provided, \$37,109,275."

Page 17, line 22, beginning with the word "including," and line 23, as follows: "Including increases hereinafter provided, \$4,700,000."

Page 18, line 9, beginning with the word "including," and line 10, as follows: "Including increases hereinafter provided, \$19,875."

Page 20, line 23, beginning with the word "including," and line 24, as follows: "Including increases hereinafter provided, \$270,000."

Page 21, line 17, beginning with the word "including," and line 18, down to and including " \$2,090,000," as follows: "Including increases hereinafter provided, \$2,090,000."

Page 22, line 15, beginning with the word "including," and line 16, as follows: "Including increases hereinafter provided, \$78,000,000."

Page 22, line 19, beginning with the word "including," and line 20, as follows: "Including increases hereinafter provided, \$1,200,000."

Page 23, lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, as follows:

"Sec. 2. That the increased compensation for positions in the Postal Service of all classes and grades made and provided for in the act entitled 'An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1920,' approved February 28, 1919, and House joint resolution of November 8, 1919, entitled 'Joint resolution to provide for additional compensation for employees of the Postal Service and making appropriations therefor,' and the classification and grades specified in said act and resolution shall continue in force during the fiscal year 1921, unless otherwise provided by law."

And it shall be in order to consider said section 2 first, before considering the rest of the bill.

With the following committee amendment:

Page 6, strike out lines 4 and 5.

Mr. CAMPBELL of Kansas. Mr. Speaker, the purpose of this rule is to make in order the increases made to the clerks, carriers, and other employees in the Postal Service.

Mr. GARNER. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARNER. Does this bill make the provisions of the bill permanent law?

Mr. CAMPBELL of Kansas. No; only for the next fiscal year.

Mr. GARNER. In order to pass the same legislation in the next appropriation bill it will be necessary to have a similar rule.

Mr. CAMPBELL of Kansas. To get by points of order on the increases; yes.

Mr. GARNER. This merely makes in order certain provisions in the post-office bill that take more money out of the Treasury of the United States than the statute authorizes.

Mr. MADDEX. No.

Mr. CAMPBELL of Kansas. No; what is authorized in the current year.

Mr. GARNER. The gentleman from Illinois says no, and the gentleman from Kansas modifies the statement because he knows that the answer "no" would not be correct. I said the rule makes in order legislation that would not be in order under the rules of the House and the statutes now existing.

Mr. CAMPBELL of Kansas. Under the general law.

Mr. GARNER. The increases in the bill are not now authorized by law.

Mr. CAMPBELL of Kansas. That is true.

Mr. GARNER. In view of the statement made by the gentleman from Wyoming [Mr. MONDELL] as to the necessity for economy and cutting down appropriations for the next fiscal year, I merely call the attention of the House to the fact that this special rule from the Committee on Rules, which probably has the sanction of the steering committee on the Republican side, including the gentleman from Wyoming [Mr. MONDELL], provides for increased expenditures that are not now authorized by law.

Mr. CAMPBELL of Kansas. Mr. Speaker, during the last two fiscal years the Post Office appropriation bill has carried the increases made in order by this rule. It is for the purpose of making these same increases in order for the next fiscal year, beginning July 1, 1920, that this rule is brought in in regard to this bill.

Mr. MONDELL. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. MONDELL. It is true, is it not, that this rule does not make in order any increases that the employees in the service are not now receiving?

Mr. CAMPBELL of Kansas. That is true.

Mr. MONDELL. So that the rule does not provide for any increases in salary above those now being paid.

Mr. CAMPBELL of Kansas. That is true.

Mr. FESS. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. FESS. If these increases were not made in order, the operation of the bill would be to reduce what the employees received last year.

Mr. CAMPBELL of Kansas. Yes.

Mr. GARNER. But you are taking away from the House of Representatives in the Committee of the Whole the privilege of any Member of this House who thinks that the salaries might be higher than they ought to be the right to make a point of order.

Mr. CAMPBELL of Kansas. Mr. Speaker, this rule makes it in order for the House to consider the increases. If the rule is not agreed to, it would be in order for a single Member to prevent the increases by making a point of order. If this rule is adopted, the majority of the House may agree to the increases or it may reduce the amount to the amount provided in the general statute on the subject, or it may reduce it below that amount if Members of the House see fit to do so.

Mr. GARNER. But the only opportunity that a Member of the House who desires to let the statutory salaries continue as now authorized by law would be to vote against this rule.

Mr. CAMPBELL of Kansas. No; when this rule has been agreed to, when these items are read for consideration in Committee of the Whole, the gentleman from Texas, or any other Member, can move to amend by striking out the provisions of the bill providing for the increase and secure a vote in the House.

Mr. GARNER. No; that was not the question I asked the gentleman. The gentleman does not state it correctly. The only chance to get a record vote in the House of Representatives would be to vote against this bill. Of course you can get a vote in the committee, but that is not a record vote.

Mr. CAMPBELL of Kansas. The gentleman could get a record vote in the House if he could get a vote to strike it out, or he could get a vote on these increases on a motion to recommend.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Certainly.

Mr. MANN of Illinois. It is a fact that the gentleman from Texas could declare himself in favor of reducing the present salaries by voting against this resolution.

Mr. CAMPBELL of Kansas. That is true. The gentleman from Texas, I do not think, would take advantage of the suggestion made for his benefit by the gentleman from Illinois. However, Mr. Speaker, unless there is further debate desired on this rule, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question on the adoption of the resolution.

The previous question was ordered.

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

The committee amendment was agreed to.

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

The question was taken.

Mr. LONGWORTH. Mr. Speaker, on that I demand a division.

The SPEAKER. The gentleman from Ohio demands a division. Those in favor of agreeing to the resolution will rise and stand until counted. [After counting.] Sixty-two Members have risen. Those opposed will rise and stand until counted.

Mr. GARNER. Mr. Speaker, I probably should be mean enough to accomplish the result the gentleman from Ohio [Mr. LONGWORTH] desires to bring about, namely, to get a record vote on this matter and make the point of no quorum, but not being of that disposition I will let the matter go. [Laughter.]

The SPEAKER (after counting). One gentleman in the negative. On this question the ayes are 62 and the noes 1.

So the resolution was agreed to.

Mr. STEENERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11578, the Post Office appropriation bill, and pending that motion I desire to ask if we can agree upon some time for general debate.

Mr. BLACKMON. Mr. Speaker, I discussed this matter with the chairman of the committee this afternoon, and the gentleman

suggested three hours, which is satisfactory to this side of the House.

Mr. STEENERSON. That is satisfactory to us. I ask unanimous consent that general debate be limited to three hours, one-half to be controlled by the gentleman from Alabama [Mr. BLACKMON] and one-half by myself.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that general debate upon the Post Office appropriation bill be limited to three hours, one-half to be controlled by himself and one-half by the gentleman from Alabama [Mr. BLACKMON]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill, with Mr. WALSH in the chair.

The Clerk reported the title of the bill.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LONGWORTH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendment to the bill (H. R. 10137) to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CALDER, and Mr. SHEPPARD as the conferees on the part of the Senate.

#### POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. STEENERSON. Mr. Chairman, this is the largest Post Office appropriation bill that has ever been reported to the House. It carries \$461,000,000. It exceeds by \$25,000,000 the appropriations in the regular appropriation bill and the deficiency appropriations made for the Postal Service for the fiscal year 1920. There are, however, pending before the Appropriations Committee additional estimates for the fiscal year 1920 of \$3,550,000, and if those should be granted this will only exceed the appropriations for the present fiscal year by \$21,000,000. Whatever figure we take, the increase over and above the appropriations for the present fiscal year is less than 6 per cent, which is the usual increase from one year to another. It will, therefore, be seen that the bill is not extravagant. We are now enjoying an extraordinary increase in business and the prospects are that it will continue. So the appropriations in this bill are really less than would be justified by the volume of business. The Committee on the Post Office and Post Roads recognized that it was our duty to pursue a policy of economy, and we have cut out appropriations which we thought were not absolutely necessary, yet we believe we have amply provided for all reasonable requirements. The Postal Service is different from other branches of the Government, for it is more in the nature of a business enterprise than it is a governmental function. It is really conducting a vast transportation service, and as a rule this service has been upon a self-sustaining basis, and in some years has shown a surplus. It has always been the professed policy of every administration, and it is a sound policy, that the postage rates and charges should be so fixed that this service would be self-sustaining.

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

Mr. STEENERSON. Yes.

Mr. LONGWORTH. Dealing with the proposition that the revenues of the Post Office should make the Post Office as nearly self-sustaining as possible, as the gentleman has just said, I understand that there is pending before the gentleman's committee a bill which is to reduce the rate on drop-letter postage from 2 cents to 1 cent. Is it the opinion of the gentleman that that bill would substantially reduce the revenues of the Post Office Department?

Mr. STEENERSON. It is my opinion that it would. There are several bills of that character; but the department itself estimates that the immediate reduction by the drop-letter



1-cent rate would be \$28,000,000, although they estimate the amount of drop letters would double in two years; and, of course, doubling it, you have cut the rate in two, and the deficit would be made up.

Mr. LONGWORTH. Is the gentleman speaking of the first year thereafter?

Mr. STEENERSON. Yes. The department states that there would be a deficit of \$14,000,000 the first year.

Mr. LONGWORTH. What is the gentleman's opinion as to what the condition might be in, say, three or four years?

Mr. STEENERSON. The department would be a good deal in the situation of the merchant who said he was selling a suit of clothes for \$25 which cost him \$30, but he could do that because he was selling so many of them. The cost of transporting and handling letters has gradually increased in the last few years because of these salary increases. It costs about twice as much for clerk hire in the carrier service to-day as it did 12 years ago, when the last computation was made of handling letters. That was in 1907, when the department had an investigation made. At that time they figured that third-class matter was carried at a loss. I will say, further, that I have received numerous letters from members of the One Cent Postage League, who have been requested to write me, no doubt; and the reason they give for the 1-cent rate is the fact that it would be cheaper for them to have the Government do it than to do it themselves.

I sent an inquiry to the postmasters of some of the largest cities on this subject, and I put the inquiry in this way: The Government has a monopoly over first-class mail but has no monopoly over third-class mail. Anyone can carry it. A very large part of the third-class mail consists of circulars, and since the invention of the mimeograph process, especially, the number of circulars in the mail has increased.

Now, there is no reason in the world why any company or person that thinks it is possible to deliver these letters in the large cities at a profit can not do so. The postmaster at Brooklyn writes there was a company a few years ago, when you could hire men for less wages, that delivered circular letters among the business men of the city and charged about 1 cent apiece for them, but it has discontinued the business, and there is not anyone to-day, a private express company or concern or anybody, that does that business, presumably for the reason that it does not pay. It will cost more than 1 cent. The Government statistics show that it costs more. For that reason it is difficult to see how you can get revenue over and above the cost. The more business you would be doing at 1 cent the worse off you would be. The fact is that the old theory upon which the postal receipts were based does not apply. The theory used to be that you had an organization and you had the help, and that it was economical to employ it at its full capacity, and by so doing you would find that the business would be very profitable because of the so-called law of increasing returns. If you have a carrier who only carries 10 pounds of mail and load him up to 10 pounds more, then it is profitable to have that additional load. But we find now—and it is the testimony of the carriers and of the clerks that they are all worked to capacity—there is no slack. It is all taken up. Down here at Atlanta and New Orleans and Memphis, for instance, the witnesses, without being led by any question of the kind, voluntarily stated that they were loaded beyond their capacity, that they were required to carry enormous loads of 50, 60, 70, and even 100 pounds. That was the grievance they had, that they were loaded down too much. Now, it stands to reason that if you should increase the volume of mail by reducing the postage that you would have to have more clerks and carriers. You can not do the business without more clerks and carriers and therefore can not take advantage of the law of increasing returns. You have arrived at that stage of the business in the Postal Service that we may call in the terminology of political economy the stage of constant or decreasing returns, and therefore the addition of this class of mail at the rate proposed, it is believed, would be a loss instead of being a revenue. You could increase the volume. A great many would send letters that they now pay private carriers a cent and a half to deliver, but the Government could not do it at the price proposed. We would lose on it. Therefore that is not the way to increase the revenue. It is desirable to increase the revenue.

We have adopted these temporary salary increases and I do not believe that any fair-minded man can study the postal affairs and go and listen to the story of the men who do the work, the men who work these hours under great strain, men who are required to possess skill and efficiency, without being convinced that even the present rate of compensation, if the

present high cost of living should continue, would be insufficient. I believe it will be necessary for Congress to adopt further increases if the present rate of prices shall continue. I noticed that in the report of the Postmaster General it is stated that it would be advisable to postpone the fixing of salary rates until normal conditions shall return. That would be a very wise suggestion provided we had any prospect that normal conditions as to prices would return in the near future. But if it is going to take several years it would be, I think, an unwise policy to postpone a further revision of salaries. The fact is that with the salaries, even as they are increased and carried in this bill—and which are the same as are in force to-day—it is difficult to get help. In nearly all the large cities of the country the eligible lists of the civil service are exhausted and they have to employ anybody they can get, whether they possess the qualifications or not. Now, the result of that is you fill the lower ranks of the service with unskilled men and you have poor service. Letters are misssent and delayed, and you have an extraordinary amount of work thrown upon the employees who are already there and are skilled and trained. They are required to work overtime. This morning I received a letter from a clerk complaining that during the holidays he had to work 16 hours in order to get the mail out. They do not want to do it. It is too hard on the physical man to do it, and the result of taking in these unskilled men is that you are overburdening these older men and making the service poorer. So that if you had better compensation you could take men of education and training, and you would get better recruits and the future employees would be as skilled and efficient as the old employees. For these reasons I think it should be the policy of Congress to try in some way to increase the revenue in order to be able to pay adequate compensation to those who do the work. There has been an unprecedented increase of postal business. No doubt this is due to increased trade and commerce. People as a rule are getting high wages and are spending their earnings freely. The passenger trains are running in three or four sections. They are running with 14, 15, and 16 passenger cars and sleepers.

I have no doubt it is a result of the high wages that are received in industrial occupations. The common laborer is getting more and his money is being scattered among those who receive it for goods and services.

As stated in my report here, the last month of which we have a record, tested by the receipts from 50 of the largest cities in the United States, which 50 largest cities represent one-half of the postal receipts, the total receipts exceeded the receipts for the corresponding months last year, when we had a 3-cent letter rate, by 7 per cent. As you know, the Postmaster General computed that 1 cent extra on letters and post cards put into the Treasury 17 per cent of the total revenue, \$71,000,000 in all. Seven per cent in addition to 17 makes 24. So that the receipts for the last three months exceeded the normal receipts at the same rate of postage as we have now by about 24 or 25 per cent. If that shall keep up, even if we have some additional expense, we are likely to have a surplus.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. STEENERSON. I yield.

Mr. MANN of Illinois. If the increase in receipts keeps up, of course, that means also an increase in the amount of mail carried?

Mr. STEENERSON. Certainly.

Mr. MANN of Illinois. That increase is 25 per cent. The Post Office employees are now worked at their full capacity. How does the gentleman expect the Postal Service will be properly carried on with an increase of over 6 per cent in the expense, as proposed by this bill?

Mr. STEENERSON. Well, we accepted the estimates made by the Post Office Department as to what the expense would be, but that was not really an official estimate. It was the different department chiefs. Outside of salaries we took their estimates. For instance, the railway mail pay. There was \$7,000,000 unexpended of last year's appropriation for transportation of mail by railway and they recommend the same appropriation, which we gave them.

Mr. MANN of Illinois. They pay it in another way now.

Mr. STEENERSON. Well, we believe the \$7,000,000 proposed would be sufficient on that item, out of \$50,000,000 or \$60,000,000, to pay for the increased transportation. And there are other items. I think the item of transportation of mail by vessels is greater by about two or three millions than the expenditures of last year. So we have some latitude. But, as the gentleman says, if this increase of business should continue there might be a deficiency appropriation necessary, but there would not be a deficiency between the receipts and expenditures, because the expenditures would hardly overtake the receipts.

Mr. DUNBAR. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. DUNBAR. During the last fiscal year there was turned over from the Post Office Department into the General Treasury of the United States something like \$71,000,000, representing the excess paid as between 3-cent and 2-cent postage. In view of the fact that the expenditures of the United States Government during the fiscal year are largely in excess of our revenue, what was the prevailing idea that called for the reduction of the postage from 3 cents to 2 cents? Was it accomplished as the result of a vote of the Congress, and, if so, from what source was it recommended?

Mr. STEENERSON. I can give my own views on that subject. In the first place, the gentleman must remember that the revenues were sufficient for that fiscal year and there was a surplus. In the next place, it is not the function of the Postal Service to supply revenue to the Government. That was only an exceptional case, by reason of war. The Constitution does not authorize the Government to use the Postal Service as an instrumentality of taxation. It authorizes Congress to levy taxes; but the postage is paid by those who use the service, and consequently it would be a violation of the spirit and intent of the Constitution to use the Postal Service to supply revenue to the Treasury. It should be, as we believe, made to balance. That, I think, was the reason that actuated the Congress in reducing the postal rate to the former rate of 2 cents. And I think there was another reason. I spoke a while ago about the law of increasing and decreasing and constant returns. Now, you can place postage so high as to discourage the use of the mail. If you should put postage at a dollar a letter, mighty few letters would be carried. Now with regard to post cards. The 2-cent rate applied to them—the war revenue. The rate

was doubled. I am informed by the postal authorities that the number of post cards diminished very rapidly and that they have enormously increased since the rate went down again to 1 cent. And the fact that we are enjoying such large revenue to-day from 2-cent postage indicates to me it is a circumstance that more letters are sent at 2 cents than at 3. There is a small profit at the lower rate, and an increase in letters yields profit. This was probably one of the reasons why Congress thought that in the long run it was best to have 2-cent letter postage.

The estimate made in 1907 in regard to the cost of mail showed that there are 45 first-class letters to each pound, making a revenue of 84 cents, some of them being only 1-cent letters. But these are first-class letters. Eighty-four cents a pound was the revenue, because there were so many of them under weight. Of course if they were full weight they would be 32 cents. The estimated cost was 50 cents a pound, so that the profit on 1 pound of first-class mail would be 34 cents. Now, if you cut the postage in two and made it 1 cent you see that you would lose the difference between 42 cents, which you would receive at the new rate, and 50 cents, which it costs. You would lose 8 cents a pound on every pound of first-class mail.

That is a sufficient answer to those gentlemen who so eloquently have advocated 1-cent letter postage. The fact is that 2 cents now only has the purchasing power of 1 a few years ago, so that in effect we have 1-cent postage now. You could not have 1-cent postage unless you taxed the people for part of it, because you would be losing 8 cents a pound on every pound of first-class mail at that rate. Those figures were made in 1907, and I here insert the official table taken from the annual report for 1909.

Revenue, expense, and profit or loss per pound and per piece for the several classes of mail, based on weighing, in 1907.

Class of mail.	Revenue per pound.	Expense per pound.	Profit per pound.	Loss per pound.	Pieces per pound.	Revenue per piece.	Expense per piece.	Profit per piece.	Loss per piece.
First.....	\$0.84001	\$0.49923	\$0.34078		45.10	\$0.01862	\$0.01167	\$0.00755	
Second.....	.01143	.00235		\$0.00908	4.80	.00238	.01923		\$0.01685
Third.....	.12711	.14317		.01606	8.56	.01485	.01672		.00187
Fourth.....	.16867	.12308	.04559		3.76	.03337	.03895	.01442	
Free congressional.....		.41441		.11441	1.99		.07754		.07754
Free departmental.....		.12113		.12113	5.38		.02252		.02252
Foreign.....	.15879	.11246	.04633		10.32	.01538	.01080	.00458	

But the element of transportation of letters amounts to only one-tenth of the expense. Nine-tenths of the expense is in clerk hire and in carriers and other expenses, including overhead charges, so that the clerk hire having gone up, and the carriers' salaries having gone up since 1907 about 100 per cent, the figures of those days as to first-class mail are too low, and there is not a profit to-day of probably more than 25 per cent on first-class mail. But that is a good, round profit.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield again?

Mr. STEENERSON. Yes.

Mr. DUNBAR. Is not the gentleman mistaken when he says that the salaries paid to the letter carriers and other post-office employees have been increased 100 per cent since 1907? I do not believe the increase is over 60 per cent, if that much.

Mr. STEENERSON. Well, that is immaterial. You must remember that the law establishing the first increase was enacted in 1907, and those statistics relate to the time prior to that date. Then in 1912 there was another increase, and since then there have been later increases. I might have it too large, but at any rate there has been a material increase in the wages and compensation of clerks and carriers since the figures of 1907 were compiled. The only point I was trying to make was that if it cost 50 cents a pound for handling and transporting first-class mail in 1907, it would cost more than that now, and therefore there would be a smaller profit than there was then at the 2-cent rate.

A great deal has been said about the second-class rate. It strikes me that we are likely to have nearly a compensatory rate in 1924, when the farthest zone rate for advertising will be 10 cents a pound instead of 1 cent a pound, as it was before the increase was made a year or two ago.

There is one statement made in the Postmaster General's report with which I fully agree. That is that advertising matter should pay a rate sufficient to pay its cost. That is the reason he gives for these high rates for advertising contained in newspapers and magazines, which will be in force in 1921. But the Postmaster General, under the authority of the parcel-post act, reduced the postage on certain classes of articles, notably when he transferred books, including catalogues, from third-class

mail, where they bore 1 cent for every 2 ounces, or 8 cents a pound, to the fourth-class mail, making it subject to the parcel-post rate, and therefore enjoying the extraordinary low rate for local and on first and second zones.

Now, there are millions and millions—probably 60,000,000—of catalogues sent out every year, weighing each 4 and 5 pounds, and the general way of that distribution by the large houses is to ship them to central points by freight and then redistribute them under the low rate in the first, second, and third zones, the rate being 5 cents for the first pound and 1 cent additional for the next zone, making a 5-pound catalogue carried for 9 cents. The Government used to get 8 cents a pound, or 40 cents, for carrying such catalogues. The excuse for making that change, giving to the mail-order house the right to distribute to the farmers and local people at 9 cents, was that the railway mail service was so high that there was no profit in it anyway. But under the space-plan law the Post Office Department has the right to ship all kinds of mail by freight, and the department does avail itself of it. In the last annual report it was shown that nearly 100,000,000 pounds—99,000,000 pounds—were shipped, and that the cost was less than a cent a pound.

Now, you see if this could be done with the blue-tag matter, magazines and things like that, it could be done with catalogues, and the Government would thereby make a profit.

In 1921 the rate of postage in the first and second zones for the 5-pound catalogue will be 9 cents, but for 5 pounds of advertising matter in a magazine or a newspaper it will be 10 cents, and there will be still more discrepancy in the 10 pounds, and so on; so that if it is not changed, the Government will be discriminating against the advertising in the newspapers, which is paid for by the local merchants and the moneys received by the local publishers very largely, as against the big merchant in New York or Chicago, who ships his catalogues by freight and then remails them to first, second, third, and fourth zones.

They will have a cheaper rate than the advertising contained in the newspapers, paid for by the pound. Now, manifestly that is unfair, and manifestly the Postmaster General did not intend such a discrimination, because at that time the zone law in regard to second-class rates was not in contemplation. So, as the



Postmaster General has the authority to change that rate, I think he will do so. I do not like to have Congress meddle with the parcel-post rates, because we gave the Postmaster General the authority to do that; but if he does not equalize the rates of transportation for the advertising matter contained in second-class publications, so as to make those rates commensurate with those enjoyed by people who send catalogues, Congress will have to act. I have introduced a bill to that effect. However, I hope that when this discrepancy is pointed out the Postmaster General will restore the catalogues to the old third-class mail where they always belonged, being in reality printed matter and not books. By so doing we will get 40 cents where we now get 9 cents, plus, perhaps, 1 or 2 cents which it costs to ship to distributing points by freight, the same as they do the blue-tag matter. Now, that would add a revenue, I believe, of about \$10,000,000. That would help to pay the salaries that we are increasing.

I have pointed out these reasons why we should so manage as to secure a sufficient revenue to pay these increased salaries.

In the face of the increased cost of hiring skilled employees we can not undertake to reduce postage in any direction, it seems to me. I would like to reduce postage. It would undoubtedly be a popular thing, but unless it can be established beyond a peradventure that a reduction will bring more revenue and will be profitable, I think we ought to frown upon it.

Mr. RAMSEYER. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. RAMSEYER. Would not a reduction of postage from 2 cents to 1 cent do away with the distinction between letter mail and circular mail and throw all the circular mail into first-class postage?

Mr. STEENERSON. Yes. That is another point that I had never thought of; but in view of the immense volume of the circular mail matter it would be impossible to tell the difference. The third-class mail does not receive the attention that the first-class mail does. First-class mail, paying a larger postage than the others, receives special attention. If you will go down here to the terminus or the post office you will find that the letters are first cared for. They are worked sufficiently to be placed upon railway post-office cars, and there the railway postal clerks separate them and work them, so that in many cases on arriving at Chicago or New York they are ready to be delivered to the very carrier on his route, for the purpose of expediting that class of mail. But when you could not tell the difference, you would have to treat it all alike. You could not tell what was first class or what was third class. The suggestion which the gentleman made is a very valuable one, in my way of thinking, against the proposition to reduce first-class postage, because the tendency would be to slow up first-class mail by the addition of this immense volume of third-class mail. What the American people want is expedition, not of one letter in a thousand or one letter in ten thousand by flying machines, but expedition to the general public. It does not do the people much good for the mail of one man out of a thousand to be expedited a few hours. What is wanted is general expedition of the mail. We must legislate for the general benefit. I am very glad the gentleman from Iowa [Mr. RAMSEYER] made the suggestion he did, because it is one of the strongest arguments I have heard against a reduction of letter postage. I never thought of it before.

Mr. DUNBAR. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. DUNBAR. In estimating post-office expenses and comparing them with the revenue is any allowance made for overhead charges, for depreciation and interest on investment? In the large cities the United States Government owns the post-office buildings. Is any account taken of what the interest on the investment will amount to and is it charged up against the operations of the Post Office Department?

Mr. STEENERSON. It is not charged up annually, but an account is kept of it.

Now, there is one thing more I want to say. I do not mean it as a partisan criticism upon the present incumbents of office, but I want to say it generally, and it is especially applicable to the present administration, that it is impossible to arrive at an intelligent conclusion in regard to the cost of each class of mail service and as to the revenue derived from it.

Now, there has been a great deal said as to first-class mail making 100 per cent, while other mail is carried at a very great loss, and some claim that there is a big profit on the fourth-class mail. Although Congress provided in the parcel-post law that the rates should be revised frequently, so that the revenues should equal the expense, it has never been done. There was an attempt to do it in 1916, but it was guesswork. The parcel-post law also provided that there should be a distinctive stamp;

that the postage should be paid by a distinctive stamp. If that had been done, we would have known what the revenue was. But discretion was given to the Postmaster General to remove that provision, and so he changed it by abolishing the distinctive stamp, since which time no living soul within the department or outside the department can tell how much revenue there is from fourth-class matter. The only revenue that we can determine exactly is the revenue from second-class mail, because it is paid by the pound. It used to be 1 cent a pound, and all you had to do was to find the weight and multiply by 1 cent a pound. But now it is a little more difficult, because the cost varies, but the department knows how many pounds of second-class mail there are.

It has never been determined how much it cost. It has been stated that it cost 9 cents a pound and that there was 8 cents loss. That is based on the report of 1907, but the expense of second-class mail is largely made up of transportation, and transportation has gone down; we do not pay one-half of what we did 12 years ago.

There is no way of telling how many postage stamps are used upon letters, or first-class mail, because we use them for other articles, third and fourth class. There is no way of determining how much the revenue is on third-class matter because the same stamps are used on it. They have made no test and no count. We were supposed to be advised as to how much the aeroplane revenue would be because Congress in authorizing the air service gave to the Postmaster General authority to prescribe not more than 24 cents for an ounce. He prescribed several rates and finally came down to 6 cents. There was not a sufficient demand for the service at 6 cents and they needed ballast, and so they took the 2-cent mail and used it for ballast. The result was that whereas you and I paid 6 cents for the aeroplane service the man who only paid 2 cents got the same service as far as the letters were needed for ballast.

As long as you required a distinctive stamp it could not go without that stamp, but as soon as they used other mail for ballast you could not tell what the cost was.

The Harriman National Bank, of New York, when an aeroplane was burned up in Cleveland last year, lost letters containing valuable papers worth \$63,000. That bank is evidently in ill luck, because six months ago another aeroplane burned up and they lost a large sum of money. They wrote to the department making an inquiry by what authority they carried mail for 2 cents regular rate when the law prescribed 6 cents. Reply came that it was discretionary with the Postmaster General to charge whatever he pleased. I took issue with that, because Congress authorized and the order was issued at 6 cents, and the Postmaster General did not have discretion to carry mail for 2 cents. When the attention of the department was called to the matter they abolished the extra postage.

They abolished, as I say, the distinctive stamp, and so, of course, there is no revenue from that special facility. The reason for this is that they say they can not go to the trouble of picking out the letters provided with a distinctive stamp. Yet they use a distinctive stamp for special delivery and get a straight delivery service. Therefore it seems to me practicable to pick out letters that have a distinctive stamp.

The result is that when you come to discuss the question of having each class of mail pay its way, when you come to consider whether you want first-class mail to pay more or less, when you come to decide what it costs to perform the service with reference to second-class or fourth-class mail, it is impossible to get any reliable information on the subject.

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

Mr. STEENERSON. Yes.

Mr. RAMSEYER. Has the gentleman any judgment as to how near they can estimate? What does it cost to carry first-class mail and second class and third and fourth?

Mr. STEENERSON. I think their estimates may be very close at times. It depends a great deal upon the estimator. I would not have much faith in the estimate of revenue based on calculations of the Fourth Assistant Postmaster General.

Mr. RAMSEYER. That is, on truck routes?

Mr. STEENERSON. Yes. He calculated that he was making 80 cents out of every dollar. That is the biggest profit in any business that I have ever heard of. The trouble is that he was too enthusiastic.

Mr. RAMSEYER. Eliminating the trucks, what is the gentleman's judgment in respect to the others?

Mr. STEENERSON. It depends upon the man who conducts the investigation. If he proceeds with an open, an honest intention to ascertain the truth, the estimates may be very valuable and come within a small percentage of the facts. I understand they are making a count of the parcel post, counting the pieces and weighing them, and seeing how much postage is paid

on them. They are doing this in the 50 largest post offices, and they are compiling these statistics. If that is done with the intention and fixed purpose of finding what the truth is, they will know what the revenues are; but then comes the next question, of how much is the expense—what is the expense of the parcel post? Can the gentleman tell—can anyone tell—what increase in the automobile vehicle service in the cities is due to the parcel post? We used to have a bill for screen-wagon service of \$2,000,000 before the parcel post was inaugurated. Now the bill is over \$10,000,000. Take, for instance, the quarters in New York. The parcel post has increased to such an enormous extent that it is a freight business, and the post-office stations in the city of New York especially are so crowded and the help must work in such cramped quarters that it is a disgrace to the Government. It is a good deal the same in Boston and Chicago. There is not space enough for them to work in. In this bill we have authorized an extension of the leasing period from 10 to 20 years. That will induce capital to construct better buildings. They are in great need of space in all these large cities. To build these buildings ourselves would cost hundreds of millions of dollars. All that is due to the enormous increase in the parcel post which is brought in there, brought to congested places of the city, where freight ought not to be handled. It ought to be provided for in some other way. Nobody knows how much we should charge up by reason of these things, how much should be charged as expense for rural delivery, and how much for city delivery, how much for clerk hire. If a person starts with a desire to show a profit, if he has a prejudice one way or the other, however honest he may be, there is plenty of room to show a profit of ten or twenty or thirty million dollars on the parcel post; and if there is a disposition to show a loss, I think it can be figured out that way.

Mr. RAMSEYER. Of course, the estimates of profits on the trucks by Mr. Blakslee about a year ago were rather unusual, and I do not suppose that he will ever make that mistake again.

Mr. STEENERSON. I do not think it was a mistake. It was the estimate of a man carried away by his enthusiasm of feeding the world.

Mr. RAMSEYER. But the other activities of the Post Office Department have extended over years, and probably they are more accurate in arriving at the real cost and earnings than Mr. Blakslee was in the truck system.

Mr. STEENERSON. I hope so. How much time have I used, Mr. Chairman.

The CHAIRMAN. The gentleman has used 53 minutes.

Mr. STEENERSON. I reserve the remainder of my time. [Applause.]

Mr. BLACK. Mr. Chairman, I will ask the chairman of the committee if he will not move to rise at this hour. I have had two or three requests for time, but the gentlemen are not on the floor.

Mr. STEENERSON. I realize the difficulty, and I also realize the strenuous evening the gentlemen on the other side had at the Jackson dinner last night. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11578, the Post Office appropriation bill, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 5818. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 10847. An act granting the consent of Congress to Marion County, State of Mississippi, to construct a bridge across the Pearl River, in Marion County, State of Mississippi;

H. R. 8084. An act granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes;

H. R. 9947. An act to authorize J. L. Anderson and H. M. Duvall to construct a bridge across Great Pee Dee River at or near the town of Cheraw, S. C.;

H. R. 10558. An act granting the consent of Congress to the Connecticut River Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Connecticut River, in the Commonwealth of Massachusetts;

H. R. 8661. An act to authorize the Kingsdale Lumber Corporation to construct a bridge across Lumber River, near the town of Lumberton, N. C.;

H. R. 10135. An act for the construction of a bridge across Rock River at or near East Grand Avenue, in the city of Beloit, Wis.; and

H. R. 11025. An act to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, in Itawamba County, Miss.

#### APPOINTMENT OF REGENTS FOR THE SMITHSONIAN INSTITUTION.

The SPEAKER appointed the following gentlemen to fill the vacancies on the Board of Regents for the Smithsonian Institution: Mr. GREENE of Vermont, Mr. PADGETT, Mr. ELSTON.

#### ADJOURNMENT.

Mr. STEENERSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Saturday, January 10, 1920, 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 reports from accounting officers of the department, showing what officers of the Government were delinquent in rendering their accounts for the fiscal year ended June 30, 1919 (H. Doc. No. 579); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting estimate of appropriation from the Acting Secretary of the Navy, to pay claims for damages by naval vessels, adjusted by the Navy Department (H. Doc. No. 580); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required for current expenses of the Columbia Institution for the Deaf, fiscal year 1920 (H. Doc. No. 581); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting estimate of appropriation necessary to carry out the provisions of private act No. 10 (H. Doc. No. 582); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required by the Coast Guard to pay a collision damage claim (H. Doc. No. 583); to the Committee on Claims and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of War, submitting proposed legislation for inclusion in next deficiency bill authorizing the expenditure of the unexpended balance of the appropriation "Medical and hospital department, 1919," fiscal year 1920 (H. Doc. No. 584); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required for "Miscellaneous expenses, Bureau of Fisheries," fiscal year 1920 (H. Doc. No. 585); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting a proposed paragraph of legislation for inclusion in the next deficiency bill, authorizing expenditures from prior appropriations for the construction of storage facilities for ordnance stores, including the purchase of land (H. Doc. No. 586); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting a deficiency estimate of appropriation from the Secretary of the Smithsonian Institute, for the purpose of refunding income tax paid on a gift to the institution by Charles L. Freer, deceased, of Detroit, Mich. (H. Doc. No. 587); to the Committee on Appropriations 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. RAKER: A bill (H. R. 11602) for the erection of a public building at the city of Susanville, Calif., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. DALLINGER: A bill (H. R. 11603) for the erection of a public building at Melrose, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 11604) to acquire a site for a public building in the city of Philadelphia,



State of Pennsylvania; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 11605) to amend the revenue act of 1918; to the Committee on Ways and Means.

By Mr. PURNELL: A bill (H. R. 11606) to authorize the county of Fountain, in the State of Indiana, to construct a bridge across the Wabash River at the city of Attica, Fountain County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Maine: A bill (H. R. 11607) providing for a survey of Rockland Harbor in the county of Knox, in the State of Maine; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 11608) providing for a survey of the Damariscotta River at Damariscotta, in the county of Lincoln and State of Maine; to the Committee on Rivers and Harbors.

By Mr. KEARNS: A bill (H. R. 11609) to provide for the purchase of a site and the erection of a Federal building at Hillsboro, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11610) to provide for the erection of a Federal building and the purchase of a site therefor at Greenfield, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BOIES: Joint resolution (H. J. Res. 272) to provide for the return of the dead bodies of soldiers of the American Expeditionary Forces buried in France; 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. AYRES: A bill (H. R. 11611) granting an increase of pension to Mary Nichols; to the Committee on Pensions.

By Mr. BENHAM: A bill (H. R. 11612) granting a pension to William Tungate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11613) granting a pension to Margaret Burney; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 11614) granting an increase of pension to Robert Gilmore; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 11615) granting an increase of pension to Thomas J. Thomas; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 11616) granting a pension to Clara E. Beede; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 11617) granting a pension to Solomon D. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11618) for the relief of Joshua Cavins; to the Committee on Military Affairs.

By Mr. ELSTON: A bill (H. R. 11619) granting a pension to John Walsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11620) granting an increase of pension to Lyman M. Sherwood; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 11621) granting a pension to Henry L. Bond; to the Committee on Pensions.

By Mr. JEFFERIS: A bill (H. R. 11622) granting a pension to Hannah Elizabeth Ledgerwood; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 11623) for the relief of Charles E. Reyburn; to the Committee on Claims.

By Mr. LAMPERT: A bill (H. R. 11624) granting a pension to Charles Eilers; to the Committee on Pensions.

By Mr. MCKINLEY: A bill (H. R. 11625) to correct the military record of Robert Zink; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 11626) granting a pension to Lucille Henninger; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 11627) granting an increase of pension to John Walker; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11628) granting an increase of pension to Andrew Goddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11629) granting a pension to Robert C. Ladd; to the Committee on Pensions.

By Mr. TINCHER: A bill (H. R. 11630) granting a pension to Herbert E. Strode; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 11631) granting an increase of pension to William H. Wroten; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 11632) granting an increase of pension to Nicholas S. Ward; 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:

751. By Mr. ASHBROOK: Petition of John W. Bauman and 30 other citizens of Ashland County, Ohio, in favor of stamping upon clothing the percentage of wool and shoddy; to the Committee on Interstate and Foreign Commerce.

752. By Mr. CRAGO: Petition of American Legion, Naval Post No. 197, Philadelphia, Pa., favoring increase of pay for the benefit of the Army, Navy, Marine Corps, and Coast Guard Service; to the Committee on Military Affairs.

753. By Mr. CRAMTON: Memorial of Harry F. Hovey Post, No. 135, American Legion, indorsing the Morgan bill (H. R. 5545) for Federal aid in securing homes for soldiers; to the Committee on the Public Lands.

754. Also, petition of R. B. Emery and 39 other citizens of Caro, Mich., urging passage of House bill 3149, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

755. By Mr. ELSTON: Petition of cross-town trainmen of Alameda, Calif., for equitable adjustment of their wages; to the Committee on Interstate and Foreign Commerce.

756. By Mr. EMERSON: Petition of the Cleveland Engineering Society, of Cleveland, Ohio, in favor of national budget system; to the Select Committee on the Budget.

757. By Mr. FREAR: Petition of Milwaukee Plumb Plan League, protesting against the passage of the Esch-Cummins bill; to the Committee on Interstate and Foreign Commerce.

758. By Mr. FULLER of Illinois: Petition of Rotary Club of Champaign, Ill., favoring the Davey sedition bill; to the Committee on the Judiciary.

759. Also, petition of Samuel C. Osborne Manufacturing Co., of Chicago, Ill., supporting antistrike clause in Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

760. By Mr. GOLDFOGLE: Petition of Guaranty Post, No. 104, of New York, favoring universal military training; to the Committee on Military Affairs.

761. Also, petition of Fireman's Fund Insurance Co. of San Francisco, Calif., favoring aerial mail service between New York and San Francisco; to the Committee on the Post Office and Post Roads.

762. By Mr. JAMES: Petition of Italian Citizens' League, of Laurium, Mich., Societe Fratelli Nandiera, of Bessemer, Mich., and of the Italo-American Federation, of Laurium, Mich., protesting against the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

763. By Mr. KENNEDY of Rhode Island: Petition of Joseph Callaner and 38 others, of Pawtucket, R. I., urging passage of Senate bill 1699 and House bill 3149; to the Committee on Reform in the Civil Service.

764. By Mr. LINTHICUM: Petition of Brotherhood of Railroad Trainmen, Baltimore, Md., opposing the legislation in the Cummins bill that will prevent strikes if conditions warrant; to the Committee on Interstate and Foreign Commerce.

765. Also, petition of Mothers' Club, of Baltimore, Md., favoring the Smith-Towner bill; to the Committee on Education.

766. Also, petition of William H. Myers, Rosedale, Kans., favoring the Raker bill (H. R. 5), the volunteer officers' retired list; to the Committee on Military Affairs.

767. Also, petition of Rotary Club of Baltimore, Md., favoring the Davey sedition bill; to the Committee on the Judiciary.

768. Also, petition of the Lime and Cement Exchange of Baltimore, Md., favoring House bill 10650; to the Committee on the Judiciary.

769. Also, petition of Baltimore Federation of Labor, favoring House bill 3404, to send a minister and consuls to the republic of Ireland; to the Committee on Foreign Affairs.

770. Also, petition of H. B. Wilcox, of Baltimore, Md., favoring the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

771. Also, petition of Local Union No. 240, International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, C. L. V. Whiteman, president, opposing the Cummins-Esch railroad bill; to the Committee on Interstate and Foreign Commerce.

772. Also, petition of Jeffrey Quante Post, No. 20, American Legion, favoring House bill 5545, entitled "To provide homes for soldiers"; to the Committee on the Public Lands.

773. Also, petition of Maryland Commandery of the Military Order of the Loyal Legion of the United States, favoring the Raker bill (H. R. 5); to the Committee on Military Affairs.

774. Also, petition of R. B. Norment, jr., assistant surgeon, United States Public Health Service, favoring the Crago bill (H. R. 10846); to the Committee on Military Affairs.

775. Also, petition of W. G. Lee, president of the Brotherhood of Railroad Trainmen, Cleveland, Ohio, favoring the Anderson amendment to the Esch railroad bill; to the Committee on Interstate and Foreign Commerce.

776. Also, petition of Oriole Lodge, No. 214, Brotherhood of Locomotive Firemen and Enginemen, Baltimore, Md., opposing the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

777. By Mr. MacGREGOR: Petition of National Industrial Conference Board, favoring the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

778. By Mr. O'CONNELL: Petition of Chamber of Commerce of the State of New York, protesting against the continuance of discriminatory tariffs from so-called central freight territory to Gulf and South Atlantic ports; to the Committee on Interstate and Foreign Commerce.

779. Also, petition of American Federation of Railroad Workers, protesting against the passage of the Cummins-Esch bill; to the Committee on Interstate and Foreign Commerce.

780. Also, petition of Abraham Lincoln Branch, Friends of Irish Freedom, protesting against loans to foreign nations; to the Committee on Ways and Means.

781. By Mr. SINCLAIR: Petition of a committee composed of delegates appointed by the Legislatures of Minnesota, North Dakota, and South Dakota, members of the Flood Control Commission of North Dakota, president of the Tri-State Flood Control Association, and president of the North Dakota Flood Control Association, asking aid in the matter of flood control in the Red River Valley of the North; to the Committee on Flood Control.

782. Also, petition of Prairie View Grange, No. 24, Beulah, N. Dak., protesting against the action of the National Grange in opposing the Plumb plan of railroad operation, and declaring for the Plumb plan as the only plan under which railroad rates will not be increased; to the Committee on Interstate and Foreign Commerce.

783. By Mr. VARE: Petition of Joseph Plunkett Branch, Friends of Irish Freedom, asking for recognition of Ireland; to the Committee on Foreign Affairs.

784. By Mr. WOOD of Indiana: Petition of residents of Lafayette, Tippecanoe County, Ind., urging the enactment of a law to retire the civil-service employees of the United States Government; to the Committee on Reform in the Civil Service.

## SENATE.

SATURDAY, January 10, 1920.

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

Almighty God, give us Thy gracious favor for the task of this day. We can not shut our eyes to the vast responsibilities of this hour, to the far-reaching influence of every word that we utter and every plan and purpose that we have. Give us a divine inspiration that we may make the moral distinctions, that we may measure the moral forces, that we may understand the movement of God in this our day; and give us faith to put ourselves at Thy command. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

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

The VICE PRESIDENT. Call the roll.

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

Ball	Gronna	McKellar	Robinson
Beckham	Hale	McNary	Sheppard
Borah	Harris	Moses	Smith, Ga.
Brandegee	Harrison	Myers	Smith, Md.
Capper	Johnson, S. Dak.	New	Smoot
Chamberlain	Jones, N. Mex.	Overman	Spencer
Curtis	Kenyon	Page	Sterling
Dillingham	Keyes	Phipps	Trammell
Elkins	Kirby	Pittman	Williams
Fernald	McCumber	Pomerene	

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent from the Senate, due to illness.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER], being confined to his home by illness.

Mr. McKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is detained from the Senate by illness in his family.

I wish also to announce that the junior Senator from Louisiana [Mr. GAY], the Senator from Delaware [Mr. WOLCOTT], the Senator from North Carolina [Mr. SIMMONS], the Senator from Virginia [Mr. SWANSON], and the Senator from Alabama [Mr. BANKHEAD] are absent on official business.

The VICE PRESIDENT. Thirty-nine Senators have answered to the roll call. There is not a quorum present. Call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. COLT, Mr. FRANCE, Mr. FRELINGHUYSEN, Mr. NELSON, Mr. POINDEXTER, Mr. SUTHERLAND, Mr. THOMAS, Mr. WADSWORTH, Mr. WALSH of Massachusetts, and Mr. WATSON answered to their names when called.

Mr. NEWBERRY, Mr. RANDELL, Mr. LODGE, Mr. KING, Mr. NUGENT, Mr. KENDRICK, Mr. DIAL, Mr. SMITH of South Carolina, Mr. LENROOT, Mr. NORRIS, Mr. WALSH of Montana, Mr. HENDERSON, Mr. CULBERSON, Mr. McLEAN, Mr. HITCHCOCK, and Mr. JOHNSON of California entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 1726) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9281. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11310. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 11554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 5818. An act for the retirement of public-school teachers in the District of Columbia;

H. R. 8084. An act granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes;

H. R. 8661. An act to authorize the Kingsdale Lumber Corporation to construct a bridge across Lumber River, near the town of Lumberton, N. C.;

H. R. 9947. An act to authorize J. L. Anderson and H. M. Duvall to construct a bridge across Great Pee Dee River at or near the town of Cheraw, S. C.;

H. R. 10135. An act for the construction of a bridge across Rock River at or near East Grand Avenue, in the city of Beloit, Wis.;

H. R. 10558. An act granting the consent of Congress to the Connecticut River Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Connecticut River in the Commonwealth of Massachusetts;

H. R. 10847. An act granting the consent of Congress to Marion County, State of Mississippi, to construct a bridge across the Pearl River, in Marion County, State of Mississippi; and

H. R. 11025. An act to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, in Itawamba County, Miss.

### PETITIONS AND MEMORIALS.

Mr. NELSON presented the memorial of Dr. C. H. Mayo, of Rochester, Minn., remonstrating against the adoption of the provision in the so-called Esch railroad bill relating to the issuance of passes to local surgeons along the line when needed for traveling, etc., which was referred to the Committee on Interstate Commerce.