To be lieutenant commanders.

Robert W. Cabaniss,
Allan S. Farquhar,
Robert C. Giffen,
William T. Smith,
Richard S. Galloway,
John F. Cox,
Cortlandt C. Baughman, and
Richard F. Bernard.

To be lieutenants.

Herman E. Keisker,
Arthur G. Robinson,
Chapman C. Todd, jr.,
Hardy B. Page,
Tunis A. M. Craven,
Leo H. Thebaud,
Walker P. Rodman,
Stephen W. Burton, and
William Kuskey.

To be lieutenants (junior grade).

John D. Small,
Arthur T. Emerson, and
Charles G. Berwind.

To be surgeons with the rank of lieutenant commander.

Andrew B. Davidson,
Griffith E. Thomas,
Clyde B. Camerer,
George R. W. French,
William L. Irvine,
Walter A. Bloedorn,
Gardner E. Robertson,
William H. Connor, and
Joseph J. A. McMullin.

To be passed assistant surgeons with the rank of lieutenant.

Harold L. Jensen,
John P. Owen,
Arthur Freeman,
Harold W. Wellington,
Aubrey M. Larsen,
George B. Tyler,
Thomas C. Anderson, and
Alexander B. Hepler.

To be passed assistant dental surgeons with the rank of lieutenant.

George M. Frazier,
Albert Knox,
Everett K. Patton.
Griffin G. Frazier,
Irvin G. Kohlmeier, and
Richard C. Green.

To be a naval constructor with the rank of lieutenant.

Ralph D. Weyerbacher.

To be chief boatswains.

Melvin C. Kent and
Albert C. Fraenzel.

To be majors in the Marine Corps.

Frederick R. Hoyt and
Harry W. Weitzel.

POSTMASTERS.

LOUISIANA.

Alvyn L. Woods, Lutcher.

TENNESSEE.

James M. Cates, Maryville.

WITHDRAWALS.

Executive nominations withdrawn from the Senate June 3 (legislative day of June 2), 1920.

PROMOTIONS IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Hiram G. Fry.
First Lieut. Richard W. Cooksey.
First Lieut. Edwin W. Grimmer.
First Lieut. Frank E. Haskell.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 3, 1920.*

The House met at 11 o'clock a. m.

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

Our Father in heaven, we thank Thee for the manifold temporal blessings Thou hast bestowed upon us, but we pray for the outpouring of those spiritual blessings which make for righteousness, which bring us in closer relationship with Thee and our fellow men.

It matters little what we believe about God, about Christ, about the hereafter, but *everything* whether we believe in God, in Christ, and the immortality of the soul; for faith without works is dead.

Though I speak with the tongues of men and of angels, and have not love, I am become as sounding brass, or a tinkling cymbal.

And now abideth faith, hope, love, these three, but the greatest of these is love.

After the similitude of the Lord Jesus Christ. Amen.

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

EXTENSION OF REMARKS.

Mr. NELSON of Wisconsin. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the farm loan act.

The SPEAKER. The gentleman from Wisconsin [Mr. NELSON] asks unanimous consent to extend his remarks in the RECORD on the farm loan act. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House was requested:

S. J. Res. 200. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.

The message also announced that the Senate had passed with amendment the bill (H. R. 12530) 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, in which the concurrence of the House of Representatives was requested.

EXTENSION OF REMARKS.

Mr. KINKAID. Mr. Speaker, my name was omitted from the list of 15 others who had leave to extend their remarks, as shown on page 8023 of the RECORD.

The SPEAKER. Is there objection to the gentleman from Nebraska extending his remarks? [After a pause.] The Chair hears none.

LEAVE TO SIT DURING RECESS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent that the Committee on the Revision of the Laws be authorized to sit and work and print, with its usual powers, until the December session.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the Committee on the Revision of the Laws be authorized to sit until December. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring). That the President of the Senate and Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 5th day of June, 1920, at 4 o'clock p. m.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 200. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

COMMITTEE ON WAR CLAIMS.

Mr. FOCHT. Mr. Speaker, I desire to ask unanimous consent that the Committee on War Claims be permitted to sit during the sessions of the House.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the Committee on War Claims be permitted to sit during the sessions of the House. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. ESCH. Mr. Speaker, I ask unanimous consent to have printed in the RECORD statistical data with reference to the work of the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to print in the RECORD the statistical data referred to. Is there objection? [After a pause.] The Chair hears none.

RECLASSIFICATION OF POST-OFFICE SALARIES.

Mr. STEENERSON. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14338, with the following amendment.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass, with the amendment, a bill, which the Clerk will report.

Mr. GARD. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point that there is no quorum present. Evidently no quorum is present.

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

The motion was agreed to.

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

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

Anderson	Evans, Nev.	Kendall	Rucker
Baer	Fairfield	Kennedy, Iowa	Sanders, La.
Blackmon	Ferris	Kettner	Scully
Booher	Fess	Kitchin	Sears
Box	French	Lampert	Sherwood
Brinson	Fuller, Mass.	Langley	Sinclair
Britten	Garland	Lankford	Slemp
Brooks, Ill.	Godwin, N. C.	Lazaro	Small
Brumbaugh	Goodall	Longworth	Smith, Ill.
Burke	Gould	McClintic	Smith, Mich.
Cantrill	Graham, Pa.	McKinley	Smithwick
Caraway	Greene, Vt.	McLane	Snyder
Carss	Hamilton	Mann, Ill.	Steele
Carter	Harreld	Mason	Stephens, Miss.
Clark, Fla.	Hastings	Newton, Minn.	Stoll
Cole	Haugen	Nicholls	Strong, Pa.
Cooper	Hayden	O'Connor	Tillman
Copley	Heflin	Olney	Vare
Costello	Hernandez	Parker	Venable
Curry, Calif.	Hersman	Porter	Weaver
Dale	Hill	Pou	Webster
Dewalt	Hoey	Purnell	Welling
Drane	Houghton	Raker	Welty
Drewry	Howard	Ramseyer	Winslow
Dunn	Hudspeth	Randall, Calif.	Wood, Ind.
Eagle	Hulings	Randall, Wis.	Woodyard
Echols	Ireland	Reavis	Yates
Edmonds	Johnson, S. Dak.	Rhodes	Young, N. Dak.
Ellsworth	Jones, Tex.	Riddick	
Elston	Kelley, Mich.	Riordan	

The SPEAKER. On this vote 309 Members have answered to their names. A quorum is present.

Mr. BLANTON. Mr. Speaker, I demand a second.

The SPEAKER. That can not be done yet.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that further proceedings under the call be dispensed with.

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

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] moves to suspend the rules and pass the bill, with amendments, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. GOLDFOGLE. Mr. Speaker, I demand a second.

The SPEAKER. A second can not be demanded until the bill has been read. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That on and after July 1, 1920, postmasters and employees of the Postal Service shall be reclassified and their salaries and compensation readjusted, except as otherwise provided, as follows:

That postmasters shall be divided into four classes, as follows:

The first class shall embrace all those whose annual salaries are $3,200 or more than $3,200;

The second class shall embrace all those whose annual salaries are less than $3,200, and not less than $2,300;

The third class shall embrace all those whose annual salaries are less than $2,300, but not less than $1,000;

The fourth class shall embrace all postmasters whose annual compensation, exclusive of their commissions on the money-order business of their offices, amounts to less than $1,000.

The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor for the Post Office Department, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

Third class: $1,500, but less than $1,600, $1,000; $1,600, but less than $1,700, $1,100; $1,700 but less than $1,900, $1,200; $1,900, but less than $2,100, $1,300; $2,100, but less than $2,400, $1,400; $2,400, but less than $2,700, $1,500; $2,700, but less than $3,000, $1,600; $3,000, but less than $3,500, $1,700; $3,500, but less than $4,200, $1,800; $4,200, but less than $5,000, $1,900; $5,000, but less than $6,000, $2,000; $6,000, but less than $7,000, $2,100; $7,000, but less than $8,000, $2,200.

Second class: $8,000, but less than $10,000, $2,300; $10,000, but less than $12,000, $2,400; $12,000, but less than $15,000, $2,500; $15,000, but less than $18,000, $2,600; $18,000, but less than $22,444, $2,700; $22,000, but less than $27,000, $2,800; $27,000, but less than $33,000, $2,900; $33,000, but less than $40,000, $3,000.

First class: $40,000, but less than $50,000, $3,200; $50,000, but less than $60,000, $3,300; $60,000, but less than $75,000, $3,400; $75,000, but less than $90,000, $3,500; $90,000, but less than $120,000, $3,600; $120,000, but less than $150,000, $3,700; $150,000, but less than $200,000, $3,800; $200,000, but less than $250,000, $3,900; $250,000, but less than $300,000, $4,000; $300,000, but less than $400,000, $4,200; $400,000, but less than $500,000, $4,500; $500,000, but less than $600,000, $5,000; $600,000, but less than $7,000,000, $6,000; $7,000,000 and upward, $8,000.

The compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps and on postage stamps, stamped envelopes, and postal cards canceled, on matter actually mailed at their offices, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third and fourth class matter mailed under the provisions of the act of April 28, 1904, without postage stamps affixed and on postage collected in money on matter of the first class mailed under the provisions of the act of April 24, 1920, without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold at the following rates, namely:

When the amount does not exceed $75 for any one quarter the postmaster shall be allowed 140 per cent on the amount.

When the amount exceeds $75 for any one quarter and does not exceed $100, the postmaster shall be allowed 115 per cent on the amount.

When the amount exceeds $100 for any one quarter the postmaster shall be allowed: On the first $125, 100 per cent; on the next $100 or less, 75 per cent; and on the balance, 60 per cent, the same to be ascertained and allowed by the Auditor for the Post Office Department in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to $1,000, exclusive of commissions on money orders issued, and the receipts of such post offices for the same period shall aggregate as much as $1,500, the office shall be assigned to its proper class and the salary of the postmaster fixed according to the receipts: *Provided further*, That in no case shall there be allowed any postmaster of this class a compensation greater than $250 in any one of the first three quarters of the fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sum as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of $1,000, exclusive of money-order commissions: *And provided further*, That whenever unusual conditions prevail, the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the proviso 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 $1,500 before such advancement is made: *And provided further*, That when the Postmaster General has exercised the authority herein granted he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the 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.

The Postmaster General is authorized to fix the salaries of assistant postmasters at offices of the second class, based on gross postal re-

ceipts for the calendar year immediately preceding the adjustment at the following rates, namely:

Eight thousand dollars, but less than $10,000, $1,800; $10,000, but less than $12,000, $1,850; $12,000, but less than $15,000, $1,900; $15,000, but less than $18,000, $1,950; $18,000, but less than $22,000, $2,000; $22,000, but less than $27,000, $2,050; $27,000, but less than $33,000, $2,100; $33,000, but less than $40,000, $2,150.

That at offices of the first class, the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars based upon the gross postal receipts for the preceding calendar year, as follows:

Receipts $40,000, but less than $50,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $50,000, but less than $60,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $60,000, but less than $75,000—Assistant postmaster, $2,200; superintendent of mails, $2,100. Receipts $75,000, but less than $90,000—Assistant postmaster, $2,300; superintendent of mails, $2,200. Receipts $90,000, but less than $120,000—Assistant postmaster, $2,400; superintendent of mails, $2,300; foremen, $2,000. Receipts $120,000, but less than $150,000—Assistant postmaster, $2,500; superintendent of mails, $2,400; foremen, $2,000. Receipts $150,000, but less than $200,000—Assistant postmaster, $2,600; superintendent of mails, $2,500; foremen, $2,000. Receipts $200,000, but less than $250,000—Assistant postmaster, $2,700; superintendent of mails, $2,600; foremen, $2,000. Receipts $250,000, but less than $300,000—Assistant postmaster, $2,800; superintendent of mails, $2,700; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $300,000, but less than $400,000—Assistant postmaster, $2,900; superintendent of mails, $2,800; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $400,000, but less than $500,000—Assistant postmaster, $3,000; superintendent of mails, $2,900; assistant superintendent of mails, $2,200; foremen, $2,000. Receipts $500,000, but less than $600,000—Assistant postmaster, $3,200; superintendent of mails, $3,000; assistant superintendents of mails, $2,300; foremen, $2,000; postal cashier, $2,600; money-order cashier, $2,300. Receipts $600,000, but less than $1,000,000—Assistant postmaster, $3,400; superintendent of mails, $3,200; assistant superintendents of mails, $2,500; foremen, $2,000 and $2,100; postal cashier, $2,800; money-order cashier, $2,500. Receipts $1,000,000, but less than $2,000,000—Assistant postmaster, $3,600; superintendent of mails, $3,400; assistant superintendents of mails, $2,200, $2,500, and $2,800; foremen, $2,000 and $2,200; postal cashier, $3,000; assistant cashiers, $2,300; money-order cashier, $2,700; bookkeepers, $2,000; station examiners, $2,000. Receipts $2,000,000, but less than $3,000,000—Assistant postmaster, $3,700; superintendent of mails, $3,500; assistant superintendents of mails, $2,300, $2,500, $2,700, and $3,000; foremen, $2,000 and $2,200; postal cashier, $3,100; assistant cashiers, $2,200 and $2,400; money-order cashier, $2,800; bookkeepers, $2,000 and $2,200; station examiners, $2,300. Receipts $3,000,000, but less than $5,000,000—Assistant postmaster, $3,800; superintendent of mails, $3,600; assistant superintendents of mails, $2,300, $2,500, $2,800, and $3,200; foremen, $2,000 and $2,200; postal cashier, $3,300; assistant cashiers, $2,200, $2,400, and $2,800; money-order cashier, $3,000; bookkeepers, $2,000 and $2,200; station examiners, $2,300 and $2,500. Receipts $5,000,000, but less than $7,000,000—Assistant postmaster, $4,000; superintendent of mails, $3,800; assistant superintendents of mails, $2,300, $2,500, $2,800, $3,000, and $3,400; foremen, $2,000 and $2,200; postal cashier, $3,500; assistant cashiers, $2,200, $2,600, and $2,800; money-order cashier, $3,200; bookkeepers, $2,000, $2,200, and $2,300; station examiners, $2,300 and $2,500. Receipts $7,000,000, but less than $9,000,000—Assistant postmaster, $4,300; superintendent of mails, $4,000; assistant superintendents of mails, $2,300, $2,500, $2,800, $3,200, and $3,600; foremen, $2,000 and $2,200; postal cashier, $3,700; assistant cashiers, $2,300, $2,500, $2,800, and $3,000; money-order cashier, $3,300; bookkeepers, $2,000, $2,200, and $2,300; station examiners, $2,300 and $2,500. Receipts $9,000,000, but less than $20,000,000—Assistant postmaster, $4,500; superintendent of mails, $4,200; assistant superintendent of mails, $2,400, $2,500, $2,800, $3,200, $3,400, and $3,800; foremen, $2,000, $2,200, and $2,300; postal cashier, $3,800; assistant cashiers, $2,300, $2,500, $2,800, and $3,000; money-order cashier, $3,400; bookkeepers, $2,000, $2,200, $2,300, and $2,500; station examiners, $2,300 and $2,500. Receipts $20,000,000 and upward—Assistant postmaster, $4,600; superintendent of mails, $4,400; assistant superintendents of mails, $2,400, $2,600, $2,800, $3,200, $3,600, and $3,800; superintendent of delivery, $4,400; assistant superintendents of delivery, $2,400, $2,600, $2,800, $3,200, $3,600, and $3,800; foremen, $2,000, $2,200, and $2,300; superintendent of registry, $4,000; assistant superintendents of registry, $2,400, $2,600, $2,800, and $3,200; superintendent of money order, $4,000; assistant superintendent of money order, $3,800; auditor, $3,600; postal cashier $4,000; assistant cashiers, $2,300, $2,500, $2,800, $3,000, and $3,200; money-order cashier, $3,600; bookkeepers, $2,100, $2,300, $2,500, and $3,000; station examiners, $2,300 and $2,500: *Provided*, That in fixing the salaries of supervisory employees in the post office at Washington, D. C., the Postmaster General may in his discretion add not to exceed 30 per cent to the gross postal receipts of that office: *Provided further*, That not more than one assistant superintent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions at any office, except where the receipts are $9,000,000 and less than $20,000,000, to which offices two assistant superintendents of mails shall be assigned at the maximum salary, one to be in charge of the city-delivery service: *And provided further*, That in post offices designated as State depositories for surplus postal funds and central accounting offices where the gross postal receipts are less than $500,000 and no postal cashier is provided the employee directly in charge of the records and adjustments of such accounts shall be allowed an increase of $200 per annum, and if the gross postal receipts of such offices are $500,000 and less than $5,000,000, the postal cashier shall be allowed an increase of $200 per annum.

The salary of superintendents of classified stations shall be based on the number of regular employees assigned thereto and the annual postal receipts: *Provided*, That no allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At delivery stations each $100,000 of postal receipts shall be considered equal to one additional employee. At nondelivery classified stations, known as finance stations, each $25,000 of postal receipts shall be considered as equal to one additional employee.

At classified stations having less than four employees and where the receipts are less than $100,000 the salary of the superintendent shall not be greater than that of a special clerk.

At classified stations having four employees or more the salary of the superintendent shall be as follows: Four and not exceeding 6 employees, $2,100; 7 and not exceeding 18 employees, $2,200; 19 and not exceeding 32 employees, $2,300; 33 and not exceeding 44 employees, $2,400; 45 and not exceeding 64 employees, $2,500; 65 and not exceeding 90 employees, $2,600; 91 and not exceeding 120 employees, $2,700; 121 and not exceeding 150 employees, $2,800; 151 and not exceeding 350 employees, $3,000; 351 employees and over, $3,200.

At classified stations having 65 or more employees there may be an assistant superintendent of stations with salary as follows: Sixty-five and not exceeding 90 employees, $2,200; 91 and not exceeding 120 employees, $2,300; 121 and not exceeding 150 employees, $2,400; 151 and not exceeding 350 employees, $2,600; 351 employees and over, $2,800.

That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into five grades as follows: First grade—salary, $1,400; second grade—salary, $1,500; third grade—salary, $1,600; fourth grade—salary, 1,700; fifth grade—salary, $1,800: *Provided*, That hereafter substitute clerks in first and second class post offices and subtitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade one: *Provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *And provided further*, That there shall be two grades of special clerks as follows: First grade—salary, $1,900; second grade—salary, $2,000: *And provided further*, That printers, mechanics, and skilled laborers shall, for the purpose of promotion and compensation, be deemed a part of the clerical force.

That the pay of substitute, temporary, or auxiliary clerks at first and second class post offices and substitute letter carriers in the City Delivery Service shall be at the rate of 60 cents per hour.

That watchmen, messengers, and laborers in first and second class post offices shall be divided into two grades, as follows: First grade—salary, $1,350; second grade—salary, $1,450; *Provided*, That watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in the first grade.

That railway postal clerks shall be divided into two classes, class A and class B, and into six grades as follows: Grade 1—salary, $1,600; grade 2—salary, $1,700; grade 3—salary, $1,850; grade 4—salary, $2,000; grade 5—salary, $2,150; grade 6—salary, $2,300; and laborers in the Railway Mail Service shall be divided into two grades, as follows: Grade 1—salary, $1,350; grade 2—salary, $1,450.

For the purpose of organization and establishing maximum grades to which promotions may be made successively, as herein provided, runs now in class A and all terminal railway post offices and transfer offices shall be placed in class A, and the remainder in class B.

Road clerks shall be promoted successively to grade 3 for clerks, and to grade 4 for clerks in charge of class A, and to grade 5 for clerks and to grade six for clerks in charge of class B.

Terminal railway post office and transfer clerks shall be promoted successively to grade three for clerks of whom general scheme distribution is not required, and to grade four for clerks of whom general scheme distribution is required, and for clerks in charge to grade 5 in terminals or tours or crews in terminals consisting of not more than 19 clerks or in transfer offices or tours in transfer offices of not more than 4 clerks, and to grade 6 in terminals or tours or crews in terminals consisting of 20 or more clerks and in transfer offices or tours in transfer offices of 5 or more clerks.

A clerk in charge is defined as a clerk in charge of a railway post office, terminal railway post office, or transfer office whether he performs service alone or has a crew of clerks under his supervision, or of a tour or a crew within a tour of a terminal railway post office or transfer office.

All clerks assigned to the office of division superintendents or chief clerks offices shall be promoted successively to grade 3, and in the office of division superintendent 4 clerks may be promoted one grade per annum to grade 4, 4 clerks to grade 5, and 4 clerks to grade 6, and in the office of chief clerks 1 clerk may be promoted one grade per annum to grade 4, 1 clerk to grade 5, and 1 clerk to grade 6.

Examiners shall be promoted successively to grade 5 and assistant examiners to grade 4 whether assigned to the office of division superintendents or chief clerks offices.

Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1.

Promotions shall be made successively at the beginning of the quarter following a year's satisfactory service in the next lower grade.

In the readjustment of the service to conform to the grades herein provided, grade 1 shall include clerks in present grade 1, grade 2 shall include clerks in present grades 2 and 3, grade 3 shall include clerks in present grades 4 and 5, grade 4 shall include clerks in present grades 6 and 7, grade 5 shall include clerks in present grades 8 and 9, and grade 6 shall include clerks in present grade 10.

Substitute railway postal clerks shall be paid the salary of grade 1 for service actually performed during the first calendar year of service, which shall constitute his probationary period, when, if his services are satisfactory, unless sooner appointed a regular clerk, he shall be promoted to grade 2 and paid the salary of that grade for service actually performed until appointed a regular clerk.

Service of clerks shall be based on an average of not exceeding 8 hours daily for 306 days per annum, including proper allowance for all service required on lay-off periods. Clerks required to perform service in excess of 8 hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime.

Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed $2 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

That clerks at division headquarters of post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, $1,600; grade 2—salary, $1,700; grade 3—salary, $1,850; grade 4—salary, $2,000; grade 5—salary, $2,150; grade 6—salary, $2,300; and there shall be

one chief clerk at each division headquarters at a salary of $2,600. That clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade, and one clerk at each division headquarters may be promoted to grade 6 after one year's satisfactory service in grade 5.

Hereafter when any clerk in the office of division headquarters in the post-office inspection service is absent from duty from any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the pay of the grade of work performed by such substitute.

That the compensation of each rural carrier for serving a rural route of 24 miles, 6 days in the week, shall be $1,800; on routes 22 miles and less than 24 miles, $1,728; on routes 20 miles and less than 22 miles, $1,620; on routes 18 miles and less than 20 miles, $1,440; on routes 16 miles and less than 18 miles, $1,260; on routes 14 miles and less than 16 miles, $1,080; on routes 12 miles and less than 14 miles, $1,008; on routes 10 miles and less than 12 miles, $936; on routes 8 miles and less than 10 miles, $864; on routes 6 miles and less than 8 miles, $792; on routes 4 miles and less than 6 miles, $720. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes. Each rural carrier assigned to a horse-drawn vehicle route on which daily service is performed shall receive $30 per mile per annum for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage, and each rural carrier assigned to a horse-drawn vehicle route on which triweekly service is performed shall receive $15 per mile for each mile said route is in excess of 24 miles or major fraction thereof, based on actual mileage.

Deductions for failure to perform service on a standard rural delivery route for 24 miles and less shall not exceed the rate of pay per mile for service for 24 miles and less; and deductions for failure to perform service on mileage in excess of 24 miles shall not exceed the rate of compensation allowed for such excess mileage.

That the pay of a carrier who furnishes and maintains his own motor vehicle and who serves a route not less than 50 miles in length be at not exceeding $2,600 per annum.

That the pay of carriers in the village delivery service, under such rules and regulations as the Postmaster General may prescribe, shall be from $1,000 to $1,200 per annum.

That no allowance to third-class post offices to cover the cost of clerical services in excess of $450 shall be made where the salary of the postmaster is $1,000, $1,100, or $1,200; nor in excess of $600 where the salary of the postmaster is $1,300, $1,400, or $1,500; nor in excess of $700 where the salary of the postmaster is $1,600, $1,700, or $1,800; nor in excess of $900 where the salary of the postmaster is $1,900 or $2,000; nor in excess of $1,200 where the salary of the postmaster is $2,100 or $2,200: *Provided*, That the Postmaster General may in the disbursement of the appropriation for this purpose and within its limitation provide for the employment at a maximum salary of $900 per annum of assistant postmasters at post offices of the third class where the salary of the postmaster is $2,100 or $2,200 per annum.

The post-office inspectors shall be divided into seven grades, as follows: Grade 1—salary, $2,300; grade 2—salary, $2,500; grade 3—salary, $2,700; grade 4—salary, $2,900; grade 5—salary, $3,200; grade 6—salary, $3,500; grade 7—salary, $3,700; and there shall be 15 inspectors in charge at $4,200. Inspectors shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory and efficient service in the next lower grade, and to grade 6 at the beginning of the quarter following the expiration of one year's meritorious service in grade 5, and not to exceed 20 per cent of the force to grade 7 for specially meritorious service after not less than one year's service in grade 6. The three grades of inspectors without per diem allowance and the three senior grades of field inspectors shall be considered on a parity in readjusting the inspectors to the grades provided.

Inspectors shall be paid their actual expenses not to exceed $5 per day while engaged on official business away from their homes, their official domiciles, and their headquarters. The appropriation for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses.

That the annual salaries of officials of the Railway Mail Service shall be graded in even hundreds of dollars, as follows: Division superintendents at $4,200; assistant division superintendents at $3,200; assistant superintendents at $3,100; assistant superintendent in charge of car construction at $3,000; chief clerks at $3,000; assistant chief clerks at $2,500: *Provided*, That the clerks in charge of sections in the offices of the division superintendents shall be rated as assistant chief clerks at $2,500 salary, and the chief clerk in charge of car construction shall be designated as an assistant superintendent at $3,000 salary per annum.

That the salary of requisition fillers and packers in the division of equipment and supplies shall be as follows: One foreman, $1,800 per annum; 10 requisition fillers and 9 packers, each, $1,600 per annum.

Employees in the Postal Service shall be granted 15 days' leave of absence with pay, exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of 10 days a year to be cumulative for a period of three years, but no sick leave with pay in excess of 30 days shall be granted during any three consecutive years. Sick leave shall be granted only upon satisfactory evidence of illness and if for more than two days the application therefor shall be accompanied by a physician's certificate.

The 15 days' leave shall be credited at the rate of one and one-quarter days for each month of actual service.

Whenever an employee herein provided for shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

Hereafter when the needs of the service require the employment on Sundays or holidays of foremen, special clerks, clerks, carriers, watchmen, messengers, or laborers at first and second class post offices, or of railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time within 6 days next succeeding the Sunday and within 30 days next succeeding the holiday on which service is performed, and that portion of the act approved July 2, 1918, authorizing the payment for overtime in lieu of compensatory time is hereby repealed.

On and after July 1, 1921, no supervisory official or employee in the Postal Service shall be promoted more than $300 during any one year, except when appointed postmaster, inspector in charge, or Superintendent of the Railway Mail Service.

The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk, such transfer to be made to the corresponding grade and salary of the clerk or carrier transferred.

That the joint commission authorized under section 3 of the act of February 28, 1919, making appropriations for the service of the Post Office Department, be continued until the next regular session of Congress to prepare a detailed report of the investigation.

That section 2 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," approved April 24, 1920, be, and the same is hereby, repealed, except in so far as it affects the pay of employees not covered by this act.

That the sums appropriated for salaries and compensation of postmasters and employees of the Postal Service in the act approved April 24, 1920, shall be available for the payment of salaries and compensation of postmaster and postal employees at the rates of pay herein provided; and such additional sums as may be necessary are hereby appropriated to carry out the provisions of this act.

The SPEAKER. Is a second demanded?

Mr. MOON. Mr. Speaker, I demand a second.

Mr. GOLDFOGLE. I demand a second.

The SPEAKER. Is the gentleman from Tennessee [Mr. MOON], the ranking member of the Committee on the Post Office and Post Roads, opposed to the bill?

Mr. MOON. Yes. I want to say this, Mr. Speaker, if I may be heard for a moment: I am not opposed to the bill. I introduced the bill by direction of the Postal Commission, and I agree with every member of the committee that this bill ought to pass. I demand a second for the purpose only of getting the time for Members as required under the rule to debate. If there is any member on the committee or any Member in the House who will say that he will vote against this bill, I am willing that he shall control the time; but I am not willing for a gentleman to say that he is opposed to the bill, which, under suspension of the rules, can not be changed, in order to control the time, when finally he will vote for the bill.

Mr. GOLDFOGLE. Mr. Speaker, will the Chair hear me as to the right?

The SPEAKER. The Chair will hear the gentleman very briefly.

Mr. GOLDFOGLE. The gentleman from Tennessee [Mr. MOON] has clearly indicated his attitude. There are provisions in the bill to which I am opposed. The gentleman from Tennessee agrees with the gentleman [Mr. STEENERSON] who moves the suspension of the rules, and I respectfully submit, as a member of the Committee on the Post Office and Post Roads, that if I disagree with some of the provisions of the bill I am, in view of the statement made by the gentleman from Tennessee, entitled to recognition and to control part of the time for debate under my demand for a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GOLDFOGLE. I am opposed to portions of the bill.

The SPEAKER. Is the gentleman opposed to the bill? If he does not say he is opposed to the bill, the Chair thinks——

Mr. GOLDFOGLE. I am opposed to the bill in its present shape.

The SPEAKER. Is the gentleman going to vote for the bill?

Mr. GOLDFOGLE. I can not say as to how I shall vote.

The SPEAKER. Probably no bill comes before the House that some Member is not opposed to, in so far as some provision in the bill may be concerned. The Chair will recognize the gentleman from Tennessee to demand a second.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota has 20 minutes, and the gentleman from Tennessee has 20 minutes.

Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOLDFOGLE. The motion to pass the bill under suspension of the rules having been made by the gentleman from Minnesota [Mr. STEENERSON], would it be in order to offer any amendment to the bill?

The SPEAKER. The gentleman undoubtedly knows that it will not.

Mr. GOLDFOGLE. Then I ask unanimous consent——

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. I could not hear; did the Clerk read the amendments which are a part of the motion?

The SPEAKER. He did.

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

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. GOLDFOGLE. Mr. Speaker——

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. GOLDFOGLE. I know; but I was about to submit a request for unanimous consent——

The SPEAKER. The gentleman can not do that.

Mr. GOLDFOGLE. I was about to submit that request for unanimous consent before the gentleman from Minnesota was recognized.

The SPEAKER. The gentleman from Minnesota is entitled to the floor.

Mr. STEENERSON. Mr. Speaker, I will yield later. I implore Members of the House to be silent and to hear the few explanations that I have to make on the bill.

The motion is made to suspend the rules and pass this bill, which contains some amendments which were to correct mistakes that were discovered in the bill as introduced by direction of the joint commission. Most of them are simple corrections of typographical errors. Some of them are of a little more importance, but they were all considered by the Committee on the Post Office and Post Roads yesterday, and they may be said to be simply carrying out the intentions of the joint commission.

One instance is this: One of the most important corrections of the bill is the fourth one, on line 17 of page 4, striking out the figures "100" and inserting in lieu thereof "125," and in line 23 on the same page, after the word "postmaster," striking out the word "of" and inserting in lieu thereof the word "at."

This relates to fourth-class postmasters, of which there are something over 20,000 in the United States. The joint commission determined that they would not reduce the present compensation of these postmasters, but such would have been the result of the bill as actually drawn. We figured it out in committee yesterday, and this amendment, offered by the gentleman from Texas [Mr. BLACK], and unanimously agreed to by the committee, carries out the original intention of the framers of this bill.

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

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield right there?

Mr. STEENERSON. I will yield first to the gentleman from Mississippi for a question.

Mr. CANDLER. I would like to have the gentleman explain fully what increase is given to fourth-class postmasters under the paragraph the gentleman has just mentioned.

Mr. STEENERSON. I would not like to undertake to do that now, because it involves an intricate calculation; but I will say that it does increase their compensation, which is about $4,000,000 more than the total receipts of those offices.

Mr. CANDLER. I am glad to know that these faithful public servants of the people will under the terms of this bill receive an increase. I have long favored granting them an increase in compensation and making them some allowance for expenses of their offices. As no amendments are in order, because this and other increases are granted, I will vote for the bill as presented, it being the best obtainable at present. However, I understand from the gentleman who is chairman of the Post Office Committee that it is a substantial increase over and above what the fourth-class postmasters are now receiving.

Mr. STEENERSON. It is an increase.

Mr. EMERSON. Will there be any opportunity to propose amendments to increase the amounts in the bill?

Mr. STEENERSON. This is the only one, and this does not increase the amount that was intended to be given by the bill. It is inserted only because the language as drawn by the draftsman did not carry out the intention of the commission. There were four members of the commission on the committee yesterday, and it was unanimously agreed that that was proper.

Mr. EMERSON. No amendment can be offered on the floor to-day?

Mr. STEENERSON. The gentleman is familiar with the rule of the House which provides that the only amendments which can be submitted when a motion is made to suspend the rules are the amendments which are contained in the motion.

Now, with the permission of the House, I should like to make a few explanations of these salary increases. The present salary of the lowest-paid carrier is $1,200. The proposed salary begins at $1,400, an increase of $200. The same thing is true of the clerks. They begin at $1,400, and they are divided into five grades. First we had four grades. Now it is provided in this bill, as you will notice, that substitutes when appointed clerks or carriers are given credit for the time they have served as substitutes, and if they have served 306 days, equivalent to a year of working days, they are put into the $1,500 class at once. Almost all the new clerks appointed next year will be taken from the substitutes, so that the starting of these men will be at $1,500 in most cases, because the majority of them have served a year or more. Some of them have served several years. This is to be taken into account when you speak of the amount of the increase.

Another thing: The progression or promotion and increase of salary ends in four years; and on the sixth page of the report of the committee on this bill you will see a table that gives the specific total increases of these clerks and employees, clerks in first and second class offices, special clerks, city letter carriers, Railway Mail Service, post-office inspectors, clerks at division headquarters, Rural Delivery Service, postmasters of the first, second, third, and fourth classes, village delivery carriers, assistant postmasters at second-class offices, and so on. Now the present compensation is the basic salary before the war and $200 added, which was a temporary increase—from $100 to $200 temporary increase provided in the joint resolution of November 8 last. These increases are over and above those increases, so that this makes the third increase since we began increasing, since the beginning of the war.

The total increases of the employees covered in this bill for the first year amount to $34,375,087. This is the estimate made by the department. The next year it will amount to $39,775,587. For the third year the total increases will be $43,711,187, and for the fourth year $45,883,587.

Mr. HUDSPETH. Will the gentleman yield right there for a question?

Mr. STEENERSON. If the gentleman will ask it quickly.

Mr. HUDSPETH. I want to ask the gentleman why there was not a substantial increase made in the salaries of fourth-class postmasters when there was such an increase made in the salaries of second and third-class postmasters?

Mr. STEENERSON. The gentleman is evidently mistaken.

Mr. HUDSPETH. That is as I read the bill.

Mr. STEENERSON. The increases to the fourth-class postmasters are perhaps the hardest to justify, but we consider that they are justified in view of all the circumstances.

Mr. ASHBROOK. I would like to ask if this bill follows the recommendations of the salary commission?

Mr. STEENERSON. The gentleman should know that this is the salary commission bill. The gentleman from Tennessee [Mr. MOON] just explained that.

Mr. ASHBROOK. I want to ask the gentleman if he is aware that the postal employees are generally very greatly disappointed in the increases in this bill? The increases in their salaries are not proportionate to the increased cost of living and, in my opinion, are too low entirely and will result in badly demoralizing the Postal Service. They have long been working for niggardly pay.

Mr. STEENERSON. We are aware of that. I have received perhaps 500 or 1,000 telegrams on the subject. I have been receiving telegrams for a long time. In fact, if I were to judge by the amount of mail I receive I should think I was the most important man in the House. [Laughter.] But the reason I receive these letters and telegrams is that they want more salaries. But gentlemen of the House and the country ought to understand that many of the members of the commission would have liked to have higher salaries, and many of them would have liked to see a little higher compensation for the rural carriers. I have a great many of them in my country, and the expenses of maintaining equipment, of horse feed, and of automobiles and gasoline are very much increased. But these are their recommendations, to which we have all agreed. Many of them are compromises, in order that speedy action might be taken.

Mr. GOLDFOGLE rose.

Mr. STEENERSON. I know that the employees in the city of the gentleman from New York [Mr. GOLDFOGLE], who is so persistent here as almost to prevent anything being said on behalf of the bill, are perhaps the worst situated of any postal employees. There is no question that in a city like New York the cost of living is higher, especially house rents, than in many other smaller places.

Mr. FOCHT. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. FOCHT. The gentleman gave the figures as to the increases in salary during recent years. May I ask him whether

there has not been a great increase in the postal receipts? Or if it is not a fact that the increases in salaries are not at all commensurate with the increase in the amount of receipts?

Mr. STEENERSON. Yes; the gross receipts have greatly increased since July 1, 1919. The department reports about 25 per cent increase in 50 of the largest cities. Now, these salary increases are the result of the labors of this commission of 10 members, 5 Senators and 5 Representatives, for more than a year. This is the first time in the history of the country that the employees have been heard directly. The Post Office Committee in former years had to depend on the information furnished by the department in adjusting salaries. We had no other source of information. The department has not recommended any increase. It did not recommend the joint resolution of last November. In order to get the original sources of information this commission determined to hold hearings, where the employees of all grades could give their views and experiences. We did not finish the testimony until the 23d of April, and since that time we have been analyzing it and have done the best we could. Those who criticized us for not reporting first and hearing evidence afterwards are manifestly unfair. I do not think the work is perfect, but it is as near as we are able to bring forth. [Applause.] Mr. Speaker, I reserve the balance of my time.

Mr. MOON. Mr. Speaker, this bill was introduced by me at the direction of the Postal Commission as the result of the report of the Joint Commission on Postal Salaries, which was created by an act of Congress in response not only to the demand of the employees but of the Government and the general public. It is impossible for me in the time I have—and I would not be justified in attempting it—to give a full discussion of this question. I call attention, however, to the statement in the preliminary report and to the fact that subsequently there will be a detailed report in reference to this matter. The judgment of the commission is expressed in the bill before the House. The last appropriation bill carried $434,000,000, and the increase provided by the bill is $462,000,000, and the percentage is the proportion of $434,000,000 to $462,000,000.

Every employee of the Postal Service has been cared for in this bill; all the employees of the Government have been looked after and some increases given, perhaps not quite as much as desired by them or as little as the Government recommended in some instances, but it is fair and reasonable under the circumstances. You have read the report and the bill. It contains the result of our conclusions.

There is only one member of the committee that had any objection to any part of the bill that I know of, and in a spirit of fairness to him I am going to yield to him more time than I will yield to anybody else. Of the 20 minutes at our disposal I yield 5 minutes to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Speaker, under the gag rule, which in parliamentary language is called "suspension of the rules," it is proposed to pass this bill. It precludes amendments. It is cleverly designed to compel such of us as desire to vote for a really adequate wage to postal employees, especially in cities, to accept the bill as recommended by the commission or else leave the men now so badly underpaid without any increase at all. The procedure which stifles debate, shuts off amendments, and forces the men to accept half a loaf rather than get no loaf at all is so unfair that I must enter, though it be ineffective, my earnest protest.

The measure is fraught with importance not merely to the large army of postal employees affected by the insufficient increase proposed, but to the community at large, every man and woman of which is interested in the prompt and proper handling, distribution, and delivery of mail.

In the brief time allotted me I can not discuss in detail the figures which demonstrate the inadequacy of the increase the Postal Commission has proposed for clerks, carriers, and some other employees in the large cities of this country. I know they are wholly insufficient in New York. I believe them to be equally insufficient in such cities as Chicago, Philadelphia, Boston, Detroit, and San Francisco.

The minimum wage of $1,400 and the maximum wage of $1,800, not to be gotten till the carrier or clerk reaches the fifth grade, will by no means satisfy the men in my city, where living conditions actually demand a better and higher wage for the arduous and exacting labor these men perform. [Applause.]

The penurious policy of withholding from postal employees an adequate wage has resulted in a serious breakdown and crippling of the Postal Service. It has become aggravated to such an extent that the business interests of the country have become aroused. [Applause.] They, too, now plead anxiously that we no longer delay providing the mailmen with proper compensation to meet their just and necessarily insistent demands.

The community which is vitally interested in keeping the Postal Service up to the highest and best standard of efficiency has become keenly awakened that we have been dealing niggardly and meanly with the postal men. They realize that as a consequence of not giving these public servants a square deal inefficiency in service has come, to the detriment of business interests, and, in fact, of everyone interested in getting prompt and efficient mail service. Yet you propose to jam this bill through under suspension of the rules and cut off every chance to secure a vote testing in the open the sentiments of the individual Members of the House on the various propositions of salaries embodied in the bill.

The underpayment of the postal employees in the large cities has been and is unbecoming our great Government. Congress has sorely lacked in its duty toward these deserving men and women whose devotion to duty should have given them better reward. The American people as a whole are not so narrow or ungracious as to deny to those who serve them so well as the postal employees a decent living wage sufficient to provide them with, according to American standards, the necessities of life which their present situation requires. [Applause.]

Kept at pay far below that which the great majority of them could have earned in other occupations for which they were fitted, yet working with intelligence, diligence, and zeal, do you wonder that dissatisfaction has come among the rank and file and that the best and most valued men who are still sound and able-bodied are rapidly leaving the service? Resignations have largely poured in, because men and women no longer could remain under a salary that did not permit them to meet the necessary and increasing expense of living and maintain their families.

What has been the result of the penurious and cheeseparing policy Congress has up till now pursued? Time was when the eligible lists were filled with thousands of applicants clamoring for appointment to the service. Now there are scarcely handfuls.

The standard of civil-service examinations has been lowered greatly in order that a sufficient supply of persons can be obtained to enter the service. As a matter of necessity, persons far less efficient and far less qualified had to be taken to supply the places of well trained, well tried, and skilled employees who were the pride of the Postal System of the United States. [Applause.]

I realize the commission has done much work. It has gone through a lot of examinations, traveled through the country, brought us heaps of figures, and taken care of many of the postal men in the rural districts. Yet there are many inequalities to be found in the bill which under the present procedure of rushing through this measure we can not now correct. However, in so far as the principal cities are concerned, the commission has not, neither has the Post Office Committee, taken care of the men and women there in a way befitting or meeting the living conditions that attend them.

You say you will start the carriers and clerks at $1,400 and gradually advance them till, after years of service, they reach $1,800, and there you stop. Now, then——

Mr. MACCRATE. Will the gentleman yield?

Mr. GOLDFOGLE. Yes, with pleasure.

Mr. MACCRATE. Would it cost more than $3,600,000 to give the fifth-grade men what they demand and what they are entitled to?

Mr. GOLDFOGLE. No; I do not think it would cost any more than that. When last September we passed the bill providing a temporary increase of $150 for the mailmen, I sought to secure in some form the adoption of my bill providing for a substantial increase of salary up to 35 per cent, but in view of the necessity to exercise reasonable economy, I indicated my willingness to make it less, but at least 25 per cent.

But opportunity then to get a vote of the House was denied by the same objectionable method we are now employing—suspension of the rules.

As the matter stands it will serve no useful purpose to point out the staggering increase in the cost of living in cities. Rental costs of even the humblest apartments have mounted so high as to become prohibitive to persons of small salaries. Food, clothing, yes, everything that enters into the necessities of life, have increased in price—the dollar no longer is worth a hundred cents in purchasing power as of old—yet we have neglected to take care of these worthy, deserving postal employees.

Mr. Speaker, I hope that at some future time, when in a businesslike way we shall cease to practice a false economy, we may succeed in doing justice to these employees, for the Ameri-

can public, I am sure, will not begrudge them an increase to which they are honestly and well entitled. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. ROUSE].

Mr. ROUSE. Mr. Speaker, I ask permission to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOON. Mr. Speaker, I yield three minutets to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, the Post Office Department is one of the big business institutions of the United States. By that term I do not mean that it is an institution conducted for profit, because it is not, and, indeed, it should not be. The aim of the Postmaster General in his administration of the Postal Service, and of Congress in prescribing by law the respective rates of postage, should not be to make the Government service a profit but only that the service shall be self-sustaining. The public would not approve of a profit-making policy, but, on the other hand, I am sure they would not favor any policy of extravagance which would take no thought of the burdens of the taxpayers but freely pile up deficits from year to year. The Postal Commission, therefore, in studying the reclassification of nearly 300,000 postmasters and employees and determining what their salaries and compensation should be, has had to keep steadfastly in mind the whole situation involved, and while recognizing that the United States as an employer must be just and fair to the interests of its employees, still at the same time a due and proper regard must be had for the Public Treasury. I think the commission has done its duty well, and I intend to give this bill my whole-hearted support. Of course, in a measure affecting so large a number of men it is difficult to meet everyone's approval in all particulars, and perhaps each of us, if left to himself, would have written some particular provision differently from what the committee has written it, but that is true of most any legislation of scope and importance, and it would be very unusual if it were not true in this case.

It is very easy for the onlooker to stand out on the side lines and criticize the man who is at the bat, but when he comes to pick up the stick himself and wield the willow he finds the task is not so easy. The fact that these increases will involve an additional amount of expenditure to the extent of $40,000,000 annually is very conclusive proof that the committee has not been unmindful of the just and meritorious claims of the employees, and the fact that the additional expenditures will go to a class of workers which have been rendering an earnest and faithful service and that such increases are not in any manner excessive is proof conclusive that the committee has not been unmindful of the taxpayer.

Therefore, I believe that the bill is one which can well receive the unanimous support of the House, and I hope that it will do so.

Now, Mr. Speaker, Members will naturally be interested to know what the average pay of postal clerks and carriers will be under the bill we are now considering. I will be glad to give the figures on that point. There will be five grades of postal clerks and carriers, and the salary of the entrance grade is made $1,400, and $100 more for each grade on up to $1,800 for the fifth grade is provided. Using as a basis for my computation the last figures which I saw as to the number of men in the respective grades, the average pay of a postal clerk will be, under this bill, in the neighborhood of $1,732 per annum, which will be an average of $5.66 per day, or an average of 71 cents per hour.

The pay of letter carriers is fixed by the same scale, and the number of carriers in the respective grades is so nearly in the same proportion as those of the postal clerks that the average annual salary will be practically the same, and we may also count them at $1,732 per annum. The average annual salary of postal clerks and letter carriers was about $1,050 on June 30, 1913, and comparing this to the $1,730 average under this bill will make an increase of 65 per cent since that date. No one would, of course, contend that these increases are excessive in view of the increase in the cost of living, but I think any fair-minded man will admit that they are comparable to the increases received in comparable employment. For example, such increases are somewhat higher than the average increases which have thus far been given to railroad employees.

RURAL CARRIERS.

Rural carriers received an average salary on June 30, 1913, of $1,062.37, and this bill provides for $1,800 for a standard route of 24 miles. This makes an increase of 69 per cent over that which was received in 1913, and seems fair, as compared to the average increase of 65 per cent to clerks and carriers during the same period of time, and to which I have already referred.

FOURTH-CLASS POSTMASTERS.

Now, as to fourth-class postmasters, the increase given to them is hard to figure on a percentage basis, on account of the fact that there is such a wide variation in amount of business done at these small offices and the further fact that the payment of salary is based on percentage of cancellation allowed. I am glad to state that the committee, upon my motion, adopted an amendment allowing to fourth-class postmasters 100 per cent of the first $125 cancellation per quarter instead of 100 per cent of $100, as first written in the bill.

Concrete illustrations will better explain the remuneration of fourth-class postmasters under the bill than probably anything else that I can say. For purpose of illustration, let us take an office with $300 cancellation per quarter. Under the old law, prior to any of the increases of the last two or three years, the rate of compensation at such an office would be as follows: One hundred per cent of the first $50 equals $50, 60 per cent of the next $100 equals $60, and 50 per cent of the remainder equals $75, making a total compensation of $185 per quarter for that office. Under the bill we are now considering the compensation of the same $300 per quarter office would be as follows: One hundred per cent of the first $125 equals $125, 75 per cent of the next $100 equals $75, and 60 per cent of the remainder equals $45, making a total of $245 compensation per quarter at such office, which would be an increase over the old rate of 33 per cent. Personally I think the increase should be larger than that, and if I had an opportunity to offer an amendment to the bill I would be constrained to do it, but as this bill is to be passed under a suspension of the rules, no opportunity for amendment will be offered, and therefore I must take it as it is.

I will not undertake at this time to discuss the salary schedules of railway mail clerks, assistant postmasters, supervisory officials, and so forth. Suffice it to say that these employees are all given substantial increases along the general lines of the bill, and I do not think they will have any just cause to complain at the treatment which is accorded them.

PUBLIC WILL HAVE NO RIGHT TO COMPLAIN AT THESE INCREASES.

Mr. Speaker, I am fully convinced that these salary increases are fully deserved, and that the public will have no right to charge Congress with any extravagance in granting them. One of the common complaints that we hear these days is that notwithstanding very large increases in wages and salaries have been made to labor, its efficiency has decreased and the cost per unit of output has been unduly increased on account of decreased production. Whatever truth there may be in these complaints, they can not be fairly charged against the employees of the Postal Service. For example, the number of employees for the present fiscal year has been increased less than 10 per cent, whereas the volume of mail matter handled by the department and the receipts derived therefrom have increased fully 25 per cent over those of the last fiscal year. This, then, can mean but one thing, and that is that the output of the labor of postal employees has not only held its own, but has increased, and the employees have not been soldiering on the job. Express employees have had various strikes; railway freight service has been demoralized at times by switchmen's tie-ups. All of this has had the effect to pile up great quantities of parcel-post matter for the Post Office Department to handle. But the department, under Postmaster General Burleson and these loyal employees, has met the situation with splendid efficiency and has declared no mail embargoes; and, despite the fact that some unfair newspapers and magazines are constantly iterating and reiterating that the Postal Service has broken down, we all know it has not broken down and has served the people remarkably well under many severe and unusual handicaps.

Fidelity to duty such as the postal employees have displayed under these trying circumstances deserves recognition and reward, and even the most ardent economist of the House should find it easy to support this measure, and should not hesitate a moment to do so. Verily, of these postal employees it may be said, "The laborer is worthy of his hire."

Mr. STEENERSON. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN]. [Applause.]

Mr. MADDEN. Mr. Speaker, on the 30th of June, 1918, the minimum pay of the postal clerks and carriers was $800 and the maximum pay $1,200. On the 1st of July, 1918, under the so-called Madden Classification Act, the minimum pay was increased to $1,000 and the maximum to $1,500. Under House joint resolution 151, passed October 9, 1919, a further increase of approximately $200 was given to every man in the service. So that the man who was getting $800 on the 30th of June, 1918,

on the 1st of July, 1919, under the resolution, which was retroactive, began to draw $1,200, and every man above him drew in proportion. This bill provides a minimum pay of $1,400 and a maximum of $1,800 for clerks and carriers. That gives the man who was getting $800 on the 30th of June, 1918, an increase of $600 a year, and the man who is getting $1,800 under this bill also gets an increase of $600 a year.

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

Mr. MADDEN. Yes.

Mr. GALLIVAN. May I ask the gentleman whether or not the bonus goes with this bill, and also whether he can advise the House how the representatives of the various associations of postal employees here in Washington view this measure.

Mr. MADDEN. The bonus, added to the former base pay, is made the base pay in the consideration of this bill, and on top of the bonus and the former base pay we add $200 on the average. Does that answer the gentleman?

Mr. GALLIVAN. Yes.

Mr. MADDEN. My conversation with the leading men of the Postal Service, who I understand are qualified to speak for the men of the country, would indicate that while not exactly satisfied with the amount we allow, yet nevertheless they are pleased, because we are allowing what we do allow, and they want this law enacted.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I can not yield any further. I simply wish to say that if anybody has any more interest in the welfare of the postal employees of the Nation than I have I would like to get his picture. I do not demagogue with these men. I promise them nothing, and I do not make speeches on the floor of this House for the purpose of getting votes. I realize these men are wonderful men; that they are entitled to great consideration; that they have the confidence of the American people; that they ought to be fairly treated, and I believe in my inner conscience that the bill pending before us is not only fair, but liberal treatment.

My first activity in connection with the post-office service began in 1907. I was not a member of the committee at that time, but I saw the necessity for putting the men in the service on a basis that would justify them in making it their life work.

When I and several other Members of the House attempted to have the 1907 classification act placed in the pending Post Office appropriation bill the chairman of the committee, Jesse Overstreet, of Indiana, objected to it, and since, under the rules of the House it was not in order to insert a legislative provision into an appropriation bill, it looked as if for the time being the classification of postal employees would not be possible. Mr. CANNON was Speaker of the House at that time, and I recall visiting him at midnight after he had gone to bed and induced him to agree, as chairman of the Committee on Rules, to report a rule the next morning making the classification legislation in order. He reported the rule; it was adopted, and the classification provision was made a law. Under that classification clerks and carriers in the City Delivery Service were given an entrance salary of $600 per annum, with promotion to the $800 grade after a year's satisfactory service; to the $900, $1,000, and $1,100 grades automatically after a year's satisfactory service in each grade; and provision was made for a maximum salary of $1,200 in first-class offices and $1,100 in second-class offices, promotions being made to the two latter grades only on recommendation of the postmasters.

Later on I became a member of the Post Office Committee, and my recollection is that in 1912, at my instance, the $600 grade was abolished and the entrance salary became $800 on the 1st of July, 1913. On the 1st of July, 1918, the entrance salary was raised to $1,000, and the maximum salary to $1,500, and in October, 1919, under House joint resolution 151, introduced by me, $200 was added to all salaries of clerks and carriers receiving less than $1,500, and $150 to those receiving $1,500. Thus, from the 1st of July, 1913, to the 1st of July, 1919, the entrance salaries of clerks and carriers in the City Delivery Service were raised from $800 to $1,200, and the maximum salary under automatic promotions in first-class offices from $1,100 to $1,650, and in second-class offices from $1,000 under automatic promotions to $1,650. It is true that a certain percentage of the men in first-class offices were promoted to the $1,200 on the recommendation of the postmasters, and in the second-class offices to the $1,100 grade on such recommendations, but these promotions were not given automatically.

The annual cost of the legislation effective July 1, 1918, amounted to $40,000,000; the annual cost of House joint resolution 151 amounted to $35,000,000; the present bill adds an average of $200 per man to the compensation now being received, the annual cost of which will involve an expenditure of $40,000,000, thus making an aggregate under the pending bill and the legislation of 1918 and House joint resolution 151 of $115,000,000, and increases the compensation of every clerk and carrier $600 per annum over that what he was receiving on the 30th of June, 1918.

In addition to this salary legislation it has been provided during my service on the Post Office Committee that post offices shall be closed on Sunday, and that for emergency work on Sunday clerks and carriers shall be given compensatory time off for such service. The pending bill continues that legislation. Men in the Postal Service will remember, too, that the 8-in-10-hour day has been passed during my service on the Post Office Committee, and that prior to the enactment of the Federal compensation act Congress, on the recommendation of the Post Office Committee, enacted a law providing that full compensation should be paid to those injured in the Postal Service for the first year of disability and one-half compensation for the succeeding year. This law was later repealed by the enactment of the Federal compensation act, under the provisions of which the Postal employees are provided for in case of injury. I recall, too, with great pleasure, assisting in the preparation of legislation granting the Postal employees freedom from duty on national holidays, and this bill goes one step further and provides that for all Sunday emergency work performed it shall be obligatory on the department to allow compensatory time off within the six succeeding days, and it also provides that compensatory time or compensation shall be allowed within 30 days after emergency work is performed on holidays, and I am happy to be able to say that this bill also provides for the first time for a sick-leave period of 10 days in each year with pay, cumulative for three years, thus insuring the men in the service that no deductions shall be made from their pay for absence on account of sickness for the period indicated.

It gave me great pleasure to assist in the enactment of the retirement law, under the provisions of which not only the employees of the Postal Service but all other superannuated employees of the Government are insured against want when they are no longer able to perform the duties of the position they occupy.

To the consideration of the questions embraced in the pending bill I have given much time and careful study; it has involved many sacrifices of time and patience and has called for great endurance; the work has been voluminous and complicated, but a sincere effort has been made throughout the consideration of the problems involved to reach just conclusions, to adjust the compensation of the men along equitable lines, and to provide them adequate compensation for the work performed. It is a source of gratification to be able to say that during all the deliberations covering the long period of time the commission was at work, that every manifestation of friendship possible for the men in the service was shown by every member of the commission, and every agreement reached was unanimous. Every member on the commission recognized the loyalty and ability of the men and their constant adherence to the promotion of the department's interests. The commission recognized in the personnel of the Postal Service a high standard of intelligence and patriotism, and each member of the commission entered upon the work with a firm determination to do justice not only to the service but to the men and women in the service, and it is believed that the provisions of this bill, embodying as they do the unanimous conclusions of the commission, set forth a just and equitable solution of the problems involved. It is to be hoped that the compensation reported by the commission and which is now about to be enacted into law will prove not only satisfactory to the men in the service but will encourage them in further efforts toward the development of harmony and good will and an enthusiastic devotion to the service to which the people of the Nation look with pride.

The constantly increasing volume of business in the Postal Service will require the recruitment of new men in large numbers, and it is my earnest hope that the young men of the country who wish to follow a career may decide to enter this service. There are many important places above the grades of clerk and carrier which, I believe, under the present law carry compensation which will be considered adequate for the technical duties and responsibilities attached to such places. The field is open to all who enter the Postal Service for promotion to these positions, and I hope that the day is not far off when all positions in the service, up to First Assistant Postmaster General, may be open to men who qualify themselves to fill them. There should be no politics in the postal business; it is a great business institution; it should be conducted along business lines, and every man who enters at the bottom should feel that he has a chance, by constant effort and devotion, to reach the top.

Executive ability is a rare qualification, and every man who has such ability should find an easy road to promotion in this wonderful service. It now embraces 300,000 men and women. The last Post Office apppropriation bill provides for the expenditure of $462,000,000, and I would not be surprised to see this increased to a billion in the next 15 years. The time is coming, if it has not already come, when the Post Office Department will be the biggest single activity of the Government. It is the only Government activity that reaches every home. All are anxious that it should be conducted without taint of politics and, too, that only men who have the confidence of the public and have the interest of the public at heart should be engaged in it. It should be the constant purpose of all to popularize this great Government establishment by giving the best service that it is possible to render.

The parcel-post branch of the service has become so enormous that it must soon be separated from other classes of mail in order to permit of the prompt dispatch of first-class letter mail. The growth of the parcel-post business is phenomenal; no one can predict its volume for the future; and now, before it is too late, provision should be made to handle parcel-post mail in buildings separated from the other mail in order that there may be no delay in the handling, dispatching, and transporting of mail which it is important shall be delivered promptly. With the separation of this class of mail, I feel confident that a very great improvement in the present inadequate service can be made.

My admiration for the postal men is unbounded, and I consider the opportunities which have come to me to assist in promoting their welfare as a great privilege. I have enjoyed the work; it has been arduous; I have never saved myself by shirking any responsibility; I have known no hours; I have burned much of the midnight oil in an effort to promote the service and provide for the men's welfare. I am happy if I have been instrumental in adding anything to the betterment of either the service or the men. My devotion to the service is due to a determination to do what may be within my power to make the Postal Service what the American people think it ought to be.

There has been much misinformation disseminated in respect to what provision the present bill makes for the men. To give some idea of what it does provide, I am taking the privilege of inserting a few tabulated statements, the reading of which will set at rest much of the doubt which I understand has been expressed as to the adequacy of the compensation provided for in the legislation.

Letter carriers in service May 7, 1920.

Number.	Present salary.	Proposed salary.	Increase.	Total.
2,567 1	$1,200 1	$1,400	$200	$515,200
4,837 2	1,300 2	1,500	200	967,400
1,209 3	1,400 3	1,600	200	241,800
1,549 4	1,450 4	1,700	250	387,250
4,350 5	1,550 5	1,800	250	1,087,500
21,472 6	1,650 5	1,800	150	3,220,800
35,993	Total increase over present pay....			6,419,950

Substitutes 60 cents per hour.

Substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service, when appointed regular clerks or carriers, shall have credit for actual time served on a basis of one year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1.

Clerks in service May 7, 1920.

Number.	Present salary.	Proposed salary.	Increase.	Total.
6,793 1	$1,200 1	$1,400	$200	$1,358,600
8,091 2	1,300 2	1,500	200	1,618,200
1,867 3	1,400 3	1,600	200	373,400
1,599 4	1,450 4	1,700	250	399,750
5,405 5	1,550 5	1,800	250	1,351,250
15,549 6	1,650 5	1,800	150	2,332,350
39,304	Total increase over present pay....			7,433,550

Special clerks.

Two grades:
First $1,900
Second 2,000

Number.	Present salary.	Proposed salary.	Increase.	Total.
4,366 1	$1,750 1	$1,900	$150	$654,900
..... 2	.....	2,000	.....	.....
4,366	Total increase over present pay.			654,900

STATION SUPERINTENDENTS.

The salary of superintendents of classified stations shall be based on the number of regular employees assigned thereto and the annual postal receipts. At delivery stations each $100,000 of postal receipts shall be considered equal to one additional employee. At nondelivery classified stations, known as finance stations, each $25,000 of postal receipts shall be considered as equal to one additional employee.

At classified stations having less than four employees and where the receipts are less than $100,000 the salary of the superintendent shall not be greater than that of a special clerk.

At classified stations having four employees or more the salary of the superintendent shall be as follows:

4 and not exceeding 6 employees	$2,100
7 and not exceeding 18 employees	2,200
19 and not exceeding 32 employees	2,300
33 and not exceeding 44 employees	2,400
45 and not exceeding 64 employees	2,500
65 and not exceeding 90 employees	2,600
91 and not exceeding 120 employees	2,700
121 and not exceeding 150 employees	2,800
151 and not exceeding 350 employees	3,000
351 employees and over	3,200

With the exception of the offices with receipts above $20,000,000, the number of titles now in use has been reduced from 24 to 9, and in the above schedule the following titles have been eliminated: Superintendent of second-class matter, superintendent of carriers, superintendent of inquiry, chief mailing clerk, chief stamp clerk, finance clerk, stenographers, and clerk in charge of stations.

We live in a great country, the greatest under the sun. No such opportunities as we have are enjoyed by any other people. It should be our constant aim to harmonize all the elements with a view to united cooperation in the promotion of America's welfare. No class of men are better equipped to promote Americanism than those who are engaged in the Postal Service. Americanism should be the watchword; Americanism can not be expressed in words; it is not in what we say but in what we do. Americanism is to be found in the conscience, in the mind, the heart, the attitude. It is a thing that can not be blighted by unfriendly contact; it is something that is not afraid of criticism; it answers it; it encourages it. If it is not found in the conscience, if the heart promptings are not such as to lead the individual forward to the fulfillment of the conscientious obligation to his country and his Government, it is not Americanism. It is not necessary to brand Americanism; it is to be found in the daily life of the citizen; it is expressed in the constant determination of the individual to justify his right to the confidence of his fellows; it is an unseen and constant performance of the obligations of citizenship, which leads the individual into a cooperative union with his fellows to develop a patriotism which knows no turning; it is the fulfillment of an obligation, without hope of reward, to a country which offers greater opportunity for the development of manhood and the comforts of life and the freedom of action than are offered to man anywhere else on earth. To be a citizen in such a land should be an inspiration to each of us to lead us on in a spirit of friendly cooperation in the development of harmony of action and in the upbuilding and perpetuation of our Government and its institutions.

It makes me happy to believe that the men in the Postal Service are imbued with this spirit of Americanism. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. O'CONNELL].

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOON. Mr. Speaker, I yield one minute to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Speaker, I realize that I can not go very deeply into the contents of this bill in the time allotted to me, but I desire to say a few words in support of the measure. I would like to say, with regard to the work of the postal-wage commission which prepared this bill, that I have had the pleasure of serving on the House Committee on the Post Office and Post Roads with several of the members of the commission, and know them to be painstaking, conscientious, and able men. I know they have worked hard on this problem, and know that this bill is the result of weeks of tedious, tiresome work. I know that at this time this is the only bill which can be passed, and that is one of my reasons for giving it my support.

The petition of the letter carriers and clerks, indorsed by all of the people of the country, was based on the principle of a living wage, and I do not believe this bill begins to meet that petition. A living wage is one that is required to house, feed, and clothe an average family. Since 1914 the cost of living has increased almost 80 per cent, and there does not seem to be any tendency toward a decline in living costs at this time. The postal worker has had to meet these increased costs just as much as anybody else has had to; but, instead of his salary being increased to a figure which would give him a fighting chance against the profiteers, he was obliged to watch workers

in other lines of endeavor receive increased compensation, bounties, and other benefits during the war. He stuck to his post, and saw to it that American industries did not suffer, but rather, by his devotion to duty, he added to the great work being performed overseas by our Army and Navy, and his was a great sacrifice. He is entitled to a just reward for such service, and we should not hesitate in giving it to him.

The unrest among the men in the service is only made more acute by such a bill as this, which does not allow them an opportunity to meet the demands of the times. These men could have done as many other employees of the Government did during the war—threaten to tie up the service by resigning—but, faithful to the end, sacrificing their own interests and the interests of their families, they stuck to their posts of duty, believing that when all was over they would receive justice in the way of fair wages. Instead, they are again disappointed by being obliged to accept a half loaf when they are entitled to a whole loaf.

Under the rules by which the House is trying to pass this bill I am prevented from offering any amendments to the bill. If I could, I would ask that the minimum entrance salary for post-office employees be made $1,800 instead of $1,400, as carried in this bill. I hope that this will be done in the Senate when the bill is considered by that body.

In conclusion, Mr. Speaker, I hope that this bill will pass unanimously. It is true it is insufficient to meet the needs of the postal employees throughout the country, but I hope soon to be afforded the pleasure of voting for another bill granting more substantial increases to postal employees, so near and so vital to the welfare of the people and business of the United States.

Mr. MOON. Mr. Speaker, I now yield to the gentleman from Georgia [Mr. LARSEN] one-half minute.

Mr. LARSEN. Mr. Speaker, the time allowed for debate on the pending bill is not sufficient to permit extensive remarks, but as the measure is being considered under a rule which precludes amendment, I am not sure that discussion can result in real benefit.

While I am sure the Joint Commission on Postal Salaries made an honest effort to properly adjust compensation in some respects, its report is not in accordance with my conception of justice and right.

I wish the bill might be considered under a rule making it subject to amendment. I am sure it could be amended to advantage, but upon the theory that a half loaf is better than none, I shall vote for its passage.

I may be so constituted by nature and environment that I sympathize with the fellow who can not help himself, but I fear there are those who, for the same reason, do not properly appreciate service or sympathize with the 300,000 postal employees throughout the country.

The theory upon which salary for the 41,000 fourth-class postmasters throughout the country is based, in my judgment, is very unjust, in that we compensate them not for service rendered, but upon a basis of stamp cancellation. No matter how many letters they receive, how many stamps they sell, how many valuable packages they handle, or the burden they impose, no allowance is made upon such basis. The mail-order houses located in the larger cities are continually sending packages into the country districts to be handled by this class of postmasters. They are burdened with the safe delivery of same, without receiving any compensation therefor.

These officers, as a rule, being the only agents of the Government in their respective localities, are frequently called upon by the public to perform service for which they receive no compensation. As a rule they represent the Government and the public in a capable and efficient way, always without complaint. In my younger days I had several months' experience in such capacity, and hence know something of the service they perform.

The compensation allowed them under the provisions of this bill, while better than that heretofore provided, is not, in my judgment, sufficient for their needs or adequate for service rendered.

Next to the fourth-class postmaster, perhaps no other postal employee is in closer touch with those whom he serves than the letter carrier. Certainly no one in the entire service suffers more hardships in performance of duty. No matter how hot or how cold, how wet or how dry, he is always expected to be on duty and to perform his service within the allotted time. He, like the private soldier, is often wet when he would rather be dry, and cold when he would like to be warm, but he is never able to change his condition and is always subject to orders of his superior officer.

No one will deny that living expenses have increased at least 100 per cent in every section of the country during the past four years. During this time some increase, of course, has been granted to our postal employees, but nowhere has the increase been in proportion to the advanced cost of living. Five per cent increase on a millionaire's wealth will maintain him in luxury, but a 50 per cent increase on the compensation allowed a workingman, who spends all for a living, is not sufficient to meet the necessary demands where living expenses have increased 100 per cent.

Mr. Speaker, I do not believe that the people of this Government expect or desire the Post Office Department to be operated for profit, but they demand competency, efficiency, and courtesy. The average taxpayer and citizen throughout the country is conscious of little direct benefit from the Government other than that received through our Postal Department. This he enjoys only in proportion to the efficiency of the service. [Applause.]

There is nothing that makes so much for efficiency in service as satisfied labor, and no laborer can be satisfied without sufficient compensation to maintain himself and those dependent upon him. Every laborer is entitled to this, and no one is more deserving of it than our faithful employees of the Post Office Department. [Applause.]

Mr. MOON. Mr. Speaker, there is one gentleman in this House whom I believe has never been treated fairly. He has no opportunities and seldom, if ever, speaks. He is an exceedingly modest gentleman, and I want to hear from him upon this bill. I yield now to the gentleman from Texas [Mr. BLANTON]. [Laughter.]

Mr. BLANTON. Mr. Speaker, the distinguished gentleman from Tennessee [Mr. MOON] is noted for his wit and facetiousness. I enjoy it when he grants me time. I am heartily in favor of this bill as far as it goes and shall vote for it, but I want to protest at the miserly way in which the rural carriers, the star-route carriers, and the fourth-class postmasters have been treated. They have all been treated like stepchildren, and so far as the star-route carriers and the fourth-class postmasters are concerned, they simply have been cold-decked in this bill. Our star-route carriers are facing bankruptcy. When they executed their contracts they never dreamed of such changed conditions as now exist. Many would pay large sums to be released from their contracts, which, considering present conditions, are in many instances "pound of flesh" exactions. For the life of me I can not understand why the distinguished chairman of this committee did not report out and pass the proposed Sinnott bill, which would have granted the needed relief. Numerous fourth-class postmasters in my district have lately resigned. More will resign. They can not afford to serve longer on such small salaries. We should grant them more relief.

Mr. STEENERSON. Mr. Speaker, I yield one-half minute to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, I regret very much that the rules under which this bill now comes before the House will not permit of its being amended. I feel that an adequate increase has not been granted to the carriers. Of course, it is better to have a half loaf than none at all, and it is only upon that basis that I accept it. I trust, however, that it will be amended in the Senate so as to more adequately care for the needs of the men.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, I regret to say that I have heard no encouraging word from my home city of Boston in approval of the bill now before this House. Simply because half a loaf is better than no loaf at all, I am forced to vote for the bill, and I am inclined to think that when the gentleman from Illinois [Mr. MADDEN], who is one of the best friends the postal employees ever had in Congress, can help to sponsor such a measure, I can afford to vote for it.

I regret further that the increases provided upon the recommendations of the Postal Commission will not alleviate the living and the working conditions of the men interested. These men, after more than a year's patience, while this commission has been conducting its investigations, are now forced to accept a comparatively measly increase in their stipend or else leave the Government service.

No service touches the people like the Post Office. Each week day a representative of that great agency visits almost every home and office in the land. It is mighty important that the service be maintained with high morale and efficiency. But on a basis of business alone, the case of the mailman has its strongest appeal. He is a skilled workman. Take the conditions in the city of Boston as an example. It is estimated

by those who know best that if 100 men were withdrawn from the Boston office distributing room the service could not be restored in six months. Most of the present employees entered the service as picked men on examination. Now, it is impossible to get men to take their jobs, and in some cities, like Detroit, there are 200 vacancies on the force.

The mailman has a hard and a big job. In 10 years' service as a carrier he has covered a route which would reach around the world. He works in all kinds of weather. The Government gives him no sick benefits and has given him hitherto no pension. He has no opportunities for advancement, and on this point alone he has a just reason.

Only the other day I talked with John A. Kelly, president of Local No. 100, National Federation of Post Office Clerks, in reviewing conditions in the Postal Service. He told me that at least 75 per cent of the clerks in the Boston post office are at present doing outside work evenings in order to make both ends meet. Before the war 3,400 young men in Boston eagerly sought permission to take a civil-service examination being held for vacancies in the postal clerical service, but at the last examination only 110 applicants presented themselves. Does not this show you gentlemen something has happened to the service? The old-time clerk is asking if ever such a preposterous situation existed as now exists in their daily toil. "We have gone through a long and intensive system of training and study, memorizing facts by the thousands, and familiarizing ourselves with intricate methods of classification, banking, insurance, and commercial business. All this preparation was accomplished at our own expense and in our own time. Yet, after qualifying as experts we are paid smaller wages than the man who never had such experience or a record of service in the Postal Department. We are paid, in fact, smaller wages than the day laborer," say these experts. Think of it, gentlemen!

I fear that the service is to be the loser if we are not more generous than this bill provides in the way of salary increases. These employees have to live just the same as the rest of us, and they will not be able to so live with a 40 per cent increase of salary when prices of foodstuffs have advanced a hundred per cent since prewar days.

The situation of the faithful employee who remains in the service and withstands the temptations offered by the business world becomes daily more desperate. As one efficient, experienced man after another abandons the service, the burden upon those who remain increases, and from letter carrier to high official the strain is reaching the breaking point.

Mr. Speaker, as I said in opening, I do not feel like supporting the provisions of this bill at this time, because I regret to say that the commission, probably in its hurry to make a report before adjournment, has not given a full measure of just treatment to a class of Federal employees who have waited patiently and who are now overwhelmed with disappointment. The gentleman from Illinois [Mr. MADDEN] has made an earnest appeal for a unanimous vote in this House. Grudgingly I must vote for the bill, but I desire to say in this presence now, that when this Congress convenes next winter, or if by chance we are called into extra session before next winter, I propose to do my humble part in an effort to meet the wishes of the postal employees of America as they have not been met in this bill, and I have every confidence that the gentleman from Illinois will be willing to contribute his energy and influence toward a better pay bill than the one now about to be put upon its passage. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Speaker, In the brief time allotted me I wish to express my approval of this bill, in so far as it rewards in some measure, though, in my judgment not a sufficient amount, the faithful postal employees of the Government who have stayed with their tasks without a murmur in the face of overwhelming difficulties and the ever-advancing cost of living. However, I very much regret that this bill is to be passed under the suspension of the rules, without an opportunity of amendment. The rural carriers are not given sufficient compensation under the provisions of this bill to sustain themselves and families and pay for the upkeep of the vehicles and teams necessary for the proper discharge of their duties, and in this respect the bill deals very unfairly and unjustly with them. If I were given an opportunity to do so, I would offer an amendment to this bill that would do justice to these men; they go to their duties in all kinds of weather and expose themselves in many ways which we do not fully appreciate, and to cut them off with a maximum salary of $1,800, and allow nothing to feed their teams and repair their vehicles, is, in my judgment, a great injustice, and whether we will it or not, places us in the position of being unfair to the rural carriers. In fact, when the regular bill making appropriations for the Post Office Department was before this House, I offered an amendment giving the Postmaster General authority to do justice to these men, but the chairman of the committee made a point of order against the amendment, and it was not permitted to come before the House, and I here now most earnestly protest against the passing of this bill under the suspension of the rules, thereby preventing the Members from offering from the floor of the House an amendment that would relieve this and other injustices that appear in the bill. I have had a number of protests against this provision of the bill, and many telegrams pointing out the injustice that is being done the rural carriers, and I, for one, desire to see this injustice remedied before Congress adjourns. Let us be fair to all our people, for it is in this spirit only that we can become really great as a nation and as a people.

Mr. MOON. Mr. Speaker, I will yield to another gentleman from Texas that he may talk about the rural carriers [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Speaker, for one long year I have stood on this floor and almost daily called the attention of this Republican Congress to the inadequate pay of our postmasters, our postal employees, and our rural carriers. For many months it looked as though little heed was being paid to my continued appeals. Almost daily I forward to the Committee on the Post Office and Post Roads letters from efficient postmasters throughout my district pleading for a greater increase in pay; likewise came appeals from hundreds of postal employees and rural carriers, that I continued to present to the chairman and pour into the hopper of this committee.

A committee was appointed, known as a reclassification committee, to take testimony, and go into the matter of the pay of these aforesaid employees and recommend a just and equitable scale. I must confess, Mr. Speaker, I was somewhat disappointed at the report of this committee, and much more am I disappointed at the bill reported by the Committee on the Post Office and Post Roads now pending before this House.

If it were not for the fact that our Republican majority is constantly playing the game of political expediency and throwing out this sop, and it is a mere sop, to these employees in order to get their votes in the coming election, in my candid judgment we would have got no bill at all if not for the fact that myself and others on the Democratic side, realizing that we were losing our best postmasters on account of the starvation wages, our most efficient rural carriers and postal employees were forced to resign daily, that we stood and hammered on this Republican majority until we actually made them give at least small heed to the cry of the distressed in these lines of employment of our Government.

Postmasters of the first, second, third, and fourth class are to-day working for the same salary that was paid to like officials 30 years ago. This would also apply to postal employees and rural carriers. Now, for one moment consider that the purchasing price of a dollar to-day is one-half what it was 10 years ago.

I shall vote for this bill. Why, certainly, I shall vote for any measure that would better the condition of these patriotic and zealous people even to the smallest degree. But I say, sir, and to the majority of this House, that this bill is a reflection, and a serious one in my judgment, upon the fairness and sense of justice of every man on the Republican side.

When the great volume of added war work was heaped upon our postmasters of this country by the Government, did you hear of one single one of them that murmured, that complained, that shirked his duty in the least? No. As patriotic citizens, as great, strong, thoroughbred Americans, they took another notch in their belts and assumed the added duties cheerfully and energetically. This would apply also to our postal employees who worked day and night, and to our rural carriers who carried the mail and parcel post packages through mud and slush, sunshine and rain, and through snow and sleet, and, mind you, no added pay was advanced for the added burdens imposed upon these employees and officials during the war.

Why, you will vote billions to the contractor who made his millions out of Government contracts during the war when our brave boys in France and Flanders were dying to protect the very interests of these contractor profiteers and who came before this Congress and asked that you reimburse them for their estimated profits, and yet you say the postmaster, postal clerk, and rural carrier are getting all they are entitled to.

I have no patience with any man who expects a servant of the Federal Government to eke out a mere existence upon the pay provided by this Government. Not a dollar can he lay up for the proverbial rainy day. I witnessed, sir, during the "flu" epidemic in my city which raged during the winter months mail carriers stricken down, men who had families

dependent upon their daily wage, and not a dollar did they have to provide themselves with medicine or their families with the necessaries of life during their illness. In many instances the good people of my city had to come to their relief and provide same and also take care of burial expenses.

Somebody has got to serve this Government, and they ought not be asked to serve it upon a wage that provides only for a daily existence and in many instances is not sufficient for even the necessaries of life from day to day.

I want to say here and now that I shall not cease my efforts along the line I have pursued since becoming a Member of this Congress to plead for a greater raise, until the employees herein described have been given not only an increase to provide the necessaries of life but one sufficient that they can lay up enough to take care of them and their families when the hand of affliction is laid upon them and when time has whitened their brows. If my people permit me to stay here, I shall never cease my efforts in their behalf until this is accomplished.

In a speech I recently made here on this floor, calling attention to the inadequate pay of second, third, and fourth class postmasters, I stated that good men were resigning every day on account of the inadequate pay, and I was met by the retort from the Republicans that there were plenty of other good men to take their places. This is not a fact, as I stated to my friend at that time, as the many letters in my files in my office and the letters before the Committee on the Post Office and Post Roads will fully verify. In many instances in my district the postmasters have had to call to their assistance their wives and daughters in order to discharge the public's business and also receive the small pay provided for clerk hire by the Post Office Department. The statement has been made that a fourth-class postmaster was a person of little consequence and a fourth-class office could be run by any old body. I want to state that a fourth-class office is just as important to the people it serves as a first-class office. People are entitled to a reasonable distribution of their mail and are about as exacting and require as much at the hands of the postmaster as they require of any other individual on this earth.

I am not pleased with this bill in the least, but I shall vote for it because it is the best that can be gotten at the hands of a Republican Congress, that had rather play politics than deal out exact justice to citizens of this country.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BRUMBAUGH].

Mr. BRUMBAUGH. Mr. Speaker, I want to say that I shall vote for this bill, H. R. 14388, providing for increased compensation for postal employees, as cheerfully as I voted for the soldiers' bonus bill a few days ago. I recognize that this class of public servants, our postal employees, are shamefully underpaid and their compensation is entirely inadequate and insufficient. The postal employees are among our most valuable and useful public servants. They serve the public faithfuly, in sunshine and storm, always courteous and always faithful, and their present condition on account of insufficient pay is simply inexcusable and deplorable. [Applause.]

I am not voting for this bill because I am entirely satisfied with it; I am not. The increases provided for are entirely too low; they should be much more. But I am voting for it because it is the best that can now be obtained. It will give some relief, and I trust to have the pleasure of voting increased compensation at another time. I simply support this measure now because it is the best we can get, and we must take this or get nothing.

Many of us have received many letters in regard to soldiers' bonus and in regard to increased compensation for postal employees. I have been answering these letters for the last three months, stating to everybody that I intended to vote for both measures, and I have done so with great pleasure. We have received also many letters advising against favorable action on these bills.

Take the soldiers' compensation bill. It has been pointed out that it means a great and heavy tax in the future which the United States Treasury could not stand. We won the war, in fact, we shortened the war, through the heroic sacrifices and blood of our soldiers. Had the war continued six months more it would have cost the United States Treasury and all the people in taxes for the future much more than the bonus will cost them. It was the blood and sacrifices of the soldiers that saved this cost of war and shortened the war, and they deserve every consideration at our hands, and I for one intend to vote always to give them every consideration and everything of possible benefit to them. Many millions made the supreme sacrifice and many millions more stood ready to make the supreme sacrifice. I have always been a friend to soldiers of all wars, and anything I can do for them I shall always cheerfully do. [Applause.]

Take this bill providing for increased compensation for postal employees. It will mean, of course, paying out a considerable sum of money, but who should oppose that in this case? The present compensation is ridiculously low. It has caused demoralization in the Postal Service. It has caused some of our best men to leave the service and others to live on well-nigh starvation wages. Since the beginning of the war the volume of work has almost doubled itself, and their pay has increased but 5 per cent, this regardless of the soaring prices and high cost of living. "The workman is worthy of his hire." So says the Good Book, and so say common sense and fairness and justice. These postal employees deserve all this increase and much more, and I cheerfully vote to give them all the bill does now give them, and only regret that the bill does not give them more. [Applause.]

Mr. MOON. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. GOODWIN].

Mr. GOODWIN of Arkansas. Mr. Speaker, this is a measure demanded not so much by the postal employees and carriers as by the public generally. I do not think there is any one class of people of whom greater efficiency is required and a higher standard of average citizenship than those who are engaged in the Postal Service of the country.

Indeed, Mr. Speaker, I know of no employees of the Government who are more faithful, more unselfish, more self-sacrificing, and more human in every way than the postal employees, who, taken away from the other remunerative vocations of life, spend their years in devotion to the public service, with little expectation of laying by a competency for a rainy day.

I shall not, in the time devoted to me, take time to pass upon the respective merits of those engaged in the different branches of the service, but shall include all—the postal clerk on the train, the postman who delivers the city mail, the clerk and assistant, and all others employed in the post office, and the rural carrier, and, indeed, all—all are marked and chosen by the United States Government for their proven integrity, their moral uprightness, and their unflagging devotion to the public service.

Aside from performing the official duties imposed upon them, the postal employees ofttimes perform a semi or quasi public service. How often is it the case that we find them to be the representative citizens of their respective communities, called upon to take the leadership in local, municipal, and civic matters?

The bill now under consideration marks an improvement in existing law, and I shall give it my hearty support; yet, I should greatly prefer to vote for a bill even increasing, in some instances, the salaries provided for in this measure. The high cost of living, due to the great World War as a direct cause, will make even now the compensation under the present bill, should it become a law, inadequate in many instances, when we consider the recompense and reward to which postal employees taken as a whole are justly entitled. During the great war, and even now, when thousands of other men and women are engaged in other pursuits, many of which are many times more profitable than the compensation allowed to those who give their lives to the Postal Service, these faithful and devoted friends of good government went, and now go, about their daily task uncomplainingly, ever faithful to the trust reposed in them, and never stopping to challenge the laws and regulations which call for loyal public service.

If the Postal Service is not to be impaired the increase called for by the present bill must be made, for the reason that the general efficiency and qualification of those now engaged in the Postal Service create a general and pressing demand for all such to engage in other pursuits infinitely more remunerative than the compensation now received.

Now, Mr. Speaker, the public generally has been urging and importuning Congress to grant this increase in compensation, though thus far I do not recall of having received, myself, a single demand for an increase of salary from any postal employee residing in my district, so loyal and faithful are they in the performance of their duties, they have withheld all such entreaties. But if the postal system is not to break down, or at least become greatly impaired, this increase must be made, for the time will come when the business world will make such tempting offers to postal employees as to break down, from time to time, the present efficiency of the service, and the public can not permit this to come about. Our duty is to avoid that day, and the enactment of this bill, let us hope, will avert that disaster.

Fortunately for the country the United States Post Office has not in the past few years been a debtor but a creditor in-

stitution. And yet there is no reason why the Post Office Department should be a money-making establishment any more than any other activities of the Government, if, in permitting it to be a money-maker and money saver for the Government, the service due the people should be impaired thereby. No, indeed; there should be no impairment of the Postal Service, and the man who lives remote from the town or city should have the privilege of receiving his daily mail, his daily paper for the enlightenment of himself and family, that he and they may keep ever abreast of the times and likewise keep step with and abreast of his friend and neighbor who lives in the city and who may receive his mail three or four times a day.

I say, Why should such a post office out in the rural district or rural route not be served from day to day, even if it is not a paying investment to the Government? Is the Army or is the Navy a self-supporting institution? In fact, may we not, indeed, lay our finger upon many of the functions or branches of the Government that are not self-supporting, that can not possibly be self-supporting, yet are absolutely indispensable to the public welfare, and for which appropriations are made, and should be made, from year to year for their support and maintenance, and all for the public good, yet few of which are really self-sustaining?

Then why compel the Post Office Department to be self-sustaining in every community, when if it fails to be self-sustaining the people who should be served are denied the right of service? I do not say that I object to the Post Office Department being self-supporting, and I am glad to know that it is self-supporting, provided that no citizen of this Republic is denied the right to service in the distribution of his mail he is entitled to receive.

So I shall gladly support the pending measure. And yet there are certain classes of postal employees specified in this bill who, in my opinion, should receive even greater compensation. They and their families have a right to have an outlook in life, to be educated, and to attain to full growth of American citizenship without the denial of a single blessing that should reasonably come to those who give their time, their talent, and their all to the public welfare, as do those who are engaged in the Postal Service of the country.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. EAGAN].

Mr. EAGAN. Mr. Speaker, I shall vote for this bill, not because I am satisfied with the salary increases provided in this bill, because I am not, but I shall vote for it on the proposition that it is the best bill we can get. The postal employees are nearer to the great mass of our people than any other group of our Government employees. They believe the postal employees are very inadequately compensated and they will not be satisfied, particularly the people in and near our large cities, where the high cost of living bears so heavily upon the men in the Postal Service with the increases provided in this bill.

Mr. MOON. I yield to the gentleman from Georgia [Mr. BELL].

Mr. BELL. Mr. Speaker, the gentleman from Texas [Mr. BLANTON], I think, if he had followed the former legislation in reference to fourth-class postmasters, would have nothing to complain about. It is true that the compensation for first, second, and third class postmasters has not been increased since 1883, but the compensation for fourth-class postmasters has been increased twice in the last few years.

I will say for the information of the gentlemen that while we increase the compensation of fourth-class postmasters but little in this bill, it is true that for the past two or three years we have given them a bonus of 35 per cent which we do not take from them in this bill, but give them a slight increase in addition. It will be remembered that the Government does in this bill give this class of postmasters a bonus of $3,250,000 the country over; that is, the Government pays them this amount in addition to their total cancellations. Your commission on postal salaries and the Committee on the Post Office and Post Roads thought, as we believe these postmasters will think, that we were liberal with them since they have had two substantial increases while the other classes of postmaster have not had an increase in compensation for more than 35 years. A large majority of post offices of the fourth class are maintained as a matter of convenience to the people and are maintained at a tremendous loss to the Government. There are 20,360 of these officers who, under the provisions of this bill, receive 40 per cent in excess of their cancellations. In other words, the Government pays them a bonus of 40 per cent in order that these post offices may be kept as a convenience to the public. There are 3,669 who receive 15 per cent more than their cancellations amount to.

Now, as to the rural letter carriers, I will say that we provide a basic salary of $1,800 for routes 24 miles in length and $30 per mile per annum for each mile and fraction thereof for miles in excess of 24. For instance, if a carrier has a 28-mile route, he will receive the basic salary of $1,800 and $30 per mile for the 4 miles in excess of the standard route, which when added to the basic salary amounts to $1,920. We felt, as no doubt all of the membership feels, that these worthy and efficient employees are entitled to this increase. They do, in many instances, have to traverse rough roads and subject themselves to all kinds of weather. It is coming to the point, I am proud to say, that the majority of the rural letter carriers can make their trips with auto vehicles for at least 8 or 9 months in the year and not more than 3 to 3½ hours of their time is consumed each day, and they can, of course, engage in some other work which in many cases proves remunerative. I am sure we all realize that this service means a great deal to the people in the rural sections of the country, where is found as loyal people as live on the face of the earth, and who, because of the fact that they have no rivers or harbors and no large cities, receive but little aid from the Federal Government.

It is interesting to note the growth of the rural mail service. Take, for instance, the district I have the honor to represent, the ninth of Georgia; when in the beginning of my service here in March, 1905, there were only 18 routes in my district, and the carriers were then receiving $600 per annum for their services; to-day there are 168 routes and the carriers receive, under the provisions of this bill, $1,800 per annum as a basic salary. It is refreshing to know that a farmer far into the country and remote from a railroad point can, after his day's work is ended, receive and read the daily news, delivered to him by his Government the day his paper is published. The people throughout this Nation appreciate this great service, and I, for one, have always felt I was doing a good work when I insisted upon the extension of this service, and always voted for sufficient funds to insure the people the best possible service.

I have been a member of the Post Office and Post Roads Committee—the greatest committee in Congress—for more than 10 years, and I have never failed to vote for increased appropriations for this service, for I have felt these people were entitled to all the consideration we could give them. There was an effort at one time to change this service into the old-time contract service, which meant going backward instead of forward, and I am proud to say I did what I could to thwart this scheme. It is true the mails would be carried for less money than they are carried to-day, but the service could not and would not be what it is to-day. I care but little about the cost of the service provided the people get the benefit of an adequate mail delivery.

The people care but little for the cost, but they do want the best this Government can give them, and they are entitled to it. While the cost of this service runs up into the millions, it brings the farmer close to his market, close to his dealer, and is the means of his being in close touch with the happenings of the day. We should not regret that we appropriate money for this particular service.

We have increased the compensation of postmasters of the first, second, and third class, as also their clerks and assistants. We provide for an increase to railway post office clerks, inspectors, and, in fact, all the postal employees, including village delivery carriers.

Your commission on readjustment of postal salaries was appointed in March, 1919, during which time we have done a great deal of work, for the reason we have had to contend with the salaries and reclassification of more than 300,000 employees in the different branches of the service. We tried to do our duty as we saw it in giving these employees as nearly as possible a proper and adequate compensation for their services, and we were not unmindful of the certain responsibility which rests upon the taxpayers of this country. We believe that the passage of this bill will stimulate the employees and that they will begin with the end of the fiscal year with renewed confidence and cooperate with the department and the people to such extent as will improve our mail facilities throughout the length and breadth of the Union.

I trust there will not be a single vote cast against this bill, and I do not believe there will be. It is to be hoped that the Senate will, immediately upon the passage of this measure in the House, register its approval of the bill so that it may become law before we adjourn this session.

We have provided in the bill that all the provisions are to be effective as of July 1, 1920.

I trust we may yet, before this session of Congress is ended, pass other remedial legislation, and I shall welcome an opportunity to vote to repeal all war-time legislation, especially the espionage act, and other legislation which the Congress felt should be enacted during war activities, for I can see no legitimate reason for their continuance.

I do hope the steering committee of the House will accede to the numerous demands of the membership on this side of the aisle to report immediately a bill repealing all the war-time legislation, which will have our hearty support, and feel it will have a tendency to cause a return of normal conditions.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Speaker, I honor the hard work of this Reclassification Committee, and I only wish that they could have brought in a larger increase for these faithful evangels of service and patriotism.

It was my privilege to attend one of the first hearings of this committee in my home city, Atlanta, and submit testimony in behalf of a worth-while increase for all postal employees, and, taking that hearing as a sample of patience and fairness, I must declare my conviction that the committee tried hard to get at the facts on which to base their estimates for readjustment. Aside from the other able lawmakers on the committee I am glad to pay special tribute to the tireless fidelity of my own Georgia colleague, Hon. THOMAS M. BELL, who has given many years of effective service to the Post Office Committee, and who was wide awake in his efforts to do everything possible for bringing salary comforts to every class of postal employees. "TOM" BELL is everybody's friend, and especially the friend of the man who works hard for his daily bread.

But while this Reclassification Committee worked hard at the stupendous task of adjusting the status of over a half million employees of the Post Office Department, they labored under the handicap of two insurmountable difficulties for the present—a Treasury staggering under the colossal war debt of nearly $30,000,000,000, and—we might as well confess it—an ossified governmental conscience on the question of low salaries.

I can see some of my generous colleagues smiling over that last suggestion. To be right confidential about it, some of these colleagues, of whom I am personally very fond, laughingly twit me with being "easy" on all appropriation bills that mean salary increase or Federal aid to the masses.

I plead guilty to the "soft impeachment." Every man has his specialty, and that specialty often comes to be regarded as a weakness. But in this instance I claim that my "weakness" is my strength. Without apology for the fact that "humanity has always been my hero," I confess that any legislation that lightens the burdens of the daily toiler, that carries sunshine to the hearts and the hearthstone that are dear to him, appeals to all that is within me. My vote for such legislation was understood during my campaign for Congress as having already taken place in my heart and only waited with eagerness the opportunity to express itself on the floor of this House.

THE GOVERNMENT MUST BE JUST.

Gentlemen, "if that be treason" against the Treasury, "make the most of it." Of course, I would not stand at all for a salary increase that was unreasonable, but when many postal employees in my district and out of my district—office men, letter carriers, Railway Mail Service men, and rural free delivery men—hard-working, patriotic, dependable citizens, tell me that they love their work as servants of their Government, but that they will be compelled to go into other lines of business in order to support their families, I know that there is something radically wrong.

Treasury or no Treasury, this great, rich Government can not afford to accept necessary service from its necessary servants at anything less than a living wage. And a living wage must mean more than mere bread and meat and clothes. It must mean some family comforts and a modest guaranty for a "rainy day." Such a wage is necessary to the faith and contentment of the citizen, whose home of peace and happiness becomes the surest citadel of the Nation's strength. Such a wage is based on elemental justice, and no nation can afford to be less than just to its humblest citizen.

A TRAGEDY AMONG RURAL CARRIERS.

But I must declare that, according to my observation, letter carriers in city and village and rural free-delivery carriers in the country seem to be getting the short end of the hand stick and the "smutty end of the chunk" in all this postal adjustment. These brave fellows, who trudge and fight through rain and sun and storm, seem to me, after all, to be the "heroes of the strife," for they measure up to the Biblical description of him who "endures hardness as a good soldier." Think of men like these forced to leave the service in order to live; think of an office in my district unable to establish village free delivery because the meager salary will not command a single applicant; think of a rural free-delivery man having to furnish his conveyance—an auto in summer and a horse and buggy in winter—on the pittance of $108 to $150 a month, and then support his family on the balance, if he has anything left. Think of a rural carrier whom I know in Virginia so burdened with the expense of keeping up his conveyance and supporting his family that he had to borrow $200 to make ends meet before the year was out.

Gentlemen, this is nothing less than a tragedy in government.

"We love this Government work," they say to me, "and it hurts us to be driven out of it, but we must go where we can make a living."

Gentlemen, as a Member of this Congress I would feel like hanging my head, I would be ashamed to look at myself in the glass, if I did not vigorously cry out against such treatment of these heroic servants of our Government. It should be the policy of the Government to provide first for the conveyance of the rural free-delivery carriers and then pay them a salary equal to their needs and commensurate with their hardships. Again, I declare that this Government must quit being "little" toward its hard-working employees.

"PENNY-WISE AND POUND-FOOLISH."

Something must be done on general principles to break up the Government's ossified conscience and "penny-wise and pound-foolish" course toward its employees in general and some of its departmental leaders in particular. For instance, take the brilliant Leffingwell, Assistant Secretary of the Treasury, compelled to leave the position which he has filled with such distinction because he simply could not maintain his family in Washington on $5,000 a year; and being offered many times as much to return to private business, his duty to his family demanded his return. And there is William S. Elliott, who, after 20 years in the department, has fought his way from a modest clerkship to the responsible position of Register of the Treasury, a position that pays only four thousand, when he could easily command ten thousand, or perhaps double that, in the business world. Elliott's efficient hand in reorganization has actually saved the Government over a half million dollars during the short time he has been at the head of his department. And close akin to Elliott is Director James Wilmeth, of the Bureau of Engraving, perhaps the biggest, most intricate, most responsible department in Washington. I have never seen a more masterful hand in the perfection and direction of details, and yet this great mechanical and organizing genius works for much less than a Congressman, and few Congressmen—and I suppose no Senators—are able to live within their salary—the same salary that they received five years ago when living expenses were less than half of what they are now. And these are only samples of what is going on throughout the governmental departments of the greatest, richest Nation on earth. The financial drive against officials in positions of public leadership is simply terrific, and a big Government does not want to be represented by little men.

Surely, gentlemen of Congress, it is possible that the problem of national housekeeping can be so adjusted as to enable this Government to treat its employees with that fundamental fairness and that living liberality which successful and honorable business firms accord to theirs.

But if I must take my stand by any special class I ask to be counted as the friend and champion of the underpaid, unsung, and uncrowned postal employees who journey from their humble homes by day and by night to serve the American people with such inspiring loyalty and such tireless devotion. [Applause.]

Mr. MOON. I yield to the gentleman from Texas [Mr. BRIGGS].

Mr. BRIGGS. Mr. Speaker, I am in favor of this bill. I do not think the increases are enough, and they do not give the postal employees as much as ought to be provided to meet the existing emergency; but I shall vote for the bill, because it is a case either of taking what the Republican majority has reluctantly agreed to or getting nothing. It would seem as if the threatened complete demoralization of the Postal Service can not be sufficiently impressed upon the party in power in this Congress to persuade it to raise salaries to a level where the postal employees can continue to live. As everyone knows, recent Government statistics show that the cost of living has increased 75 to 80 per cent from June, 1914, to June, 1919, but that the increases in postal salaries have only been 41.2 per cent. In other words, that the increase in the high cost of

living has amounted to almost double the salary increases in the period named.

There is no class of employees who serve the public more constantly, more cheerfully, or more faithfully through all kinds of weather and under more trying circumstances than the postal employees of the United States. I have known for a long time that this service and its employees were very close to the hearts of the people—perhaps because they are so identified with their joys and their sorrows, their hopes and successes—but it has apparently never been so generally expressed as in the last few weeks, when citizens from all over my district, as well as from all over the country at large, have written me hundreds of letters and submitted petitions asking me as their Congressman to do everything I possibly could to get the Joint Commission on Postal Salaries to file its report before Congress adjourns and to endeavor to secure adequate increases in compensation. I have done my best to accomplish that result. At least the present measure does give considerable relief, even if it is not entirely adequate.

While in the aggregate the appropriation for the increase granted in postal salaries will seem to be substantial, yet under the method of classification and distribution among the 300,000 employees of the Postal Service it is readily apparent that in many instances the increases are not in keeping with the great advances in the high cost of living in cases particularly of fourth-class postmasters. It is very doubtful that in instances where their postal receipts are in excess of $100 per quarter, whether there will be any material or appreciable increase at all under the provisions of this bill. It is to be noted, moreover, that rural-delivery carriers only secure an increase of $100 a year. But as the Republican majority in control of this House is unwilling to allow the adoption of any amendment to the bill which would prevent further injustice from being done, I feel that rather than have no relief at all this bill should receive the unanimous support of the membership of this House.

It is true that it is provided in the pending measure that when compensation amounts to $1,000 and gross postal receipts amount to $1,500 within one year fourth-class offices shall be advanced to third class. But the receipts of many of the fourth-class post offices especially deserving of relief will not be able to qualify under this provision and obtain the increase.

And in this connection I also desire to refer to the refusal of the Republican majority to grant any relief to the star-route carriers. In a great number of instances the contracts for carrying this mail were made before the tremendous advance in costs which were brought on by the war and could not reasonably be anticipated at the time these carriers made their contracts with the Government. The Post Office Department has recognized that there are many cases where relief ought to be given, some of these being in my own congressional district, but it has time and again assured me that under the law it possessed no power to alter the contract and increase the compensation in such cases. It has been, however, within the power of the Republican majority to pass an act of Congress granting such relief; and yet, though a bill has been pending before the Post Office Committee a long time providing for such relief, it has never been reported to this House for consideration and favorable action, although very early in the session of the Sixty-sixth Congress an act was passed providing for reimbursement of contractors for public buildings who lost on their contracts by reason of the added costs occasioned by the war. Surely any such discrimination is unpardonable and should be remedied without further delay. Justice and fair dealing is what the American people expect for themselves and have always been willing to accord to all employees of the Nation, as well as to the rest of their fellow men.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. McKINIRY].

Mr. McKINIRY. Mr. Speaker, I intend to vote for this bill to reclassify the employees of the post office and to readjust their salaries, because the readjustment is an increase in the pitifully small salaries of the hard-working, loyal clerks and carriers.

I know personally many carriers and clerks in my district and I am intensely interested in their welfare. I earnestly ask, therefore, every Member to give their needs and just claims his favorable consideration in the vote we are now about to take.

I would be happier if the increase allowed by this bill were larger, but no amendment under the present parliamentary situation is permitted, and any attempt to defeat this bill because of its inadequacy would only defeat its own purpose.

He gives twice who gives quickly, and I therefore vote for the increase in hope of a further opportunity to give adequate justice to these men.

Hundreds—yes, thousands—of the residents of my district have very emphatically conveyed to me their favorable attitude on any bill increasing the present compensation of the post-office employees. Everyone is daily reminded of the hard work and devotion to duty and the efficiency of these men. There is no argument needed to show whether this increase is needed, because, likewise, every citizen is aware of the constantly advancing cost of living. I only regret that the committee in charge of this bill did not go further, but that is the responsibility of the committee; and, for my part, I intend to do all I can, and that is to vote in favor of this bill. It is evident that a more generous scale of wages would have been carried in this House, and I am sure that the overconservative attitude of the committee in charge of this bill does not reflect the sentiment of the Members of the House of Representatives. Nevertheless I do not criticize them harshly, because I also realize that the enormous taxes now imposed upon the people of this country require the utmost prudence and care in the increase of appropriations.

I am thoroughly convinced that the interest of true economy requires the efficient administration of the Post Office Department, and no man can devote himself to his work who is worried by the distress and needs of his family due to a salary insufficient for the ordinary needs of domestic comfort. I am sure that these men will devote themselves more cheerfully and more thoroughly than ever before to their duties and pay back to the Government and to the people for every dollar of increase thus received through this bill a hundredfold in increased care and devotion to the wants of the people. I hope this bill will pass.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I am very deeply interested in the bill for the reclassification of the postmasters and employees of the Postal Service, and the readjustment of their salaries and compensation. I know of no class of Government employees who have been more devoted to their duty and have rendered more efficient and accurate service than the men of this business department of the Government. During many years they have performed this work unfalteringly and without complaint for very meager salaries indeed. Never have they allowed the question of salary to interfere with the proficiency of their work. Never have they allowed the burdens of the knapsack retard them in their duty to public service; neither rain nor heat delays them; strikes and lockouts are unknown. They plod along doing their duty as they see it, and trusting the Government to provide for them as it should.

This provision has come very slowly indeed. It has been provided, however, in this bill, though certainly not to the extent to which I believe it ought to be provided, nor do I believe as fully as the majority of the Members of this House think it should have been provided.

The bill comes to us to-day under a suspension of rules, which means that only 40 minutes debate can be had and no amendment can be made. My interest is particularly directed to the clerks and carriers of the city of Baltimore. My district is embraced entirely within that city. I say therefore with great positiveness, but without a chance to correct it by amendment, that the salaries provided for these men are entirely inadequate to their needs and not just compensation for the work performed. I sincerely hope this is only for the present, and that in the very near future this Congress will see fit to do better by the postal employees than is stipulated in this bill.

I gather from other Members of the House that other lines of employment in the Postal Service are inadequately provided for in this bill. If it were possible, I should certainly stand for amendments providing adequate compensation to all men of the service. I shall certainly stand for a more just compensation when the opportunity is afforded at the next session. I realize the important work done by this committee, of the arduous task they have had before them, and that perhaps from their viewpoint they have provided what they thought was the best that could be done at this time. I am firmly convinced, however, that just as soon as further justice can be done, there will not be a man in this House but who will be willing to do that justice.

Mr. MOON. Mr. Speaker, I yield to the gentleman from New York [Mr. GANLY].

Mr. GANLY. Mr. Speaker, I am glad to speak on the floor of this House in behalf of the clerks and carriers of the Post Office Department, a department which serves the daily needs of the people and of trade and business throughout the entire country in a most indispensable way, and I am glad to testify in the hearing of every Member of this House to my appreciation of the faithful service, the hard work, and the loyalty

of these men. The honesty and the efficiency of the post-office employee are proverbial, and yet no class of Government employees is in greater need of action by this Congress to remedy the injustice of their low scale of wages.

I have long been in favor of increased compensation to these men, and I am very much impressed by the overwhelming public sentiment in favor of a measure such as this pending bill. My only criticism of this bill is that it does not go far enough. I believe that particularly in New York City and in the outlying suburbs of New York City the cost of living has advanced so enormously that the clerks and carriers there are in more pressing need of such an increase than in almost any other section of the country. I ask you therefore to vote for this bill, because I am sure the employees of the post office will show their gratitude by greater zeal in their work and by more devoted service to the public.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Speaker, I understand that this bill increases the compensation of every employee in the Post Office Service receiving a compensation per year of less than $6,000. The increased charge on the Treasury for 1921 will be $34,375,087. The increase in succeeding years will be greater until it reaches the maximum in 1924, in which year the increase will be $45,883,587. These increases are necessary to enable these faithful employees of our Government to meet the increased cost of living and to keep pace with the increasing wage scale in every line of industry in the United States. I regret exceedingly the fact that it is not possible under the rule adopted a few days ago to amend any of the items of this bill or to change any of its provisions. It is not possible to either increase or diminish the compensation provided in this bill for post-office employees. In other words, this measure imposing such a tremendous charge on the Treasury is to be passed through the House by practically disfranchising those who represent the people here. We must either vote for this measure just as it is presented or vote against it. There is no opportunity to make it any better. It is conceded generally in the House that these salaries ought to be increased, nearly all of them if not all of them, and I predict there will be few votes against the bill. I expect to vote for it. There are many things in it I would like to change. There are inequalities which, I think, could be overcome if the House were permitted freedom of debate and if the House were given the right to amend. The bill, however, just as it is drawn must be sent over to the Senate. In that body it may receive the consideration it ought to receive here.

CONGRESS WILL ADJOURN BEFORE ENACTING BILL INTO LAW.

This is the long session of Congress. Congress has been practically in continuous session for nearly 15 months, and in the interest of giving the party which is in control of both branches an opportunity to make a showing for economy, action on this measure has been postponed until now. After to-day there are only two more days of this session. The passage of the bill through the House is assured, but it can not, of course, pass the Senate. The next regular session of Congress will convene in December. It will be the short session, and the chances are there will be no time during the three months of the last session of the Sixty-sixth Congress to pass this bill. The regular appropriation bills will in all probability crowd it out. However, the party in control of legislation—the Republican Party—has accomplished what it has set out to accomplish. It has been able to prevent adding to the sum total of its authorizations during this Congress the very large amount provided for in this bill, and it will be possible to say to the scores of thousands of post-office employees throughout the country, "the Republican Party has passed through the House a bill for you. You will be expected to reciprocate in the elections this fall." The bill is a gold brick, just as the bonus bill was a gold brick. It belongs to the same class as the eight protective tariff bills which have been passed through the House and sent on to be smothered in the Senate. This important measure should have been brought up earlier in the session, when it could have been considered under the general rules of the House and sent over to the Senate in time to be enacted into law.

LEGISLATING UNDER RULES.

During the period of time the Democrats were in control of the House we had free discussion on every proposition which came before the House. There were no rules which shut off amendments. Every congressional district in the United States was permitted to be represented. The Republican Party are able to accomplish legislation in no other way than under stringent rules. They dare not trust the men to vote who sit on their own side of the Chamber, and those who sit on the Republican side seem to be quite willing to be disfranchised and to be relieved from responsibility. The House is not now conducted under the Cannon rules but it is conducted under the direction of a steering committee of Republicans, who establish rules more stringent than were ever dreamed of in the old days of Cannonism. In the days of Cannonism, rules drove the Republican Party on the rocks, and the rules adopted by this House have almost driven the Republican Party again on the rocks. It will be interesting in this connection to note just what the Republican Party have accomplished during the 15 months it has been in control of legislation and how it has been able to accomplish the legislation which has passed the House.

RAILROAD BILL.

A bill restoring the railroads to their owners was brought up under a rule. There were long secret hearings. Newspaper representatives and magazine writers were excluded from the committee room. Everyone was excluded from the committee room during their deliberations. What the bill would contain was not known until November 10, 1919. On that day it was brought out under a rule and considered under a rule. Neither railroad owners, railroad employees, nor the public had any information as to the provisions in this bill until it was brought out in this way and forced through the House after less than two days' debate. It was impossible for Members to hear from their constituents, or to get in touch with public sentiment. In fact, public sentiment had no time to formulate on this subject until the bill had passed both Houses and had become a law. It was the first act of constructive legislation by the Republicans after their return to power. The law has been in operation long enough to establish the fact that it is entirely inadequate. It does not meet with the approval of railroad owners, of railroad employees, or the public. It has only increased the economic dangers connected with the operation of our railroad systems. The work must be done over again in the near future, and it is to be hoped that the party which has been able to do things in the recent past may again be restored to power at this critical time, in the elections this fall.

INVESTIGATING WAR EXPENDITURES.

Immediately after the Republican Party obtained control of the House of Representatives they appointed special committees to investigate expenditures made by the War Department under Democratic management during the period of our war. Many committees were appointed, until finally it is stated that the total number of investigations in progress amounted to 67. After the investigations had proceeded for months the chairman of the principal committee gave out to the newspapers the astounding statement that long before the declaration of war an important committee was at work formulating suggestions for war legislation in the event of our forced participation in the World War. The world had looked on and marveled at the rapidity with which America mobilized for war under laws quickly passed by a Democratic Congress. The Republican Party had been charging that we were not prepared in any way for war. The statement issued by the Republican chairman of this committee conclusively disclosed the fact that we had been preparing for war and were prepared for war when the declaration of a state of war with Germany passed the House, and these war-investigating committees succeeded in developing nothing more than this. Finally early this year a rule was presented to the House of Representatives by the Republican Rules Committee making in order a resolution referring thousands of pages of testimony to the Attorney General and instructing him to prosecute somebody. The Democrats were permitted to vote for a substitute resolution which required the committee to say who ought to be prosecuted, in the judgment of the committee, and why. The Democrats voted for this substitute resolution. Of course, it was voted down. These investigations, it is said, have cost over $2,000,000. They have resulted in absolutely nothing except in the presentation and passage of another rule by the Republican majority in the House.

THE BONUS BILL UNDER A RULE.

Representatives of soldiers' organizations had been requesting an adjusted compensation for soldiers. On our side we proposed to provide it by taxing war profiteers. This made it impossible for the Republican Party to pass the bill through the House under a rule. No rule could repeal the provisions of the general rules of the House, which would have allowed us a motion to recommit, and our proposition to tax war profiteers was germane. In order to prevent taxing war profiteers and to place the tax upon the farmers and the small-income taxpayers of the country, a rule was brought in for the first time in 25 years at the long session of Congress making the last six days suspension days. The passage of this rule would shut out the opportunity to

recommit, and the protection of war profiteers would be complete. The rule was adopted by a party vote. The bill was passed through the House too late to go through the Senate at this session. It was loaded down with a life insurance proposition, which in the next four or five years would cost $2,000,000,000, and with a scheme for reclaiming lands, which in the next five years would cost another $2,000,000,000, for the express purpose of destroying the bill in the Senate. Instead of getting a service pension of $1.25 per day for the period the soldiers served in the World War in a lump sum, the soldiers will be given a service pension of from 4 or 5 cents per day to 55 cents per day, commencing July 1, 1921, and extending over a period of two and one-half years. There is only one way to provide a cash bonus for soldiers, and that way is to tax war profiteers, and war profiteers have been tenderly protected from taxation. The oppressive taxing features would not take effect, even if the bill passed the Senate, until after the elections. The bill, of course, will never pass the Senate, and a gold brick of tremendous proportions has by this method of legislating been handed to the soldiers.

AND NOW THE POSTAL INCREASES.

And now there comes, as the crowning gold-brick achievement of all, the bill we are now considering, which, if enacted into law, would give all postal employees receiving less than $6,000 a year an increase in their salaries. It, of course, can not pass the Senate within the next two days. It is to be pushed through the House under this rule practically without debate. It can not be amended or recommitted, and, of course, it can not be passed at this session. It will go over until next winter. It will be a tremendous disappointment to thousands of faithful Government employees throughout the country, but this is the Republican method of preparing for the campaign in the elections this fall. The amount of money they will be required to spend in the campaign will be enormous, and it is hoped to materially decrease it by the gold-brick legislation I have been discussing, for which the Republican Party is responsible. In this way they hope to keep down the apparent expenditures of the session and at the same time to hold in line scores of thousands of Government employees throughout the country and 4,800,000 soldiers and sailors. I have enumerated now all the important constructive legislation for which the Republican Party is responsible since its return to power in both Houses of Congress in the elections two years ago.

Mr. BROOKS of Pennsylvania. Mr. Speaker, may I have the privilege of extending my remarks in the RECORD?

Mr. MILLER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.]

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that all gentlemen be permitted to extend remarks on this bill for three days.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all gentlemen may be allowed to extend their remarks on this bill for three legislative days. Is there objection?

Mr. WALSH. Reserving the right to object, does the gentleman mean their own remarks?

Mr. MADDEN. Their own remarks on this bill.

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

Mr. STEENERSON. Mr. Speaker, I yield to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Speaker, I desire to address the House for several minutes for the purpose of praising somebody and of criticizing somebody else.

In the Post Office appropriation bill recently passed there is a provision for the payment of a fee or penalty to the Government on the return from the dead-letter office of letters mailed to an incorrect address without the return card of the sender.

About seven years ago a committee from the Post Office Department came to Denver to investigate the Denver office and to report on conditions. Their great complaint, and I do not believe it was confined at all to Denver, was the very large general delivery and the immense amount of dead-letter mail. An old employee of the Denver office, a Mr. S. R. Purdy, for many years a humble letter carrier, began as a result of this visit to study conditions and plans for improvement. I claim for him the credit of being the originator of the plan now enacted into law which will very greatly lessen the duties of the dead-letter office and save many thousands of dollars annually in expense to the Government. Mr. Purdy got the department to have cards printed, to be delivered by carrier and through schoolhouses, instructing how to address letters with the return card and stating the argument in favor of putting the return card on the envelopes. The plan helped some, but to be effective the work had to be repeated at frequent intervals. Mr. Purdy explained his "dead-letter tax plan" to Mr. Roy Nelson, an inspector at the Denver office. Mr. Nelson took the idea with him on a trip to Washington, but at that time it was not adopted. Mr. Cochran, then of Denver, but now of New York City, was interested in the plan, but could not convince the department of its merits. Mr. Purdy took it up with Congressman Edward Keating, formerly representing the second district of Colorado, and secured Mr. Keating's interest; but it was again turned down by the Post Office Department. Mr. George Daniels, inspector in charge, now deceased, also went into the plan in some detail and considered it very good, but said that the Post Office Department would not listen "except through some prominent man." Mr. Purdy, of course, had taken the matter up with the postmaster at Denver, who considered it as a good plan but regarded it as impracticable. Mr. Purdy was simply untiring in his efforts—efforts which had no prospect of benefiting him personally, but were solely directed for the good of the service—and immediately after the election of Senator PHIPPS, of Colorado, and myself, he took the matter up in detail with each of us. It was about the first matter of proposed legislation which was presented to me following my election. Mr. Purdy was in my office, I believe, the day after election, bubbling over with enthusiasm for his scheme. He said to me at that time:

> It is not my object to place a tax upon the people, but to educate the masses to help us to make this the best Postal Service in the world. The only way to get them to take notice and be educated is to place this small tax on their carelessness.

After the passage of the Post Office appropriation bill, effective July 1, 1920, Mr. Purdy wrote me:

> One old lady said to me yesterday: "Mr. Purdy, I saw that notice in the paper, and you won't catch me for no tax. I immediately took every envelope I could find in the house and put my return card on."

Mr. Purdy concluded:

> The education of the people will take time, but the time saved in each local large office when this gets in working order will count big, and the little 3-cent tax, along with that educational envelope that I want dead letters returned in, will work wonders.

The "educational envelope" is his plan to have the reasons for the payment of this 3-cent return postage plainly indicated on the envelope in which the letter is returned to the sender in order that the same mistake will not be made again by that same person.

I think it is only doing small justice to a man whose service to his country is evidenced by his faithful performance of his duty in the humble situation in which he is placed and who in that situation has applied his brain not only conscientiously but eagerly to the betterment of the service, that that service be commemorated at least by this sort of an official record of it. Especially do I desire that Mr. Purdy should have this credit because it will take all the brains of many such men as himself to make up for either the carelessness or lack of brains exhibited by some other postal employees. I hold in my hand a letter addressed to Mrs. W. G. Ball, 2300 Nineteenth Street NE., Washington, D. C. This bears an indistinguishable stamp, which purports to give the reason for nondelivery. I can not read the printed part of this stamp, but the reason appears in the pencil indorsement on the envelope, which is, "No street Northeast."

I would like to ask why, in the same of common sense, if there is no Nineteenth Street NE., should not the clerk in the post office have sent this letter to 2300 Nineteenth Street NW., which happens to be the correct address? The letter, an important one to Mrs. Ball, was returned to her father in Reno, Nev., who sent it to her in another envelope, arriving nine days later. It would seem that the failure to attempt to find the addressee of this envelope by resorting to the simple expedient of trying Nineteenth Street NW. must have been due to carelessness, indifference, or incompetence. There may, however, be another reason. That reason is suggested by the letters and resolutions which we are daily receiving, principally from labor unions, but also from other organizations and from individuals not connected with the Postal Service, deploring the increasing inefficiency of the Postal Service and expressing a belief that such inefficiency is largely due to inadequacy of salaries. These resolutions urge Congress to grant substantial wage increases to postal employees and thereby insure a restoration of service efficiency so necessary to the public interest and welfare.

I caution you, my colleagues, that unless we can make it an inducement for young and capable men to remain in the service the old clerk of the type of my friend Purdy will soon disappear. Purdy himself, of course, will stay. He is too old to start the battle of life in another sail, but younger men of his type will surely not stay, and the department and the public service will lose enormously in consequence. I wish the salary advances could have been made larger by this bill, but it is, at any rate, a help.

The SPEAKER. The question is on the motion of the gentleman from Minnesota [Mr. STEENERSON] to suspend the rules and pass the bill.

The question was taken; and the Speaker announced that, in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. STEENERSON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 344, nays 0, not voting 83, as follows:

YEAS—344.

Ackerman	Emerson	Larsen	Reber
Almon	Esch	Layton	Reed, N. Y.
Anderson	Evans, Mont.	Lea, Calif.	Reed, W. Va.
Andrews, Md.	Evans, Nebr.	Lee, Ga.	Ricketts
Andrews, Nebr.	Fields	Lehlbach	Riordan
Anthony	Fisher	Lesher	Robinson, N. C.
Ashbrook	Flood	Linthicum	Robsion, Ky.
Aswell	Focht	Little	Rogers
Ayres	Fordney	Lonergan	Romjue
Babka	Foster	Longworth	Rose
Bacharach	Frear	Luce	Rouse
Bankhead	Freeman	Lufkin	Rowan
Barbour	French	Lubring	Rowe
Barkley	Fuller, Ill.	McAndrews	Rubey
Bee	Gallagher	McArthur	Sabath
Begg	Gallivan	McDuffie	Sanders, Ind.
Bell	Gandy	McFadden	Sanders, N. Y.
Benham	Ganly	McGlennon	Sanford
Benson	Gard	McKenzie	Schall
Black	Garner	McKeown	Scott
Blackmon	Garrett	McKiniry	Sells
Bland, Ind.	Glynn	McLane	Shreve
Bland, Mo.	Goldfogle	McLaughlin, Mich.	Siegel
Bland, Va.	Good	McLaughlin, Nebr.	Sims
Blanton	Goodwin, Ark.	McPherson	Sinnott
Boies	Goodykoontz	MacCrate	Sisson
Bowers	Graham, Ill.	MacGregor	Smith, Idaho
Box	Green, Iowa	Madden	Smith, N. Y.
Brand	Greene, Mass.	Magee	Snell
Briggs	Greene, Vt.	Maher	Steagall
Britten	Griest	Major	Stedman
Brooks, Pa.	Griffin	Mann, S. C.	Steenerson
Browne	Hadley	Mansfield	Stephens, Ohio
Brumbaugh	Hamill	Mapes	Stevenson
Buchanan	Hardy, Colo.	Martin	Stiness
Burdick	Hardy, Tex.	Mays	Strong, Kans.
Burke	Harrison	Mead	Sullivan
Burroughs	Haugen	Merritt	Summers, Wash.
Butler	Hawley	Michener	Sumners, Tex.
Byrnes, S. C.	Hays	Miller	Sweet
Byrns, Tenn.	Heflin	Milligan	Swope
Caldwell	Hersey	Minahan, N. J.	Tague
Campbell, Kans.	Hersman	Monahan, Wis.	Taylor, Ark.
Campbell, Pa.	Hickey	Mondell	Taylor, Colo.
Candler	Hicks	Montague	Taylor, Tenn.
Cannon	Hill	Moon	Temple
Carew	Hoch	Mooney	Thomas
Casey	Holland	Moore, Ohio	Thompson
Chindblom	Howard	Moore, Va.	Tilson
Christopherson	Huddleston	Moores, Ind.	Timberlake
Clark, Mo.	Hudspeth	Morgan	Tincher
Classon	Hull, Iowa	Morin	Tinkham
Cleary	Hull, Tenn.	Mott	Towner
Coady	Humphreys	Mudd	Treadway
Collier	Husted	Murphy	Upshaw
Connally	Hutchinson	Neely	Vaile
Crago	Igoe	Nelson, Mo.	Venable
Cramton	Jacoway	Newton, Mo.	Vestal
Crisp	James	Nicholls	Vinson
Crowther	Jefferis	Nolan	Voigt
Cullen	Johnson, Ky.	O'Connell	Volstead
Currie, Mich.	Johnson, Miss.	O'Connor	Walsh
Dallinger	Johnson, S. Dak.	Ogden	Walters
Darrow	Johnson, Wash.	Oldfield	Ward
Davey	Johnston, N. Y.	Oliver	Wason
Davis, Minn.	Jones, Pa.	Olney	Watkins
Davis, Tenn.	Jones, Tex.	Osborne	Watson
Dempsey	Juul	Overstreet	Weaver
Denison	Kahn	Padgett	Welling
Dent	Kearns	Paige	Whaley
Dickinson, Mo.	Keller	Park	Wheeler
Dickinson, Iowa	Kelley, Mich.	Parrish	White, Kans.
Dominick	Kelly, Pa.	Pell	White, Me.
Donovan	Kendall	Peters	Williams
Dooling	Kennedy, Iowa	Phelan	Wilson, Ill.
Doremus	Kennedy, R. I.	Platt	Wilson, La.
Doughton	Kiess	Porter	Wilson, Pa.
Dowell	Kincheloe	Quin	Wingo
Drewry	King	Radcliffe	Winslow
Dunbar	Kinkaid	Rainey, Ala.	Wise
Dupré	Kleczka	Rainey, H. T.	Wood, Ind.
Dyer	Knutson	Rainey, J. W.	Woods, Va.
Eagan	Kraus	Raker	Woodyard
Eagle	Kreider	Ramsey	Wright
Edmonds	Langley	Rayburn	Young, Tex.
Elliott	Lanham	Reavis	Zihlman

NAYS—0.

NOT VOTING—83.

Baer	Cole	Echols	Godwin, N. C.
Booher	Cooper	Ellsworth	Goodall
Brinson	Copley	Elston	Gould
Brooks, Ill.	Costello	Evans, Nev.	Graham, Pa.
Cantrill	Curry, Calif.	Fairfield	Hamilton
Caraway	Dale	Ferris	Harreld
Carss	Dewalt	Fess	Hastings
Carter	Drane	Fuller, Mass.	Hayden
Clark, Fla.	Dunn	Garland	Hernandez
Hoey	Mann, Ill.	Rodenberg	Snyder
Houghton	Mason	Rucker	Steele
Hulings	Nelson, Wis.	Sanders, La.	Stephens, Miss.
Ireland	Newton, Minn.	Scully	Stoll
Kettner	Parker	Sears	Strong, Pa.
Kitchin	Pou	Sherwood	Tillman
Lampert	Purnell	Sinclair	Vare
Lankford	Ramseyer	Slemp	Webster
Lazaro	Randall, Calif.	Small	Welty
McClintic	Randall, Wis.	Smith, Ill.	Yates
McCulloch	Rhodes	Smith, Mich.	Young, N. Dak.
McKinley	Riddick	Smithwick	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. YOUNG of North Dakota with Mr. SHERWOOD.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. HARRELD with Mr. MCCLINTIC.

Mr. SLEMP with Mr. RANDALL of California.

Mr. RHODES with Mr. TILLMAN.

Mr. SNYDER with Mr. CARTER.

Mr. COLE with Mr. HAYDEN.

Mr. HERNANDEZ with Mr. HASTINGS.

Mr. ELSTON with Mr. DRANE.

Mr. FULLER of Massachusetts with Mr. HOEY.

Mr. IRELAND with Mr. KITCHIN.

Mr. MASON with Mr. FERRIS.

Mr. MANN of Illinois with Mr. DEWALT.

Mr. MCKINLEY with Mr. CARSS.

Mr. FAIRFIELD with Mr. GODWIN of North Carolina.

Mr. COPLEY with Mr. BOOHER.

Mr. HULINGS with Mr. RUCKER.

Mr. LAMPERT with Mr. SEARS.

Mr. VARE with Mr. STEPHENS of Mississippi.

Mr. COOPER with Mr. CLARK of Florida.

Mr. CURRY of California with Mr. KETTNER.

Mr. SMITH of Michigan with Mr. LANKFORD.

Mr. NELSON of Wisconsin with Mr. CARAWAY.

Mr. STRONG of Pennsylvania with Mr. SMITHWICK.

Mr. GOODALL with Mr. LAZARO.

Mr. FESS with Mr. POU.

Mr. DUNN with Mr. BRINSON.

Mr. ELLSWORTH with Mr. CANTRILL.

Mr. PURNELL with Mr. SCULLY.

Mr. GARLAND with Mr. STOLL.

Mr. RANDALL of Wisconsin with Mr. SMALL.

Mr. NEWTON of Minnesota with Mr. WELTY.

Mr. CRAGO. Mr. Speaker, my colleague Mr. HULINGS is unavoidably absent to-day. He is very much in favor of the postal increase bill, and if he were present he would vote for it.

Mr. KNUTSON. Mr. Speaker, I wish to announce that Mr. NEWTON, of Minnesota, is out of the city for a short time. If he had been here, he would have voted for the bill.

Mr. KELLER. Mr. Speaker, the gentleman from Wisconsin, Mr. LAMPERT, is in favor of the bill, but he is unavoidably absent to-day. If he were present, he would have voted for the bill.

Mr. MURPHY. Mr. Speaker, my colleagues from Ohio, Mr. COOPER and Mr. MCCULLOCH, are unavoidably absent to-day. If they were present, they would vote for the bill.

Mr. BRITTEN. Mr. Speaker, I was in the Hall when my name was called, but not in time to answer. I desire to vote "aye."

The SPEAKER. I did not hear the gentleman.

Mr. BRITTEN. I say I was in the Hall when my name was called, but I did not reply. I desire to vote "aye."

Mr. CANDLER. Mr. Speaker, my colleague, Mr. STEPHENS of Mississippi, was called home. He requested me to make the announcement on the floor that if he were present he would have voted for the bill.

Mr. ROUSE. Mr. Speaker, my colleague, Mr. CANTRILL, is unavoidably absent to-day. If he were present, he would vote for the bill.

Mr. DUPRÉ. Mr. Speaker, Mr. LAZARO is absent on account of illness in his family. If he were present, he would vote "aye."

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13313. An act to authorize the construction of flood control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse between the States of Minnesota, North Dakota, and South Dakota; and

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL as the conferees on the part of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 406. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra forest reserve, the Santa Barbara forest reserve, and the San Gabriel timberland reserve, California, to the city of Los Angeles, Calif.," approved June 30, 1906;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobel, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p. 565);

H. R. 4311. An act to authorize the addition of certain lands to the Caribou National Forest; and

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920.

AMERICAN MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on the bill H. R. 10378.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 10378. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Massachusetts asks that the statement be read in lieu of the report. Is there objection?

Mr. WALSH. Mr. Speaker, I think the report ought to be read in addition to the statement.

The SPEAKER. Objection is made. The Clerk will read the report.

The conference report and accompanying statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "*Provided*, That all vessels assigned to river and harbor work or inland waterways, and vessels now in the course of construction or under contract by the War Department or the Navy Department, shall be exempt from the provisions of this act"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations, or practices of common carriers by railroads subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations, or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings, together with the record or records on which they are based, and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu thereof "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any

vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu

of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206 a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined the moneys in the fund provided for (1) under paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner with the approval of the Secretary shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a) and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment, strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of

the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a cer-

tificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
L. LAZARO.

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,
Managers on the part of the House.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the second conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes with an amendment authorizing the board to adjust, settle, and liquidate all agreements on a fair and equitable basis.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of $12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: This amendment provides that vessels in the military and naval service of the United States, including those assigned to rivers and harbors or vessels under contract by the War Department shall be exempt from the act;

the House recedes with an amendment to include all such vessels, whether or not in the military or naval service, within the exemption.

On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisement and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed $50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes, with an amendment decreasing the amount of the construction fund to $25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an

amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: The amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment exempting from excess-profits and war-profits taxes the net income of a vessel documented under the laws of the United States and operated only in foreign trade, if the owner invests in new vessels, or places in a replacement fund for building a new vessel an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This exemption is limited to the first 10 taxable years beginning with the taxable year 1920. The limitation of the Senate amendment that at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds of the person having such vessel constructed is retained. This amendment provides that the "invested capital" of any taxpayer attributable to any vessel, the net income of which is exempt from the taxes imposed by Title III of the revenue act of 1918, shall not be included in computing invested capital for the purpose of ascertaining taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

After January 1, 1920, in the case of a vessel documented under the laws of the United States and built prior to January 1, 1914, the vendor may upon application under regulations to be prescribed by the commissioner, establish a replacement fund and cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date, such fund to be used exclusively for the building of a new vessel by the vendor in shipyards of the United States.

Accounting for gain or loss upon the entire moneys placed in the replacement fund may be deferred for such period of time as may be determined by the Commissioner of Internal Revenue with the approval of the Secretary, and if the new vessel is built within the time so determined the moneys in the fund provided under paragraph (a) of this section shall not be subject to the excess profits and war profits taxes, and the moneys in the fund provided in paragraph (b) of this section shall not be subject to the income, excess, and war profits taxes. In case the new vessel is not built within the time determined the aforementioned taxes shall be immediately due and payable.

The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are authorized to determine the annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, on a basis that will place the owners of such vessels for taxation purposes as nearly as may be on a parity with owners of ships under the flags of foreign competitors in the world carrying trade.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not only apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all preexisting claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction

in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The House recedes with an amendment limiting the season of application of specified provisions of the seamen's act.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
L. LAZARO,
Managers on the part of the House.

During the reading of the conference report,

Mr. FLOOD. Mr. Speaker, this is a very important measure. I think there should be a fuller attendance. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. [After counting.] The Chair thinks no quorum is present.

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

A call of the House was ordered.

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

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

Ayres	Echols	Lampert	Sanders, N. Y.
Baer	Ellsworth	Langley	Sanford
Bell	Elston	Lazaro	Scully
Benson	Evans, Nev.	Luhring	Sears
Bland, Ind.	Fairfield	McClintic	Sherwood
Boies	Ferris	McCulloch	Sinclair
Booher	Fess	McDuffie	Slemp
Bowers	Fuller, Mass.	McKenzie	Small
Brand	Gandy	McKinley	Smith, Ill.
Brinson	Garland	Mann, Ill.	Smith, Mich.
Brooks, Ill.	Glynn	Mason	Smithwick
Brumbaugh	Godwin, N. C.	Mead	Snell
Cantrill	Goodall	Merritt	Snyder
Caraway	Gould	Moores, Ind.	Steele
Carss	Graham, Pa.	Nelson, Wis.	Stephens, Miss.
Carter	Griffin	Newton, Minn.	Stevenson
Clark, Fla.	Hamilton	Nicholls	Stoll
Cole	Harreld	Nolan	Strong, Pa.
Collier	Hastings	Parker	Taylor, Ark.
Cooper	Haugen	Platt	Tillman
Copley	Hayden	Porter	Upshaw
Costello	Hays	Pou	Vare
Curry, Calif.	Hernandez	Purnell	Ward
Dale	Hoey	Ramseyer	Webster
Davis, Minn.	Houghton	Randall, Calif.	Wingo
Dent	Huddleston	Randall, Wis.	Winslow
Dewalt	Hulings	Rhodes	Wise
Dickinson, Mo.	Ireland	Riddick	Wood, Ind.
Dowell	Kennedy, R. I.	Robinson, N. C.	Yates
Drane	Kettner	Rodenberg	Young, N. Dak.
Drewry	Kitchin	Rucker	
Dunn	Kleczka	Sanders, La.	

The SPEAKER. On this roll call 300 Members have answered to their names. A quorum is present.

Mr. FULLER of Illinois. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the budget system.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the budget system. Is there objection?

There was no objection.

Mr. ROUSE. I ask unanimous consent to extend my remarks in the RECORD by printing a short article written for the Chattanooga News, complimentary of the long service of my friend Judge MOON, of Tennessee.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD by printing an article written for a paper about Judge MOON, of Tennessee. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Speaker, I object to any further requests for unanimous consent until this conference report is disposed of.

Mr. DUPRÉ. Mr. Speaker, I ask leave of absence for my colleague, Dr. LAZARO, on account of illness in his family.

The SPEAKER. The gentleman from Massachusetts objects to any further requests for unanimous consent.

Mr. DUPRÉ. I do not think he would object to that if he heard what it was.

The SPEAKER. The Clerk will resume the reading of the conference report.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I understand the Speaker has ruled that the proper time to make points of order against the conference report is after the conference report has been read.

The SPEAKER. That has been ruled a great many times.

The Clerk resumed the reading of the conference report. During the reading—

Mr. McKEOWN. Mr. Speaker, in view of the importance of this legislation, I think it ought not to be considered in the absence of a quorum, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore (Mr. ANDREWS of Maryland). The gentleman from Oklahoma makes the point of no quorum present.

Mr. GREENE of Massachusetts. I move a call of the House.

Mr. BLANTON. I make the point of order that a motion for a call of the House is not in order until the Chair determines that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and forty Members present, not a quorum.

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

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Evans, Nev.	Kettner	Riordan
Baer	Fairfield	Kiess	Rodenberg
Bell	Ferris	Kitchin	Rucker
Black	Fess	Kleczka	Sanders, La.
Bland, Ind.	Fuller, Mass.	Lampert	Scully
Booher	Gandy	Langley	Sears
Brand	Garrett	Lazaro	Sells
Brinson	Glynn	Lea, Calif.	Sherwood
Brooks, Ill.	Godwin, N. C.	Lonergan	Sinclair
Browne	Goldfogle	McArthur	Slemp
Burke	Goodall	McClintic	Small
Cantrill	Goodwin, Ark.	McCulloch	Smith, Ill.
Caraway	Goodykoontz	McKinley	Smith, Mich.
Carss	Gould	Mann, Ill.	Smith, N. Y.
Carter	Graham, Ill.	Mason	Smithwick
Clark, Fla.	Graham, Pa.	Mead	Snell
Cole	Green, Iowa	Morin	Snyder
Cooper	Griffin	Nelson, Wis.	Steele
Copley	Hamill	Newton, Minn.	Steenerson
Costello	Hamilton	Nicholls	Stephens, Miss.
Curry, Calif.	Harreld	Nolan	Stevenson
Dale	Hastings	O'Connor	Stoll
Davis, Minn.	Hayden	Paige	Strong, Pa.
Dent	Hays	Parker	Taylor, Ark.
Dewalt	Heflin	Platt	Taylor, Tenn.
Dowell	Hernandez	Porter	Tillman
Drane	Hoey	Pou	Vare
Dunn	Holland	Purnell	Venable
Eagan	Houghton	Ramseyer	Voigt
Eagle	Hulings	Randall, Calif.	Weaver
Echols	Ireland	Randall, Wis.	Webster
Elliott	Johnson, S. Dak.	Reber	Yates
Ellsworth	Kelley, Mich.	Rhodes	Young, N. Dak.
Elston	Kennedy, R. I.	Riddick	

The SPEAKER. On this roll call 292 Members have answered to their names. A quorum is present.

Mr. GREENE of Massachusetts. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Clerk will resume the reading of the conference report.

The Clerk resumed and completed the reading of the conference report.

Mr. GARRETT. Mr. Speaker, I reserve a point of order on the conference report.

The SPEAKER. Will the gentleman state his point of order now?

Mr. GARRETT. That the conferees have exceeded their jurisdiction.

Senate amendment 15, at the bottom of page 4 of the bill, was the insertion of a proviso reading—

Provided, That any person dissatisfied with any decision of the board shall have the same right to sue the United States as he would have had if the decision had been made by the President of the United States under the acts hereby repealed.

The conferees have agreed to strike out the language which I have just read and insert in lieu this language:

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

That, of course, changes the tenor of the Senate amendment in its entirety; and the language which is reported by the conferees not having been used anywhere in the House bill, it was not in disagreement between the two Houses and does not come within the jurisdiction of the committee of conference.

Mr. BLANTON. Mr. Speaker, besides the matter against which the gentleman from Tennessee has lodged his point of order—which, by the way, may affect only the paltry sum of about $2,000,000,000 worth of property—there are other new matters in the bill which the conferees were unauthorized to insert that are also subject to a point of order; but in view of the fact that the whole conference report falls on the sustaining of one point of order already made, I will not make the others at this time.

The SPEAKER. That can be held in reserve if the Chair overrules this point of order.

Mr. EDMONDS. Mr. Speaker, the conferees in going over the bill thought it was well that the powers given the President as war powers should be amplified fully, so that in transferring the powers to the Shipping Board the Shipping Board would have the authority that was given to the President to do certain unusual things during the war in the progress of building ships. Among the powers given the President under the emergency shipping act, which was a part of the bill passed in July, 1918, were the powers of buying and selling ships, shipyards, and all other things and necessities in connection with that work. The President had almost the power of an individual in handling his own money in that connection. He exercised it, and during the exercise of these powers he did certain acts which probably would not come under any law passed by Congress. Among these were the requisitioning of plants, probably without any contract whatever, the use of machinery, the requisitioning of railways, the suspending and cancellation of ships that were being built, requiring certain plants to do what he wished without any contract, leaving the settlement to a later date. When we started to turn over these powers to a commission, which the Shipping Board is, and take them away from the President, it looks to me as if it was absolutely necessary that we should put all powers under the Shipping Board, so that they can complete the program by the settlement of these matters without interference from the executive department. If we are not going to put them under the Shipping Board some department would have to do it.

Mr. WALSH. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. WALSH. Has anybody now got authority to adjust and settle express or implied contracts on an equitable basis?

Mr. EDMONDS. The Shipping Board has authority that was delegated to it by the President of the United States.

Mr. WALSH. What was the idea of your committee bringing in a bill giving them that authority with reference to wooden ships if they already had that authority?

Mr. EDMONDS. That bill was brought in for the purpose of reimbursing them for the capital expenditures they had made.

Mr. WALSH. If they had the authority, why was it embodied in the bill that was brought in?

Mr. EDMONDS. It was decided that they had not the authority to settle for capital expenditures. What the woodenship builders were after was a settlement of the capital costs. There is nothing in this act that would allow settlement of capital expenses.

Mr. LONGWORTH. Does not the amendment accomplish just what the act sought to accomplish that you sought to pass the other day?

Mr. EDMONDS. No; I think not; the Shipping Board is only allowed under this amendment to settle what was equitable. If there was any implied contract, it might allow them to settle that.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. DAVIS of Tennessee. Is it not a fact that the language against which the point of order is directed never appeared either in the House or the Senate bill until after the House the other day defeated the House substitute under the woodenship contract and recommitted the Senate bill? Since that time this amendment has been inserted by the conferees in this bill.

Mr. EDMONDS. The conference between the House and the Senate started only Monday morning, and the bill to which the gentleman refers was defeated last week. But it does not follow that this language was put in here because of the defeat of the other bill.

Mr. DAVIS of Tennessee. Was not that the one thing in the minds of the conferees and for which it was intended to take the place?

Mr. EDMONDS. It was not so stated in the committee of conference.

Mr. BLANTON. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. BLANTON. The gentleman will admit that the conferees had no authority from the House or the Senate to put substitute No. 15 in the bill.

Mr. EDMONDS. It is quite frequent that something will get into a conference report that is not authorized by the House or the Senate.

Mr. BLANTON. And when it does, it is subject to a point of order.

Mr. EDMONDS. Yes; subject to a point of order; but I trust it will not be made.

Mr. BLANTON. But it is already made.

Mr. BANKHEAD. Will the gentleman from Pennsylvania yield?

Mr. EDMONDS. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. I desire to call attention to the original House bill which we passed, to subsection (c), page 4, of the bill, which provides:

As soon as practicable after the passage of this act the board shall adjust, settle, and liquidate all matters arising out of or incident to the exercise by or through the President of any of the powers or duties conferred or imposed upon the President by any such act or part of act; and for this purpose the board, instead of the President, shall have and exercise any of such powers and duties relating to the determination and payment of just compensation—

Mr. WHITE of Maine. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. WHITE of Maine. I take it that the conferees have authority to modify the language adopted by the House, and is it the gentleman's contention that this language of the conferees is simply a restatement in a different form but in no sense enlarging the powers that are carried in the language of the House bill?

Mr. BANKHEAD. That is my interpretation, and therefore I say it is germane for the conferees' consideration and report.

Now, Mr. Speaker, after that language had been engrafted on the House bill the Senate bill passed and the matter went to conference. The Senate amendment suggested on page 4, amendment 15, reads:

Provided, That any person dissatisfied with any decision of the board shall have the same right to sue the United States as he would have had if the decision had been made by the President of the United States under the acts hereby repealed.

It should be understood that the authority and power conferred on the President by the acts repealed in section 1 was delegated to be performed by the Shipping Board or the United States Emergency Fleet Corporation.

The House bill provided that the board should adjust, settle, and liquidate all matters arising out of the exercise of any of the powers conferred upon the President by the original act.

As I construe that, it is matter of legitimate inquiry by the conferees, and it makes it a matter germane on which to predicate the agreement reached by the conferees, to wit:

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

The original House bill conferred upon the board the authority to adjust, settle, and liquidate all matters arising, and so forth. Therefore, in substance they are the same proposition. They are not new and extraneous matters injected into the report by the conferees.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. CAMPBELL of Kansas. What language was taken out of the House bill for which the language substituted by the conferees was inserted?

Mr. BANKHEAD. I say there was no absolute language taken out, but my contention is that the original House bill gave the board authority to adjust, settle, and liquidate all matters arising out of or incident to the discharge of their duties in the construction of ships, shipyards, and these other contracts.

Mr. CAMPBELL of Kansas. Then what language does this take the place of?

Mr. BANKHEAD. This takes the place of the language to which I just referred in the original bill. It is not the identical language, and it adds some features to it, but it is not absolutely new matter, which is prohibited under the rule.

The SPEAKER. The Chair would ask the gentleman from Alabama what the Senate provision in his opinion adds to the original House bill?

Mr. BANKHEAD. It simply adds a proviso, which is Senate amendment No. 15.

The SPEAKER. The gentleman does not understand the Chair. As the Chair understands the gentleman's argument, it is that this amendment to the Senate amendment is practically the same as the original House proposition but that it adds something to it. The Chair would like to know what.

Mr. BANKHEAD. The matter agreed upon by the conferees adds, of course, the language—

And shall have authority to adjust, settle, and liquidate all agreements, express or implied, on a fair and equitable basis.

The SPEAKER. What does that add to the original section of the bill?

Mr. BANKHEAD. It limits rather than adds any additional authority.

The SPEAKER. The Chair understood the gentleman to say that it added something.

Mr. DAVIS of Tennessee. Mr. Speaker, section (c) of the House bill, to which reference was made by the gentleman from Alabama [Mr. BANKHEAD], provides that "as soon as practicable after the passage of this act"—

The SPEAKER. The Chair is familiar with the section.

Mr. DAVIS of Tennessee. This conference report does not change that in any respect whatever, but in view of the proviso at the bottom of page 4, which is Senate amendment No. 15, we simply provide for the privilege of going into court where people are dissatisfied. In lieu of the matter proposed by the Senate the conferees propose to insert the following:

And shall have authority—

And so forth.

The SPEAKER. The Chair is familiar with the language.

Mr. DAVIS of Tennessee. The point is this: The original House bill simply provides for the adjustment and settlement of those contracts according to existing law and according to contract. This goes further. Instead of being a limitation, it goes further and provides for the settlement and liquidation of all agreements, express or implied. It includes an implied agreement, and that it shall be settled on a fair and equitable basis. That brings in an entirely new rule of procedure for determining these questions and goes further than the original law, which does not authorize settlement according to any implied contract, and in that respect it goes further than the House bill.

Mr. WHITE of Maine. Mr. Speaker, I want to say this in connection with what the gentleman from Tennessee was saying: The House provision as it passed had authority to adjust, settle, and liquidate all matters without any limitation whatsoever upon the board in doing those things. The language the conferees have put in limits that rather than enlarges it, because it says that this settlement must be upon a just and equitable basis.

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

Mr. WHITE of Maine. If that language has any significance at all, it is a limitation upon the blanket authority which is contained in the House provision.

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

Mr. WHITE of Maine. Yes.

Mr. WALSH. What authority did the conferees have to limit the language of the House bill when that language was not in controversy?

Mr. WHITE of Maine. But that language was in controversy.

Mr. WALSH. Not the language of the House bill.

Mr. BANKHEAD. Does the gentleman from Massachusetts contend that the conferees can not change the language to carry out their wishes?

Mr. WALSH. They can not change language that is not in controversy.

Mr. CHINDBLOM. Mr. Speaker, paragraph (c), on page 4, relates to the matter of settling and adjusting and liquidating matters arising out of the use of powers given to the President during the war. The whole paragraph (c) relates to the method and procedure of such settlements and the manner in which the board shall make the settlements and the grounds upon which the settlements shall be based. The Senate added a proviso that anyone dissatisfied with the decision of the board should have the right to sue the Government. That was in dispute between the two Houses. The House disagreed to the Senate amendment No. 15, which contained the provision that any person dissatisfied with the decision should have the right to sue the United States. The conferees then agreed that instead of leaving in the law a proviso giving the right to sue the United States, they would give certain further powers and directions to the Shipping Board respecting the method of settlement, which would obviate the necessity for any provision that those dissatisfied might sue the Government, or which might tend to obviate the necessity of those dissatisfied suing the Government. Therefore I think the conference report suggesting this language in lieu of Senate amendment No. 15 is in order. It takes the place of the proviso adopted by the Senate

and adds to the powers of the Shipping Board in making settlements a method and a basis which it is believed at least will tend to obviate the necessity for any recourse to the courts on the part of those dissatisfied with the action of the Shipping Board.

Mr. KINCHELOE. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. KINCHELOE. Does not the gentleman think if this amendment is agreed to and this part of the conference report becomes a part of this bill that it will give the Shipping Board the same power to adjust and liquidate all these claims that they would have had under the bill which the House refused to pass the other day?

Mr. CHINDBLOM. No. If that is a pertinent question at this time, and the Chair is interested, I will express my opinion on it.

The SPEAKER. The Chair is ready to rule. Although the Chair dislikes to hold a conference report out of order, because it sends the report back, yet it seems to the Chair quite clear that the conferees in this case exceeded their authority. The only difference between the Houses was as to the right to sue the United States. Then they have added a provision of final settlement, and there seems to be a difference of opinion by the gentlemen who have discussed that provision whether that changed section (c) or did not. It seems to the Chair that it enlarges the authority, because section (c), as the Chair understands, simply applies to those powers which the board received from the President, whereas this clause authorizes the board to settle all agreements, those which it made of its own right and those for which it received jurisdiction from the President. The Chair does not think that is necessary for a decision. It seems to the Chair very clear that this final amendment was not in dispute between the two Houses, and by striking out the Senate provision and putting in this provision, which was entirely different from it and not germane, the conferees exceeded their authority, and therefore the Chair is constrained to sustain the point of order.

Mr. HARDY of Texas. Mr. Speaker, in view of the importance of this decision, may I offer just a few observations on it? I do not know that they at all affect the Speaker's view, but I would like to make some suggestions——

The SPEAKER. The Chair will hear the gentleman very briefly. The Chair has had an opportunity of examining the matter and time is valuable.

Mr. HARDY of Texas. Then I will not take up the time.

The SPEAKER. The Chair will hear the gentleman very briefly.

Mr. HARDY of Texas. If the Chair will permit, then, with a great deal of diffidence I wish to say this: While I believe the gentlemen who have addressed the Chair and who were conferees did think that the language used in this additional verbiage added something to the House bill as it was passed, in my judgment it adds nothing to it. The House bill as it passed this House authorized the Shipping Board to adjust, settle, and liquidate all matters arising out of or incident to the exercise by the President of any of the powers conferred upon him by any such act or parts of acts.

Now, I do not believe that one scintilla of power or authority is added by this paragraph to which the point of order is made, which gives the power to adjust, settle, and liquidate all agreements, express or implied. Agreements surely are "matters"; agreements, express or implied, are matters arising out of or incident to the exercise of the powers conferred upon the President. The language in the bill as it is now, put there with the intention or belief that it was conferring additional powers, does not confer one single solitary scintilla of additional power, in my opinion.

Mr. McKENZIE. Will the gentleman yield?

Mr. HARDY of Texas. Yes; I will yield.

The SPEAKER. The Chair does not think that the gentleman should enter into a discussion——

Mr. HARDY of Texas. I will yield with perfect grace to the Chair's ruling, but I do not think the language in the conference-reported bill adds to or takes away from the bill as it passed the House. If it does not, then it is not subject to a point of order.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDMONDS. Do I understand now that the conference report falls on account of this decision?

The SPEAKER. Yes.

Mr. EDMONDS. I move that the House still further insist upon its disagreement to the Senate amendments and ask for a further conference.

The SPEAKER. The gentleman from Pennsylvania moves that the House further insist upon its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

The SPEAKER. The Clerk will report the conferees.

The Clerk read as follows:

Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. LAZARO.

Mr. GREENE of Massachusetts. Mr. Speaker, I would like to substitute for Mr. LAZARO the next gentleman on the committee, Mr. BANKHEAD.

The SPEAKER. Very well, the gentleman from Alabama [Mr. BANKHEAD] is substituted for Mr. LAZARO.

Mr. GREENE of Massachusetts. Mr. LAZARO is not in the city on account of sickness in his family.

DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill and ask unanimous consent to disagree to all amendments and ask for a further conference.

The SPEAKER. The gentleman from Minnesota calls up the conference report on the District of Columbia appropriation bill and asks unanimous consent to disagree to all Senate amendments and asks for a further conference.

Mr. WALSH. Mr. Speaker, of course the conference report must be read if it is called up.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have been unable to agree.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, submit the following:

The managers on the part of the House have been unable to come to any agreement with the managers on the part of the Senate on any of the amendments of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. DAVIS of Minnesota, Mr. CRAMTON, and Mr. BUCHANAN.

REPEAL OF WAR EMERGENCY ACTS.

Mr. VOLSTEAD. Mr. Speaker, I move to suspend the rules and pass H. J. Res. 373, with two amendments, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass the resolution with amendments, which the Clerk will report.

The Clerk read as follows:

House joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired.

Resolved, etc., That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, or on the existence of a state of war, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of the termination of the war or of the present or existing emergency. Excepting, however, from the operation and effect of this resolution the following acts and proclamations, to wit: The act entitled "An act to provide further for the national security and defense by encouraging the pro-

duction, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, the amendment thereto entitled "The food control and District of Columbia rents act," approved October 22, 1919; the act known as the trading with the enemy act, approved October 6, 1917; and the first, second, third, and fourth Liberty bond acts, and the supplement to the second Liberty bond act and the Liberty bond loan act; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution.

The SPEAKER. Is a second demanded?

Mr. IGOE. Mr. Speaker, I demand a second.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum to consider this important resolution, and I make the point of order that there is no quorum present.

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

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

A call of the House was ordered.

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

Anthony	Dowell	Husted	Riddick
Baer	Drane	Ireland	Riordan
Benson	Dunn	Johnson, S. Dak.	Rodenberg
Blackmon	Ellsworth	Kettner	Rucker
Boies	Elston	Kiess	Sanders, La.
Booher	Evans, Nev.	Kitchin	Scully
Brinson	Fairfield	Langley	Sears
Britten	Ferris	Lazaro	Sherwood
Brooks, Ill.	Fess	Linthicum	Sinclair
Browne	Flood	Little	Slemp
Brumbaugh	Focht	McClintic	Small
Buchanan	Frear	McCulloch	Smith, Mich.
Cantrill	Fuller, Mass.	McDuffie	Smith, N. Y.
Caraway	Godwin, N. C.	McKinley	Smithwick
Carss	Goldfogle	Mann, Ill.	Snyder
Carter	Goodall	Mansfield	Steele
Clark, Fla.	Gould	Mason	Steenerson
Clark, Mo.	Graham, Pa.	Mead	Stephens, Miss.
Cole	Hamill	Morin	Stiness
Cooper	Hamilton	Neely	Stoll
Copley	Harreld	Nelson, Wis.	Strong, Pa.
Costello	Harrison	Newton, Minn.	Sullivan
Cramton	Hastings	Nicholls	Sumners, Tex.
Crisp	Haugen	Nolan	Tillman
Curry, Calif.	Hayden	Parker	Vare
Dale	Heflin	Porter	Vinson
Davey	Hernandez	Purnell	Ward
Davis, Minn.	Hoey	Ramseyer	Webster
Dent	Houghton	Randall, Calif.	Wingo
Dewalt	Howard	Randall, Wis.	Yates
Dickinson, Mo.	Hulings	Rhodes	Young, N. Dak.

The SPEAKER. Three hundred and three Members have answered to their names. A quorum is present.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

EXTENSION OF REMARKS.

Mr. ROUSE. Mr. Speaker, I renew my request to extend my remarks in the RECORD on the long and efficient service of my colleague, the gentleman from Tennessee [Mr. MOON].

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

REPEAL OF WAR EMERGENCY ACTS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The motion was agreed to.

Mr. IGOE. Mr. Speaker, I yield five minutes, first, to myself. The Chair will notify me at the end of that time.

Mr. Speaker and gentlemen of the House, this resolution purports to put an end to all the war-time legislation. It is brought up under a suspension of the rules, and inasmuch as it must be voted upon as it is offered, I shall support the resolution. In the committee I sought to amend it so that it would be certain that it did effect the end of the war laws. In my judgment, this resolution as framed does not affect legislation which is permanent, but which is operative only in time of war. An amendment has been suggested by the chairman of the committee, incorporated in the resolution as presented, in which he attempts to meet the objection; but an examination of this resolution, I think, will convince any lawyer that it does not affect any of the war laws except those in which a provision appears mentioning the "termination of the present war" or the "present or existing emergency." In my opinion, it does not end, so far as this war is concerned, the espionage act, for one, and there are a number of other acts. When the peace resolution, so called, was presented to the House some weeks ago the Democrats urged upon the Republicans that an opportunity be given to this House to vote to end all the war laws, and it was stated then that the only way in which that could be done was by the passage of the resolution then presented. When the gentleman from North Carolina [Mr. KITCHIN] made his famous speech upon the floor of this House, one of the most remarkable speeches made in my experience in this body, he stated to the Republican Members of this House that their peace resolution was a sham, and that it was a fraud, and that they knew it would not become a law [applause on the Democratic side], and that if they thought it would become a law they would amend it so as to except from its operation the ending of the Lever Act.

And he stated to the Members of this House at that time that the last war law that the Republican Congress would want to end was the Lever Act, and he stated the reason they did not want to end it was because certain interests of this country were anxious to keep it as long as possible, because it was effective antistrike legislation. And, lo and behold, when this resolution is presented the proposition that was incorporated in the peace resolution for the repeal of the war laws has been changed, and one of the exceptions that is written into this is that the Lever Act shall not be repealed. [Applause on the Democratic side.]

Now, I know that an excuse is offered, and they say that we can prosecute profiteers under the Lever Act. Why, gentlemen, the Lever Act, as to the last amendment, in some judicial districts has been held to be unconstitutional, and the strangest thing in all the world is that at the very meeting of the Judiciary Committee which reported out this resolution, and the very day the report was written by the chairman of the committee stating that under the Lever Act they could prosecute profiteers and protect the people, and therefore it must be retained, the very same day and just before that vote was taken a majority of that same Judiciary Committee adopted a resolution and a report to this House saying in this language, so far as sugar was concerned:

> It is the opinion of the subcommittee that legalistic methods such as were adopted by the Attorney General are utterly futile as a means of price control. They believe this can be accomplished only by direct purchase or through control of the law of supply and demand.

The SPEAKER. The gentleman has consumed five minutes.

Mr. IGOE. I will take half a minute more.

It is a strange thing when this committee is dealing with the sugar question and the attitude of the Attorney General they tell us the law is no good, but when it comes to repealing the law they tell you, "Do not repeal that, because that is the thing we want to rely upon to protect the public." How inconsistent these gentlemen on the committee are! The truth of the matter is that these gentlemen do not want the Lever Act repealed, and they do not want it repealed because of the reasons given by the distinguished gentleman from North Carolina [Mr. KITCHIN] when the peace resolution was before this House. [Applause on the Democratic side.]

Mr. Speaker, I reserve the balance of my time, and I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, House joint resolution 373, now being presented for consideration under the particular rule of suspension of all rules, which necessarily makes impossible any and all amendments, however necessary, can in its present form but call attention particularly to two things which the American people want and which are doubtful of accomplishment in this resolution. The first thing which the American people want is to be protected in their power of expression through their own voices and through the medium of the press of what they honestly and intelligently think. The people of America are far away now from the hysteria of apprehension about infringements of public safety through proper speech, and if there is one thing that the people to-day want it is to be assured of their inalienable rights of free speech and the rights of a free press. This is not protected in House joint resolution 373, because too many of the drastic intents and purposes of the language of the espionage act, which was inspired and maintained alone because the United States was in a state of war, are continued in this time of unquestioned peace or left open to different and diverse interpretation of just what part of this law is repealed.

As matters stand now, it would take the research of a careful lawyer to determine the extent of repeal and what restriction is yet on the freedom of speech and of the press. The position I take and the criticism I make is that this resolution, with the spirit of which I am in hearty accord—and I would repeal all war-time acts except those relating to bonds, and so forth—does not particularly say that the drastic provisions of the espionage law, so far as it affects the rights of free speech and free expression through the news prints of the country, shall be repealed.

This is the first thing which the American people want, because it is the thing they are most immediately in need of. The second criticism I make is that while ostensibly undertaking to repeal war-time statutes, we do not repeal another war-time statute whose intent has been notoriously subverted. I refer to the so-called Lever food-regulation act, proper in time of war, and a most drastic bit of emergency legislation. It is retained here during a time when there is absolutely no necessity for its retention.

If there be a desire on the part of this Congress to afford any legislation to curb the profiteer, we have had plenty of time—and we shall have plenty of time—to afford such legislation, such peace legislation. But to say that under the guise of affording legislation to punish profiteering we must maintain the language of regulation, of drastic supervision, under the Lever food-control act, a war-time provision, is to me a legislative monstrosity.

It is said that we have not the power to embrace the war-time provisions except in this act, and that is true, and that is properly true; and every drastic provision that gives to any executive or judicial officer the power of oppression and repression under the principles and provisions of the Lever food-control act, a war measure, in time of peace, should, to my mind, be repealed. These are the provisions I call attention to which are not included in the resolution and I would have it amended to make certain definite provision of repeal of the espionage law and positive repeal of the control act. [Applause on the Democratic side.]

Mr. IGOE. Mr. Speaker, I yield half a minute to the gentleman from New York [Mr. GRIFFIN].

The SPEAKER. The gentleman from New York is recognized for half a minute.

Mr. GRIFFIN. Mr. Speaker, I am very glad to have the opportunity at last to vote for a resolution restoring peace conditions, which does not undertake to usurp the exercise of the treaty-making power.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, when the so-called peace resolution was before this House a short time ago I voted against it because I believed that it was merely a sham and a pretense—intended only as a makeshift to propitiate public opinion and excuse the failure of the dominant party in this Congress to restore peace conditions.

The gentleman from Virginia at that time offered a substitute which would have effected precisely what the resolution now before us is aimed to accomplish. Party strategy disdained to accept from the Democratic side the suggestion even though that suggestion was of the highest importance and value to the people of the country. The majority, it would seem, preferred to allow the country to sweat a little longer under drastic and unnecessary laws rather than allow the minority to wrest from them the credit of their repeal. And yet—in spite of their maneuvering—they are compelled at last to accept the minority's suggestion. Therefore I acquiesce in this proposal to repeal the war-time legislation with a great deal of gratification.

In recording myself in favor of this resolution, however, I desire to dissent from the view of some of my colleagues that the Lever Act should be repealed. Such a course, in my opinion, would be precipitate and dangerous in its consequences, unless the repeal were accompanied by the passage of some adequate substitute legislation. Defective as it is, the Lever Act is better than nothing, and its repeal at this time would only throw down the barriers and remove the only protection which the people would have against the inroads of the despicable scoundrels who are profiteering in the necessities of life.

Mr. IGOE. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eight and one-half minutes remaining.

Mr. IGOE. Mr. Speaker, I yield four minutes to the gentleman from Virginia [Mr. FLOOD].

The SPEAKER. The gentleman from Virginia is recognized for four minutes

Mr. FLOOD. Mr. Speaker, I would be very glad to have an opportunity to vote for a measure that repeals a great many of the war laws. But this is not an efficient or effective measure. It is framed in an inefficient way, notwithstanding it is along the lines of the resolution that I introduced in April by way of a motion to recommit the peace resolution.

Gentlemen on the other side contended then that war measures could only be repealed in a peace resolution; they contended then that they could only repeal those war powers by usurping powers that Congress did not possess. [Applause on the Democratic side.] I offered a motion to recommit that peace resolution and embraced in that motion provisions of a much more effective character than are the provisions embraced here. Gentlemen on that side voted against it. One hundred and seventy-one Democrats voted for it. [Applause.] If the Republican Party had earnestly favored the repeal of war legislation, they would have voted for that measure, and it could have gone to the President and have received his signature, and the war measures would have been repealed two months ago. [Applause on the Democratic side.]

Mr. CASEY. Your motion also included the repeal of the Lever Act and the espionage act, did it not?

Mr. FLOOD. It certainly did; and that is the reason why it received so many adverse votes from that side of the House and so many favorable votes from this side. [Applause on the Democratic side.]

Now, they have brought in a resolution that repeals only some of those war measures. But even this makeshift of a repeal is better than nothing. I am glad that the Republicans have learned to take their lessons from the Democratic Party. [Applause on the Democratic side.] If they had done that sooner, this Congress would not go down in history as the most inefficient Congress that ever assembled in this Capitol. [Applause on the Democratic side.] But as it comes out, it is even more inefficient than were the Republican Congresses that assembled here up to 1911. The Republican Party had control of the affairs of this country in the executive and legislative branches for many years, but in 1910 the whole country became disgusted with them, and the Democratic Party elected a majority to this House. [Applause on the Democratic side.]

Such a splendid record was made by that majority that two years later we elected a President and both branches of Congress. And then there began the most splendid system and volume of legislation for the benefit of the American people that had ever been enacted by Congress in the history of this country. [Applause.] We split the Republican Party into two factions, and they stayed in two factions, one following the splendid policies that we laid down and the other standing for the old mossback Republican policies of years before, and the different parts spared neither the dictionary nor the use of polite language in describing the crimes and the inefficiencies of the other part. The people kept their true representatives in power until 1918. Then through negligence and carelessness the Republican Party got back in power in both branches of Congress. [Applause and laughter on Republican side.] That side of the House is the only body in America that will applaud the fact that we have had a Republican Congress in session here for the past year. [Applause.] You got back in power. You promised the people many things. Some people expected a great deal. But everybody, including even yourselves, has been disappointed at the result. [Applause.] And if you dare to go to the people with the record you have made here, we have no fear of the result and know beforehand which party will control this country after March 4, 1921. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia may be permitted to revise and extend his remarks in the RECORD. [Applause.]

Mr. WALSH. I yield three minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Speaker, in committee I united with my friend from Missouri [Mr. IGOE] in the motion to cut out the exception that has been subjoined to the resolution which excludes from the operation of the resolution what we know as the Lever Act, and one or two other war laws passed by the Congress. But if I can not get a whole loaf I will take a half loaf. I desire to record my protest against the action of the Judiciary Committee in declining to provide for the repeal of the Lever Act. I also demur to the action of the Rules Committee in putting us in a strait-jacket so that we have no chance to amend the resolution on the floor of the House. The American people have more fault to find with the Lever Act than with any of the other measures now on the statute books passed during the period of war. Now that hostilities have ended war laws should be repealed. The American people want to return to constitutional government. The prosecutions under the so-called Lever Act are being challenged in every case pending in the Federal courts of the country, and generally these courts have held the act as unconstitutional.

The Lever law was an exertion of Congress under the war power. That law can not stand in time of peace. If we leave out the Lever Act from the repealing clause, we will have the same old investigations and tantilizations of the

people without any good result. Therefore I want to say that I would be glad to wipe off of the statute books all of the war measures, and I hope soon to have an opportunity to vote for the repeal of such of the acts as are excluded from the operation of the pending resolution.

The District of Columbia rent act is also allowed to stand. May I ask what good that act is accomplishing? The Supreme Court of the District a few days ago held it null and void. The rent commission has granted very little relief to the people. That board has been sitting here blindly allowing landlords in the city to charge as high as $40 per month for a little room on the third story of a building, lacking an elevator, situate four blocks from a car line, and in a bad neighborhood.

Mr. BLANTON. Will the gentleman yield?

Mr. GOODYKOONTZ. With pleasure.

The SPEAKER. The time of the gentleman from West Virginia has expired.

Mr. IGOE. I ask unanimous consent to strike the exception of the Lever Act from this resolution.

The SPEAKER. The gentleman from Missouri asks unanimous consent to do what?

Mr. IGOE. To amend by striking out the exception of the Lever Act.

The SPEAKER. The gentleman asks unanimous consent to amend the bill. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, has the gentleman in mind any substitute for that act under which the Attorney General might operate to curb profiteering?

Mr. IGOE. No; and I have not any hope of getting anything, because the majority of the committee say that the act is no good, and that you can not get at it in that way, and they advocate buying up everything in the United States and the Government controlling it, and that can not be done under the Lever Act.

Mr. WALSH. I do not think the majority of the committee say that the act is no good, but they say that the administration of the act is no good. [Applause.]

The SPEAKER. The gentleman from Missouri has four and one-half minutes remaining.

Mr. WALSH. I object to his request.

Mr. IGOE. The majority of the committee said Mr. Hoover was right when he said you could not control it by that kind of a law. I do not know whether the majority side of the House are going to follow Mr. Hoover in other things, but they do not seem to have followed him in this case.

Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. CONNALLY]. [Applause.]

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, while the gentleman from Missouri [Mr. IGOE] has explained that this repealing act does not repeal all of the war measures and is not free from ambiguity, yet it is presented under a suspension of the rules and can not be amended, and I shall vote for the bill as being the best measure possible under the circumstances. [Applause.]

A few days ago, in a speech on this floor, I challenged the majority to introduce a measure repealing war legislation and stated that I would support it. I am prepared to keep that pledge. I want to say, however, to the gentlemen on the majority side of the House that the President, as long ago as last October, 1919, in a message to the Congress, stated:

> Where the purposes of legislation arising out of war emergencies have been satisfied, sound public policy makes clear the reason and necessity for repeal.

Not only has the President suggested to Congress that war legislation be repealed, but the minority of the Committee on Foreign Affairs, when this House was deliberating on the peace resolution, called attention to the fact in their report that it was the duty of this Congress to repeal war legislation and not undertake to make treaties, in the following language:

> There is much war and emergency legislation that should be repealed. Much of this legislation is burdensome and oppressive in time of peace. Congress has the power to repeal it, and it should address itself to this task instead of frittering away its time in attempting to pass unconstitutional legislation for the purpose of embarrassing the executive department of the Government or for some other political purpose.

If you had sincerely desired to repeal the war legislation at that time you would have adopted the motion to recommit offered by the Democrats and have wiped off the statute books the legislation which you now, in the closing hours of the session, with haste are preparing to repeal.

On the 28th of May I offered House joint resolution 366, containing the very language of the Democratic motion to recommit the peace resolution, which effectually fixed the termination of all war legislation, and it slumbered in the Judiciary Committee until the 1st of June, when the gentleman from Wisconsin, not willing to report a Democratic repeal, introduced before his committee and reported the same day the resolution now pending before this House.

But, gentlemen of the majority, even now, though you say war and emergency measures ought to be repealed, you make an exception as to certain acts and leave the fate of others uncertain by the employment of vague language. Let me say to the majority party that you have delayed the repeal of repressive measures until, urged and goaded by the President and the Democratic minority, you have been compelled to repeal them. For legislative initiative, for constructive policies and statesmanship, the majority of that side of the House has no inferior. [Applause on the Democratic side.]

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

Mr. WALSH. Mr. Speaker, I regret that the distinguished chairman of the Judiciary Committee is unable to be present and take charge of this measure, but he was obliged to leave and asked me to take charge of the time on this side. The resolution, as all gentlemen know, is brief and concise; it makes certain exemptions as amended and does not affect the Liberty loan act, the Victory loan act, the trading-with-the-enemy act, the Lever Act, or the District of Columbia rent act.

The committee felt that these measures, still under peculiar circumstances existing, should continue in effect and force until further action by Congress or by proclamation by the President.

Mr. LONGWORTH. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. LONGWORTH. Is it not a fact that the Treasury Department specifically asked for the exception of the Liberty loan act and the Victory loan act?

Mr. WALSH. It is a fact that the Secretary of the Treasury requested the chairman of the committee to include in the exemption the various Liberty and Victory loan laws, so that they are exempted from the operation of this act.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MOORE of Virginia. I would like to ask whether there are war statutes that will remain entirely unaffected by the resolution because they do not contain any such provision as is described in the resolution; and if so, what are those war statutes? Has there been any scrutiny of individual statutes so that we will be enabled to know what such statutes are?

Mr. WALSH. I will say that I think there are some war statutes which were passed prior to the war act after our entrance into this war in which possibly there may be some powers conferred during the existence of the war.

Mr. MOORE of Virginia. I fear the gentleman does not understand my question. I had reference to statutes enacted since April, 1917, not containing any such limitation as is provided in this resolution and which therefore may remain entirely unaffected by the repeal which the resolution contemplates.

Mr. WALSH. As I understand it, there may be one or two such statutes, but I must confess that I am not familiar with them, and the chairman did not point out any such statutes in his report.

Mr. CRISP. Will the gentleman yield?

Mr. WALSH. I will.

Mr. CRISP. I would like to ask the gentleman if the resolution would repeal the espionage act. It has been stated here that in the judgment of one member of the Judiciary Committee it did not repeal that law.

Mr. WALSH. The espionage act consists of various titles, and the title in reference to espionage, I think, would be repealed after the expiration of the time. But one or two titles of the espionage act which were written as permanent law I do not think would be affected.

Mr. JUUL. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman from Illinois.

Mr. JUUL. The gentleman from Georgia asked half of the question that I wanted to ask. Will the gentleman state how the bill affects the property now in the hands of the Alien Property Custodian?

Mr. WALSH. It does not affect it at all, because on page 2 of the bill the gentleman will see that the trading-with-the-enemy act is excepted, and the Alien Property Custodian is provided for in that bill.

Now, Mr. Speaker, I am interested in the suggestion of the gentleman from Missouri [Mr. IGOE] that the Lever Act should also be repealed; that the exemptions should be stricken from the bill, because on August 8, 1919, President Wilson in his message to Congress at a joint session said:

> Let me urge, in the first place, that the present food-control act should be extended both as to the period of time during which it shall remain in operation and as to the commodities to which it shall apply.

Its provisions against hoarding should be made to apply not only to food but also to feed stuffs, to fuel, to clothing, and to many other commodities which are indisputably necessaries of life. As it stands now, it is limited in operation to the period of the war and becomes inoperative upon the formal proclamation of peace. But I should judge that it was clearly within the constitutional power of the Congress to make similar permanent provisions and regulations with regard to all goods destined for interstate commerce and to exclude them from interstate shipment if the requirements of the law are not complied with. Some such regulation is imperatively necessary.

But if we exempt that law from the provisions of this bill some time we will get an Attorney General who can efficiently administer the provisions of that act [applause on the Republican side] and bring this profiteering so rampant throughout the country to an end. The distinguished gentleman from Virginia gave us a second version of his song that we are marching on to victory, looking backward here to-day, and predicted some glorious things for the future of his party. He reminds me somewhat of the gentleman going through the dark roadway at midnight whistling to keep up his courage.

As far as the gentleman knows, all signs point and all tests which have been had all over the country indicate that when the people get a chance to vote in November next and render their verdict on the operations of the Democratic administration, upon its inefficiency and upon its extravagances, they will register a repudiation of that administration and its officials. [Applause on the Republican side.]

They have not forgotten on the Democratic side, and the people who support the policies of that side have not forgotten, the verdict rendered in 1918 when there was a brazen attempt to set up in this country a dictatorship as to how people should register their choice at the polls. [Applause on the Republican side.] The people of this country are interested in having peace. Through the stubborness of the leader of the administration they have been prevented from having it. He has even prevented the free-will expression of members of his own party, and so, joining with others in their party as members of the administration, they have prevented the ratification of the treaty of peace, because they were not willing to yield their views to the wishes of the majority in a coordinate branch.

This resolution takes off the books under its terms many of these obnoxious war statutes which have been so administered in many instances as to be oppressive. The time has come when this Congress, even though it be in the closing days, as the gentleman from Texas [Mr. CONNALLY] says, should see to it that those laws are repealed, and that we should get back, as far as legislation is concerned, to normal conditions.

Permit me to remind my friends on the Democratic side of the language used by the learned gentleman from Texas [Mr. CONNALLY] when he was speaking upon a similar resolution the other day. He said at that time:

If you really want them repealed—

And he was there referring to the war laws—

introduce a resolution to simply repeal them. It can pass the House, if you will it. It can pass the Senate. And I believe I am almost authorized to state for this side of the House—

He was then interrupted by laughter on the Republican side and continued—

You have some two hundred and odd leaders. * * * If you pass a resolution simply repealing war measures, and the President should by any chance, which I do not anticipate, veto it, this side of the House will assist you in passing it over his veto.

Mr. CONNALLY. And we are going to do it.

Mr. WALSH. And I ask gentlemen on that side to take note of the fact that the gentleman from Texas now repeats that assurance. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on suspending the rules and passing the resolution.

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

The yeas and nays were ordered.

The SPEAKER. The question is on suspending the rules and passing the resolution. The Clerk will call the roll.

The Clerk called the roll, and there were—yeas 326, nays 3, not voting 98, as follows:

YEAS—326.

Ackerman	Begg	Buchanan	Christopherson
Almon	Bell	Burdick	Clark, Mo.
Anderson	Benson	Burke	Classon
Andrews, Md.	Black	Burroughs	Cleary
Andrews, Nebr.	Bland, Ind.	Butler	Coady
Anthony	Bland, Mo.	Byrnes, S. C.	Collier
Ashbrook	Bland, Va.	Byrns, Tenn.	Connally
Aswell	Blanton	Caldwell	Crago
Ayres	Boies	Campbell, Kans.	Cramton
Babka	Bowers	Campbell, Pa.	Crisp
Bacharach	Box	Candler	Crowther
Bankhead	Brand	Cannon	Cullen
Barbour	Briggs	Carew	Currie, Mich.
Barkley	Britten	Casey	Dallinger
Bee	Brooks, Pa.	Chindblom	Darrow
Davis, Minn.	Hull, Tenn.	Mapes	Sanders, N. Y.
Davis, Tenn.	Humphreys	Martin	Sanford
Dempsey	Husted	Mays	Schall
Denison	Hutchinson	Michener	Scott
Dent	Igoe	Miller	Sells
Dickinson, Iowa	Jacoway	Milligan	Shreve
Dominick	James	Minahan, N. J.	Siegel
Donovan	Jefferis	Monahan, Wis.	Sinnott
Dooling	Johnson, Ky.	Mondell	Sisson
Doremus	Johnson, Miss.	Montague	Smith, Idaho
Doughton	Johnson, S. Dak.	Moon	Smith, N. Y.
Drewry	Johnson, Wash.	Mooney	Snell
Dunbar	Jonston, N. Y.	Moore, Ohio	Steagall
Dyer	Jones, Pa.	Moore, Va.	Stedman
Eagan	Jones, Tex.	Moores, Ind.	Steenerson
Eagle	Juul	Morgan	Stephens, Ohio
Echols	Kahn	Mott	Stevenson
Elliott	Kearns	Mudd	Stiness
Emerson	Keller	Murphy	Strong, Kans.
Esch	Kelley, Mich.	Neely	Summers, Wash.
Evans, Mont.	Kelly, Pa.	Nelson, Mo.	Sumners, Tex.
Evans, Nebr.	Kendall	Newton, Mo.	Sweet
Fields	Kennedy, Iowa	Nolan	Swope
Fisher	Kennedy, R. I.	O'Connell	Tague
Flood	Kincheloe	O'Connor	Taylor, Ark.
Focht	King	Ogden	Taylor, Colo.
Fordney	Kinkaid	Oldfield	Temple
Foster	Kleczka	Oliver	Thomas
Freeman	Knutson	Olney	Thompson
French	Kraus	Osborne	Tilson
Fuller, Ill.	Kreider	Overstreet	Timberlake
Gallagher	Lampert	Padgett	Tincher
Gallivan	Lanham	Paige	Tinkham
Gandy	Lankford	Park	Towner
Ganly	Larsen	Parrish	Treadway
Gard	Layton	Pell	Upshaw
Garland	Lea, Calif.	Peters	Vaile
Garner	Lee, Ga.	Phelan	Venable
Glynn	Lehlbach	Platt	Vestal
Goldfogle	Lesher	Porter	Vinson
Good	Linthicum	Pou	Volstead
Goodwin, Ark.	Little	Quin	Walsh
Goodykoontz	Lonergan	Radcliffe	Walters
Graham, Ill.	Longworth	Rainey, Ala.	Wason
Green, Iowa	Luce	Rainey, H. T.	Watkins
Greene, Vt.	Lufkin	Rainey, J. W.	Watson
Griest	Luhring	Raker	Weaver
Griffin	McAndrews	Ramsey	Welty
Hadley	McArthur	Rayburn	Whaley
Hamill	McDuffie	Reavis	Wheeler
Hardy, Colo.	McFadden	Reber	White, Kans.
Harrison	McGlennon	Reed, N. Y.	White, Me.
Haugen	McKenzie	Reed, W. Va.	Williams
Hawley	McKeown	Ricketts	Wilson, Ill.
Hays	McKiniry	Riordan	Wilson, La.
Heflin	McLane	Robinson, N. C.	Wilson, Pa.
Hersey	McLaughlin, Mich.	Robsion, Ky.	Wingo
Hersman	McLaughlin, Nebr.	Rogers	Winslow
Hickey	McPherson	Romjue	Wise
Hicks	MacCrate	Rose	Wood, Ind.
Hill	MacGregor	Rouse	Woods, Va.
Hoch	Madden	Rowan	Woodyard
Holland	Magee	Rowe	Wright
Howard	Maher	Rubey	Yates
Huddleston	Major	Sabath	Young, Tex.
Hudspeth	Mann, S. C.	Sanders, Ind.	Zihlman
Hull, Iowa	Mansfield		

NAYS—3.

Garrett	Sims	Welling

NOT VOTING—98.

Baer	Dupré	Kettner	Sanders, La.
Benham	Edmonds	Kiess	Scully
Blackmon	Ellsworth	Kitchin	Sears
Booher	Elston	Langley	Sherwood
Brinson	Evans, Nev.	Lazaro	Sinclair
Brooks, Ill.	Fairfield	McClintic	Slemp
Browne	Ferris	McCulloch	Small
Brumbaugh	Fess	McKinley	Smith, Ill.
Cantrill	Frear	Mann, Ill.	Smith, Mich.
Caraway	Fuller, Mass.	Mason	Smithwick
Carss	Godwin, N. C.	Mead	Snyder
Carter	Goodall	Merritt	Steele
Clark, Fla.	Gould	Morin	Stephens, Miss.
Cole	Graham, Pa.	Nelson, Wis.	Stoll
Cooper	Greene, Mass.	Newton, Minn.	Strong, Pa.
Copley	Hamilton	Nicholls	Sullivan
Costello	Hardy, Tex.	Parker	Taylor, Tenn.
Curry, Calif.	Harreld	Purnell	Tillman
Dale	Hastings	Ramseyer	Vare
Davey	Hayden	Randall, Calif.	Voigt
Dewalt	Hernandez	Randall, Wis.	Ward
Dickinson, Mo.	Hoey	Rhodes	Webster
Dowell	Houghton	Riddick	Young, N. Dak.
Drane	Hulings	Rodenberg	
Dunn	Ireland	Rucker	

So, two-thirds having voted in favor thereof, the rules were suspended and the joint resolution was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWNE with Mr. DICKINSON of Missouri.

Mr. DOWELL with Mr. BLACKMON.

Mr. EDMONDS with Mr. DAVEY.

Mr. FESS with Mr. SULLIVAN.

Mr. MORIN with Mr. BRUMBAUGH.

Mr. LANGLEY with Mr. GOLDFOGLE.

Mr. GREENE of Massachusetts with Mr. HARDY of Texas.

Mr. KIESS with Mr. NICHOLLS.

Mr. McCULLOCH with Mr. STOLL.
Mr. RIDDICK with Mr. MEAD.
Mr. SMITH of Michigan with Mr. SEARS.
Mr. NEWTON of Minnesota with Mr. DUPRÉ.
Mr. BROWNE. Mr. Speaker, I desire to vote.
The SPEAKER. Was the gentleman present and listening?
Mr. BROWNE. No; I do not think I was.
The SPEAKER. The gentleman does not qualify.
The result of the vote was announced as above recorded.

EXTENSION OF REMARKS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that all Members may have three days in which to extend their own remarks upon the resolution just passed.
The SPEAKER. The gentleman from Missouri asks that all Members have three days in which to extend their own remarks on the resolution just passed.
Mr. BLANTON. Mr. Speaker, I regret, but I object.
Mr. IGOE. Mr. Speaker, may I ask unanimous consent to extend my own remarks on this resolution?
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.
Mr. EVANS of Montana. Mr. Speaker, I make the same request with reference to this joint resolution.
Mr. FLOOD. Mr. Speaker, I make the same request.
The SPEAKER. Is there objection to these requests? [After a pause.] The Chair hears none.
Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ELECTION TO COMMITTEES.

Mr. HENRY T. RAINEY. Mr. Speaker, I move the election of Mr. P. H. DREWRY, Representative from Virginia, for one of the minority places on the Committees on Coinage, Weights and Measures and Expenditures on Public Buildings.
The SPEAKER. The Clerk will report the motion.
The Clerk read as follows:

Mr. HENRY T. RAINEY moves the election of P. H. DREWRY, of Virginia, to the Committees on Coinage, Weights, and Measures and Expenditures on Public Buildings.

The SPEAKER. Without objection, the motion is agreed to.
There was no objection.

EXTENSION OF REMARKS.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution just passed.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SIERRA NATIONAL FOREST, CALIF.—CONFERENCE REPORT.

Mr. SINNOTT. Mr. Speaker, I call up the conference report on the bill (S. 2789).
The SPEAKER. The gentleman from Oregon calls up the conference report on the Senate bill, which the Clerk will report by title.
The Clerk read as follows:

A bill (S. 2789) for the conservation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:
That the Senate recede from its disagreement to the amendments of the House numbered 1 and 2, and agree to the same.
Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: "and in determining the relative values of the lands or timber to be exchanged, consideration shall be given to any reservations which either party may make of timber, minerals, or easements"; and the House agree to the same.

N. J. SINNOTT,
ADDISON T. SMITH,
EDWARD T. TAYLOR,
Managers on the part of the House.

REED SMOOT,
JAMES D. PHELAN,
Managers on the part of the Senate.

STATEMENT.

The effect of the Senate's recession from its disagreement to the amendment of the House No. 1 is to give the Secretary of the Interior authority "in his discretion" to accept title to any land in the Sierra National Forest, which the Secretary of Agriculture may desire to accept under the provisions of the bill.
The effect of the Senate's recession on amendment No. 2 is to eliminate the provision of the Senate bill permitting "assignable certificates of timber" to be given by the United States in the exchange.
The effect of the insertion of the language in lieu of the matter proposed to be stricken out by House amendment No. 3 is to permit either party to the exchange to make reservations of timber, minerals, or easements.

N. J. SINNOTT,
ADDISON T. SMITH,
EDWARD T. TAYLOR,
Managers on the part of the House.

Mr. GARD. Mr. Speaker, I reserve all points of order.
Mr. ANDERSON. I do not think we ought to have an academic debate at this stage of the game. Does the gentleman make the point of order?
The SPEAKER. Does the gentleman make the point of order?
Mr. GARD. I reserve a point of order on the last amendment.
Mr. ANDERSON. Mr. Speaker, I ask for the regular order.
The SPEAKER. Does the gentleman desire to make a point of order? If he does, it should be made.
Mr. GARD. I make the point of order.
The SPEAKER. The gentleman will state his point of order.
Mr. GARD. I make the point of order as being outside the jurisdiction of the conferees and not within the scope of the original bill and not being within the action of either House.
Mr. SINNOTT. Mr. Speaker, the language of the amendment is the language in the Senate bill. It will merely restore part of the language stricken out by the House. The language gives the Secretary of Agriculture or the owner of private land the right to make reservation of timber, mineral, or easements in the exchange.
Mr. GARD. My impression from hearing the amendment read was that it is beyond what is contained either in the House text or the Senate text.
Mr. SINNOTT. It merely restored part of the identical language stricken out by the House amendment.
The SPEAKER. The Chair overrules the point of order. The question is on agreeing to the conference report.
The question was taken, and the conference report was agreed to.
On motion of Mr. SINNOTT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

TRANSFERRING CERTAIN SURPLUS MATERIAL, ETC., TO THE DEPARTMENT OF AGRICULTURE.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13329 and agree to the Senate amendments.
The SPEAKER. The gentleman from California moves to take from the Speaker's table a bill with Senate amendments and to agree to the Senate amendments. The Clerk will report the bill by title.
The Clerk read as follows:

An act (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

The Senate amendments were read.
Mr. GARD. Mr. Speaker, reserving the right to object——
The SPEAKER. No; the gentleman moves——
Mr. GARD. The gentleman asked unanimous consent, and I can only be guided by what the gentleman said. He asked unanimous consent.
Mr. KAHN. I move to take it from the Speaker's table. Mr. Speaker, this bill is a bill for the distribution of certain surplus war material for road-building purposes. The Senate amendments provided that the number to be distributed be not in excess of the number named in the bill. The bill itself names a certain number, so that if amendments are adopted it shall be that they shall not exceed that number.
Mr. FIELDS. Might possibly be more than that?
Mr. KAHN. No. The last section stricken out provided that the Department of Agriculture should pay for storage for this material. The Senate refused to agree to that provision, and the House Committee on Military Affairs is willing to accept the Senate amendment.

Mr. GARD. If the gentleman will yield for an inquiry, that is the section that provided that the Government should pay storage charges where transferred to the States?

Mr. KAHN. Exactly.

Mr. GARD. That is now eliminated?

Mr. KAHN. That is eliminated.

Mr. GARD. That is not in it?

Mr. KAHN. That is eliminated.

Mr. MOORE of Virginia. The number is limited to 500?

Mr. KAHN. That is it.

Mr. MOORE of Virginia. Was there any effort to increase the number?

Mr. KAHN. I do not know what happened in the Senate, but they adopted an amendment that it should not be increased.

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

The amendment was agreed to.

ARMY APPROPRIATIONS BILL.

Mr. KAHN. Mr. Speaker, I desire to call up the conference report on the Army appropriation bill.

The SPEAKER. The gentleman calls up the conference report, which the Clerk will report.

The Clerk read as follows:

Conference report on H. R. 13587, making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report. The statement explains the amendment.

The SPEAKER. The gentleman from California asks unanimous consent that the statement be read in lieu of the report.

Mr. CLARK of Missouri. Which is the longer?

Mr. KAHN. I think the report is longer.

Mr. GARD. Is the report too long to be read for the proper information of the House?

Mr. KAHN. Of course, the report is at least as long as the statement, but I do not know whether it would give the information to the House that the statement would give.

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

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13587) making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 22, 33, 48, 53, 54, 82, 83, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 21, 23, 28, 29, 31, 32, 34, 35, 36, 39, 40, 41, 43, 44, 45, 46, 51, 52, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 79, 80, 81, 86, and 87, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "$250,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of said amendment insert the following: "*Provided further*, That the Secretary of War be, and he is hereby, authorized, in his discretion, to sell to any State or foreign Government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as, or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$300,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "and the Signal Corps at Camp Alfred Vail, N. J."; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$33,000,000: *Provided*, That not less than $5,250,000 thereof shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment: *Provided further*, That not less than $6,000,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*And provided further*, That hereafter the Army Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations whose maintenance is necessary for operations connected with the fleet, for construction and experimentation, and for the training of personnel"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$23,000,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$17,000,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$60,000,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That commencing January 1, 1920, warrant officers, Army Mine Planter Service, shall be paid, in addition to all pay and allowances now authorized by law, an increase at the rate of $240 per annum: *Provided*, That this increase shall remain effective until the close of the fiscal year ending June 30, 1922, unless sooner amended or repealed."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$40,000,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That hereafter when, in the opinion of the Secretary of War, accommodations are available, transportation on Army transports may be provided for the members and employ-

ees of the Porto Rican Government and their families without expense to the United States: *Provided further*, That in the joint discretion of the Secretary of War and chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargo may be transported on Army transports in the trans-Atlantic service, at such times as space is not available on commercial lines, at rates not less than those charged by commercial steamship companies, between the same ports, for the same class of accommodations, the receipts from which shall be covered into the Treasury of the United States to the credit of miscellaneous receipts: *Provided further*, That authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports *Sherman, Sheridan, Thomas, Logan, Buford, Kilpatrick, Crook*, and *Warren;* and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts; and such vessels, if sold to citizens of the United States, may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$8,500,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"That the Secretary of War may, in his discretion, transfer to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation of Whipple Barracks, Ariz., now occupied by said service for hospital purposes."

And the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$500,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$3,500,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agriculture and animal husbandry, may be sold under such regulations as the Secretary of War may prescribe and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$200,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "*Provided further*, That so much of this appropriation as is necessary to provide facilities for Engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$350,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "$5,000,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the amendment insert the following: "for the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks or other offensive or defensive materials or appliances required for gas warfare purposes, including all necessary investigation, experimentation, and operations connected therewith, construction and repair of buildings and equipment and the machinery therefor, expenses incidental to the organization and training of gas troops not otherwise provided for, $2,000,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"For the expense of maintaining upon military reservations, camps for military instruction and training of such citizens as may be selected and under such regulations as may be prescribed by the Secretary of War pursuant to section 54 of the act of June 3, 1916, as amended by the act of May 12, 1917, and for furnishing said citizens at the expense of the United States, uniforms, subsistence, and transportation by the most usual and direct routes within such limits as to territory as may be prescribed; for such expenditures as are authorized by said section and may be necessary for the establishment and maintenance of said camps; for furnishing such equipment, tentage, field equipage, and transportation belonging to the United States as may be necessary; for arms and ordnance equipment, including overhauling and repairing of personal equipment, machine-gun outfits, horse equipment, ammunition, targets and their accessories for target practice, and for overhauling and repairing arms for issue and use in connection with said camps, $250,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 45 years of age."

And the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"REPAIRING ROAD DAMAGED BY GOVERNMENT MOTOR TRUCKS, TENAFLY, N. J.

"That the Secretary of War be, and he is hereby, authorized to complete the work of grading and paving that portion of Hickory Avenue lying between Knickerbocker Street and Jefferson Street in the borough of Tenafly, of the county of Bergen, and State of New Jersey, begun but not completed by the Government during the war with Germany: *Provided*, That the said borough shall bear one-half or more of the cost of the above work and the Government shall bear not over one-half of the cost of said work: *Provided further*, That the share to be borne by the Government shall not exceed $5,200; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,200 for said work, to be paid on the completion of the work: *Provided further*, That the said borough shall contract to assume to pay and discharge all claims arising out of the present uncompleted condition of said Hickory Avenue."

And the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"RIFLES AND ACCESSORIES FOR ORGANIZATIONS OF WAR VETERANS.

"That the act entitled 'An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion,' approved February 10, 1920, be, and the same is hereby, amended to read as follows:

"'That the Secretary of War is hereby authorized, under rules, limitations, and regulations to be prescribed by him, to loan obsolete or condemned Army rifles, slings, and cartridge belts to posts or camps of organizations composed of honorably discharged soldiers, sailors, or marines, for use by them in connection with the funeral ceremonies of deceased soldiers, sailors, and marines, and for other post ceremonial purposes; and to sell such posts and camps blank ammunition in suitable

amounts for said rifles at cost price, plus cost of packing and transportation: *Provided, however*, That not to exceed 10 such rifles shall be issued to any one post or camp.'"

And the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"EMERGENCY COMMISSIONED PERSONNEL.

"That the President is authorized to retain temporarily in service, under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920."

And the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the amendment insert the following:

"MEDAL OF HONOR FOR VERDUN.

"That the President be, and he is hereby, authorized, in the name of the Congress and people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders, the cost to be paid from the appropriation for contingencies of the Army."

And the Senate agree to the same.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HARRY S. NEW,
J. S. FRELINGHUYSEN,
GEO. E. CHAMBERLAIN,
C. S. THOMAS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House of Representatives at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 13587, making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the said bill:

As the bill passed the House, it carried the amount of approximately $377,000,000. The Senate increased this amount to approximately $418,000,000. The conferees finally agreed on an amount approximating $394,000,000, so that the net decrease from the amounts recommended by the Senate is approximately $24,000,000.

Amendments 4, 6, 8, 9, 10, 14, 15, 16, 17, 19, 23, 37, 39, 40, 46, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 73 are principally changes in phraseology.

On amendment No. 1: Makes the amount available for contingencies of the Army $300,000 instead of $400,000, as provided in the Senate amendment.

On amendment No. 2: Changes the amount to be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims from $350,000, as provided in the Senate amendment, to $250,000.

On amendment No. 3: Provides that the Secretary of War be, and he is hereby, authorized in his discretion to sell to any State or foreign government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as, or may hereafter be, found to be surplus which are not needed for military purposes and for which there is no adequate domestic market.

On amendment No. 5: Increases the allowance for contingencies for the Military Intelligence Division to $300,000.

On amendment No. 7: Increases the amount appropriated for the United States service schools from $75,000 to $100,000.

On amendment No. 11: Gives The Adjutant General permission to employ clerical help to furnish the adjutants general of the several States statements of service of all persons from those States who entered the military service during the war with Germany.

On amendment No. 12: Increases the item for purchase of engine generators, motors, etc., for the Division of Enlisted Specialists, Coast Artillery School, from $10,540 to $15,000.

On amendment No. 13: Allows part of the appropriation for the telegraph and telephone systems of the Signal Service of the Army to be expended for the Signal Corps at Camp Alfred Vail, N. J.

On amendment No. 18: Increases the amount appropriated for the Air Service to $33,000,000 and provides that not less than $5,250,000 shall be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, and that not less than $6,000,000 shall be expended for the production and purchase of new planes and their equipment, spare parts, and accessories.

On amendment No. 20: Provides that hereafter the Army Air Service shall control all aerial operations from land bases, and Naval Aviation shall have control of all aerial operations attached to a fleet, including shore stations, whose maintenance is necessary for operations connected with the fleet, for construction and experimentation and for the training of personnel.

On amendment No. 21: Provides for the setting aside of Bolling Field in the District of Columbia as a military reservation to be used for aviation purposes.

On amendment No. 24: Increases the pay of the officers of the line to $23,000,000.

On amendment No. 25: Increases the pay of the officers of the Staff Corps and departments to $17,000,000.

On amendment No. 26: Increases the pay of enlisted men of the line to $60,000,000.

On amendment No. 27: Increases the pay of the enlisted men of the Staff Corps and departments to $18,000,000. These increases are necessary owing to the passage of the increased Army pay bill recently enacted.

On amendment No. 28: Increases the allotment for commutation of quarters and of heat and light for Army field clerks to $400,000.

On amendment No. 29: Increases the allowance for such commutation for field clerks of the Quartermaster Corps to $100,000. These increases are likewise due to the passage of the increased pay bill.

On amendment No. 30: The House receded with an amendment under the terms of which warrant officers of the Army mine planters service will be given similar increases of pay as were accorded Army officers, warrant officers, field clerks, etc., under the terms of the increased pay bill recently enacted.

On amendments Nos. 31 and 32: Authorize the issue of rations to warrant officers of the mine planter's service.

On amendment No. 34: Struck out the provision allowing the expenditure of $52,230 for the construction and completion of an ice and cold storage plant at Schofield Barracks.

On amendment No. 35: Provides for the compensation of clerks and other employees of the Quartermaster Corps and Finance Service, the latter having been created as a separate branch of the Army in the Army reorganization bill.

On amendment No. 36: Authorizes transportation for warrant officers of the mine planter's service.

On amendment No. 38: Decreases the amount for transportation for the Army and its supplies to $40,000,000 in lieu of the $45,000,000 carried in the Senate amendment.

On amendment No. 41: Allows the use of motor-propelled vehicles for the transportation of Army personnel in connection with the recreation activities of the Army.

On amendment No. 42: Provides that members and employees of the Porto Rican Government and their families may travel on Army transports without expense to the United States. It also provides that in the joint discretion of the Secretary of War and the chairman of the Shipping Board, and when space is available, civilian passengers and shipments of commercial cargoes may be transported on Army transports in the trans-Atlantic service at such times as space is not available on commercial liners, and at rates not less than those charged by commercial steamship companies between the same ports for the same class of accommodation. The receipts for such service are to be covered into the Treasury of the United States to the credit of "miscellaneous receipts." The amendment also gives authority to the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the U. S. trans-

ports *Sheridan, Thomas Logan, Kilpatrick, Crook*, and *Warren*, and to cover the proceeds of such sales into the Treasury of the United States. Such vessels if sold to citizens of the United States may engage in the coastwise trade so long as they remain wholly the property of citizens of the United States. These transports were purchased during the Spanish-American War. They are old vessels, for which a better price can probably be procured at this time than later on.

On amendment No. 43: Makes the provisions of law for the purchase and manufacture of clothing for the Army applicable to warrant officers of the mine planters' service.

On amendment No. 44: Increases the allowance for a suit of citizen's outer clothing to be issued to each soldier discharged otherwise than honorably to $40 in lieu of $25, as carried in the existing law.

On amendment No. 45: Allows the sums appropriated under the titles, Subsistence of the Army, Regular supplies Quartermaster Corps, Incidental expenses Quartermaster Corps, Transportation of the Army and its supplies, Water and sewers at military posts, Clothing, Camp and garrison equipage, to be disbursed and accounted for as "General appropriations, Quartermaster Corps," and for that purpose to constitute one fund.

On amendment No. 47: Reduces the appropriation of $10,000,000 for barracks and quarters to $8,500,000.

On amendment No. 49: Grants discretion to the Secretary of War to transfer Whipple Barracks, Ariz., to the Public Health Service.

On amendment No. 50: Increases the sum appropriated for military post exchanges to $500,000.

On amendment No. 51: Strikes out the appropriation of $78,000 for the completion of a liberty theater at Camp Knox, Ky.

On amendment No. 52: Increases the amount for barracks and quarters, Philippine Islands, to $300,000.

On amendment No. 55: Allows the payment of the traveling expenses as authorized under existing law to necessary civilian instructors at vocational training schools.

On amendment No. 56: Allows the purchase of materials and live stock (including fowls) for vocational training.

On amendment No. 57: Increases the amount for vocational training to $3,500,000.

On amendment No. 58: Provides for the sale of farm products and increase of live stock as accrue incidentally to agriculture and animal husbandry, and the deposit of funds accruing from such sale in the Treasury Department to the credit of "Miscellaneous receipts."

On amendment No. 59: Permits the Secretary of War to pay commutation of traveling expenses of civilian rifle teams from their homes to national matches when authorized to participate therein by the Secretary of War.

On amendment No. 60: Allows the transportation of animals and authorized equipment from place of issue to the several institutions where Reserve Officers' Training Corps are maintained and to the training camps which said organizations occupy during their summer training.

On amendment No. 61: Increases the amount for reserve officers' training camps from $2,500,000 to $3,000,000.

On amendment No. 62: Reduced the amount for inland and port storage and shipping facilities to $100.

On amendment No. 63: Increases the amount for the care of the insane Filipino soldiers to $2,000.

On amendment No. 74: Increases the amount for engineer equipment of troops to $200,000, "*Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1921 shall not exceed $150,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each."

On amendment No. 75: Permits the expenditure of a part of the appropriation for engineering operations in the field to provide facilities for engineer training of troops in military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only.

On amendment No. 76: Increases the amount for the construction of roads, etc., in Alaska to $350,000.

On amendment No. 77: Allows the use of ordnance and ordnance stores for instruction purposes.

On amendment No. 78: Increases the appropriation for purchasing, receiving, and storing ordnance and ordnance stores, etc., to $5,000,000.

On amendment No. 79: Reduces the item for ordnance stores and supplies to $590,055.

On amendment No. 80: Provides that the appropriation for the purchase and manufacture of automatic machine rifles shall remain available until June 30, 1922.

On amendment No. 81: Makes the appropriation for the purchase and manufacture of tanks available until June 30, 1922.

On amendment No. 84: Changes the language of the item relating to the appropriation for Chemical Warfare Service and fixes the amount available for that service at $2,000,000.

On amendment No. 85: Redrafts the language relating to civilian military training camps, but does not increase the appropriation.

On amendment No. 86: Increases the allowance for the Tank Service to $79,000.

On amendment No. 87: Extends the privilege of purchasing subsistence, stores, and articles of other authorized supplies, except articles of the uniform, to honorably discharged officers and enlisted men of the Army, Navy, and Marine Corps who are being cared for and are receiving medical treatment from the Public Health Service.

On amendment No. 88: Authorizes the Secretary of War to complete the work of grading and paving certain streets in Tenafly, N. J., which had been begun but not completed by the Government during the war with Germany.

On amendment No. 89: Amends the law permitting the Secretary of War to loan obsolete or condemned rifles to posts of the American Legion to include slings and cartridge belts and extends the authorization to include organizations composed of honorably discharged soldiers, sailors, or marines for use by them in connection with funeral ceremonies of their deceased comrades.

On amendment No. 90: Authorizes the President to retain temporarily in service under their present commissions, or to discharge and recommission temporarily in lower grades, such emergency officers as he may deem necessary; but the total number of officers on active duty, exclusive of retired officers and disabled emergency officers undergoing treatment for physical reconstruction, shall at no time exceed 17,823. Any emergency officer may be discharged when his services are no longer required, and all such officers shall be discharged not later than December 31, 1920. All officers of the Regular Army holding commissions granted for the period of the existing emergency, in whatever grade, shall be discharged therefrom not later than June 30, 1920.

On amendment No. 91: Authorizes the President, in the name of Congress and the people of the United States, to present to the city of Verdun, France, a suitable memorial medal or tablet as a mark of America's appreciation of the valor of its defenders.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

Mr. FIELDS. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Kentucky.

Mr. FIELDS. I desire to ask the chairman of the committee what became of the amendment adopted by the House on the motion to recommit when that bill passed the House, relating to social distinction?

Mr. KAHN. That did not become a matter of conference, because the Senate retained the provision just as it passed the House.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the conference report. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Texas. Mr. Speaker, I would like to ask a question. I notice permission is given in one of the Senate amendments to use motor vehicles for recreation purposes.

Mr. KAHN. Yes.

Mr. JONES of Texas. Does that include going to social functions or anything like that, or what does it include?

Mr. KAHN. That is in cases like this: For instance, at West Point the enlisted men stationed there have a baseball team. They frequently have baseball matches with the teams of the cities in that vicinity, and they are allowed under that amendment to use motor vehicles to go to those communities.

Mr. JONES of Texas. And this amendment is limited to such occasions as that?

Mr. KAHN. Entirely.

Mr. JONES of Texas. That is all right.

Mr. CAMPBELL of Kansas. May I ask a question?

Mr. KAHN. Yes.

Mr. CAMPBELL of Kansas. Would that include the convalescents at St. Elizabeths who desire to come into town for lunch or to theaters or over to the Union Station Red Cross Service for lunch?

Mr. KAHN. I do not think so. This is only in connection with the recreation activities.

Mr. CAMPBELL of Kansas. I think it should include it. A few days ago the Secretary of War stopped the use of vehicles that had been accommodating the convalescents at St. Elizabeths, shell-shock patients and others, who are coming to the Union Station at the invitation of the Red Cross nurses there for tea or lunch. And these boys were always benefited by those visits. It seems a great pity that some of the wasted energy and the wasted time that is used by these vehicles could not be well applied to accommodating those boys and getting them over to the entertainments that are offered by the people here in the city for their benefit.

Mr. KAHN. I think the gentleman is quite right, but unfortunately this was not in conference in that form; that is as far as the conferees were willing to go at this time. It is purely an experiment. If there is any disposition to abuse the privilege we can repeal the provision. In such event I suppose Congress would not continue the law.

Mr. CAMPBELL of Kansas. Let me ask this: Is there anything in the law that prohibits the Secretary of War from permitting the use of some of these vehicles in carrying those boys over?

Mr. KAHN. I do not think so. I think it is purely an administrative matter.

Mr. CAMPBELL of Kansas. Then the Secretary of War should permit these vehicles to be used in that way.

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

Mr. KAHN. Yes.

Mr. BLANTON. The rules of the House prevent the gentleman from California [Mr. KAHN] and his fellow conferees from considering such a proposition; but there is nothing to keep the distinguished gentleman from Kansas, who is chairman of the Committee on Rules, from bringing in a rule to make that in order, because he has brought in a rule on almost every other subject during this Congress.

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

Mr. KAHN. Yes.

Mr. FIELDS. Mr. Speaker, and gentlemen of the House, the Committee on Military Affairs has considered this matter and favorably reported a bill similar to this bill, and that bill is on the calendar of the House. Now, the man who makes the best soldier is a man who soldiers because he wants to soldier.

Mr. DUNBAR. Will the gentleman yield?

Mr. FIELDS. If the gentleman will be brief.

Mr. DUNBAR. Is it not true that Gen. Kit Carson, one of the bravest American soldiers, and who fought the Indians during most of his military career, could neither read nor write?

Mr. FIELDS. That is my understanding.

If a young man goes to a recruiting station to enlist because he wants to serve his country in the Army, because military life appeals to him, and he has intelligence, has all the qualities essential to the making of a soldier, but if, unfortunately, probably because of his own negligence, probably because of the negligence of his parents, probably because of circumstances beyond his control, he is not able to meet the statutory requirement that he must read and write, he is refused admission to the Army. Now, the gentleman from New York [Mr. SANFORD] has well said that a great work was done in educating the soldier during the World War, and I am proud to say that that work originated in Kentucky.

We have had a campaign on in Kentucky for a good many years to educate our illiterate population. It has been most successful, and the work of educating our illiterate soldiers in the World War was originated in Kentucky by the president of the Kentucky Illiteracy Commission, Mrs. Cora Wilson Stewart, who appealed to the commanding officer at Camp Taylor and to the Secretary of War to permit her to take up this work in Camp Taylor. The military authorities took the matter under advisement and finally decided that the plan suggested by Mrs. Stewart was feasible and would prove valuable to the Army, but that it would not be proper to have outside forces conducting the work. They therefore took the textbooks provided by Mrs. Stewart, which she had written and copyrighted for use in the campaign to eradicate illiteracy from Kentucky, and which she donated to the State without cost, except the actual cost of printing, and inaugurated a school in the camp under military supervision for the education of the illiterate soldiers in training there.

Mr. KING. Mr. Speaker, I make the point of no quorum.

Mr. FIELDS. I refuse to be taken off my feet in that way. I hope the gentleman will wait until I get through.

Mr. KING. I will withhold it until the gentleman has concluded.

Mr. FIELDS. A few months after this school was organized I was driving over the camp with Col. Hostetter, and during the drive he told me that the most important work he had ever seen in an Army camp was the education of illiterate soldiers in that camp. He said, "The further remarkable thing is that every soldier who learned to write came and showed me his first letter; and the beauty of the proposition is that in every instance the soldier's first letter was written to his mother or, if she was not living, to his nearest of kin." That work was so successful in Camp Taylor that the War Department carried it into every camp and cantonment in this country and to the camps overseas. The textbooks provided by Mrs. Stewart were used throughout the Army at actual cost of production. Fifty thousand copies of them were sent to Europe, and they are going to Russia to-day, I am told, for the education of the adult illiterate population of that country.

Why should the young men who, through patriotic motives, desire to serve their country in the Army be denied admission to the Army because they can not read and write, when the Army, along with its other educational work, can teach them to do so within a few weeks?

A great campaign is on throughout the United States for the elimination of illiteracy. Why should not the Army do its part with the men who desire to take up Army life, but who unfortunately are unable to read and write? There is no argument against it. By this campaign in Kentucky we have reduced the percentage of illiteracy very materially within the last few years. That campaign has been inaugurated in 35 of the States of the Union. The president of the Kentucky Illiteracy Commission, who originated this movement in Kentucky, has spoken in 31 States, making the initial effort of the campaign to inaugurate the movement in those States. The Army made great progress in this work during the war, and, gentlemen of the House, to my mind it would be a crime to close its doors to the patriotic young men who desire to serve under their country's flag, but who, because of some unfortunate circumstance, have been prevented from acquiring a meager education. [Applause.]

The gentleman from New York [Mr. SANFORD] in discussing the bill called attention to the fact that the records of the War Department show that twenty-four and nine-elevenths per cent of the soldiers of the World War could not read, write, or speak the English language, and in connection with that statement he referred to the mountain sections of Kentucky, Tennessee, and the Carolinas. One who has not studied this question might therefore infer from the statement of the gentleman from New York [Mr. SANFORD] that the mountains of the Southland contributed to the Army all or practically all of that class of its soldiers who were unable to read and write or speak the English language, which is not true. The 1910 census shows that 12.1 per cent of the adult population of Kentucky could not read or write; all, or practically all, of them could speak the English language, and that 5.5 per cent of the adult population of New York could not read or write. These figures refer only to that class of the citizenship of Kentucky and New York who could not read or write in any language. The figures of the War Department previously referred to apply not alone to the soldiers who could not read or write in any language, but also apply to those who could not speak the English language. I therefore maintain that New York, with 5.5 per cent of her total population who are unable to read or write in any language and her large foreign population, a large percentage of whom do not speak English, contributed a greater percentage of the soldiers of the World War who could neither read, write, nor speak in English than was contributed by Kentucky. But be that as it may, this bill or any other bill that will aid in correcting the conditions referred to in either New York or Kentucky should pass without opposition.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. WOOD of Indiana. I want to call the attention of the gentleman to amendment No. 45, which says:

That all the money hereinbefore designated under the titles "Subsistence of the Army," "Regular supplies, Quartermaster Corps," "Incidental expenses, Quartermaster Corps," "Transportation of the Army and its supplies," "Water and sewers at military posts," "Clothing and camp and garrison equipage" shall be disbursed and accounted for as "General appropriations, Quartermaster Corps," and for that purpose shall constitute one fund.

Under that provision of law they can absolutely use all of this money for any one of these purposes. That paragraph went out on a point of order in the House. What justification is there for the conferees permitting it to be put back? What justification is there for allowing that provision to remain there?

Mr. KAHN. That provision was in the Army bill for a great many years. There was never any abuse of it. The Senate conferees insisted that it should go back into the bill. The House conferees finally yielded.

But I want to say, in connection with the Army appropriation bill, that in view of the fact that the Army reorganization bill will probably become a law before long, it is the hope of the members of the Committee on Military Affairs that the entire Army appropriation bill may be reworded, so that when it comes in at the next session we shall have a bill that will be much more explanatory than is the legislation under the present form.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. KAHN. Yes.

Mr. WOOD of Indiana. I want to call the gentleman's attention to Senate amendments numbered 1 and 2. Under Senate amendment number 1 you provide that employees of the War Department may spend, while traveling on official business outside of the District of Columbia, $300,000, and in amendment number 2 you provide that they may expend $250,000 of the money heretofore appropriated for the payment of salaries of civilian employees connected with the sale of war supplies.

Mr. KAHN. No. The gentleman is mistaken. The whole paragraph refers to contingencies of the Army. Of course, the contingencies include traveling expenses, and so on. But the amount appropriated is largely for the payment of men connected with the sales department of the Army and the claims adjustment boards also connected with it.

Mr. WOOD of Indiana. That is the point I want to make. Before the subcommittee on the legislative, executive, and judicial bill it was stated that this adjustment board, whose members are paid $50, $75, and $100 a day when they never earned before more than $2,000 or $3,000 a year, expected to complete its work before the 1st of June. How much of this $250,000 is to be paid to these leeches on the Government that are receiving these sums of $50, $75, and $100 a day?

Mr. KAHN. I want to say to the House that the conferees stood steadfastly for the amounts carried in the House bill. The Senate conferees insisted on the full amount of $400,000. We discussed the matter for several hours, and finally the amount agreed upon was a compromise.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. KAHN. I want to say to the gentleman that all the points he has made about these boards are points that we discussed in the conference.

Mr. WOOD of Indiana. I want to call the gentleman's attention to Senate amendment No. 11, which was put back into the bill. It is with reference to the expenditure authorized by The Adjutant General for furnishing to the adjutants general of the States these several lists.

Mr. KAHN. Yes.

Mr. WOOD of Indiana. There is no provision in this language that will prevent The Adjutant General or the War Department from using this money not only for the purpose of furnishing these lists but for any other purpose that they see fit to use it for.

Mr. KAHN. Mr. Speaker, the gentleman from Indiana [Mr. WOOD] raised the point of order on this language when the bill was up in the House, and claimed that the Committee on Appropriations had appropriated money for the specific purpose of completing these lists. The Adjutant General wrote a letter to the chairman of the Committee on Military Affairs of the House, which letter was inserted in the RECORD, denying the statements of the gentleman from Indiana upon that subject.

Mr. WOOD of Indiana. And the gentleman from Indiana produced the testimony of The Adjutant General before the committee, in which he absolutely took the other position.

Mr. KAHN. The letter of The Adjutant General referred to the testimony.

Mr. WOOD of Indiana. Upon the theory, I reckon, that that was the last say he had and that it overruled the first; but it does not change the fact.

Mr. KAHN. He said personally to me that the adjutants general of the different States were exceedingly anxious to have these rolls completed.

Mr. WOOD of Indiana. Yes; and so is everybody else.

Mr. KAHN. And therefore the conferees agreed that they would allow the money to be used for that purpose.

Mr. WOOD of Indiana. The unfortunate thing about this business is that you can take every one of the items that went out upon points of order in the House, for the purpose, it was hoped, of saving some money to the Government, and find that they have found their way back into this bill. Besides that, there have been a good many others added. I call attention now to Senate amendments 15 and 16, on page 12, which absolutely permits the salaries and wages of civilian employees in the District of Columbia and elsewhere to be paid out of this fund, which affords another avenue for the employment of additional clerks. You struck out the word "outside" and put in the words "within the District of Columbia and elsewhere," thus permitting the fund to be used for the purpose of paying these civilian employees, and thus through a subterfuge to increase and keep up the force that this Congress meant should be reduced.

Mr. KAHN. Mr. Speaker, the language to which the gentleman refers was stricken out on a point of order made by him. As I now recall, a letter was sent from the department showing that he was mistaken in his premises, and that these employees were absolutely necessary for this work.

Mr. WOOD of Indiana. No doubt they would say that thing. But I wish to call the attention of the gentleman to the further fact that Gen. Lord, who failed to get from the legislative committee the appropriation that he desired for clerk hire, and failed to get all he wanted out of the Military Affairs Committee, has gone before the Senate subcommittee having in charge the sundry civil appropriation bill and has gotten into that bill $283,000 for additional clerks more than were supplied by the Military Affairs Committee and the legislative committee, thus demonstrating that if they do not get it from one they go to another, and they have succeeded very largely in getting it back if not in one bill, they have gotten it through some other bill.

Mr. KAHN. Mr. Speaker, the Senate put into the bill quite a large appropriation for an arsenal at Edgewood. I went to the chairman of the Committee on Appropriations, because the Committee on Military Affairs has no jurisdiction over the appropriations for arsenals, and consulted with him. The information he gave me enabled me to resist to the very end the effort to put in that kind of an appropriation; and if members of the Appropriations Committee would come to the Committee on Military Affairs and other appropriating committees and explain things to them, probably we would have more harmony in the action of those committees.

Mr. WOOD of Indiana. I did my best during the consideration of this bill to explain to the chairman of the Committee on Military Affairs the attitude that these gentlemen occupied before our committee in order that he might at least have the benefit of that information, but it does not seem to have done much good.

Mr. KAHN. They denied the correctness of the statements made by the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. And no matter what the hearings may show in black and white, such denial is amply sufficient for the gentleman from California [Mr. KAHN].

Mr. ANTHONY. Will the gentleman yield?

Mr. KAHN. I yield to my colleague.

Mr. ANTHONY. I want to reply to the gentleman from Indiana [Mr. WOOD], who stated that the Senate had been compelled to put $283,000 on the sundry civil bill.

Mr. WOOD of Indiana. I did not say they had been compelled. I said they had done it.

Mr. ANTHONY. On the recommendation of Gen. Lord. Now, the facts are that, due to the negligence of somebody in the War Department when they were before the gentleman's committee for the legislative bill, they entirely forgot the estimates for clerical hire in the construction and other divisions in the War Department. The result is that the legislative bill made no provision whatever for that, and I understand that a supplemental estimate has gone to the Senate, due to that error.

Mr. WOOD of Indiana. I never knew Gen. Lord to overlook anything pertaining to his department, and I do not think he ever will as long as he has his wits about him.

Mr. JONES of Texas. Will the gentleman yield?

Mr. KAHN. I will.

Mr. JONES of Texas. I do not know whether I understood the amendment correctly, but I understood there was some reference to training fowls.

Mr. KAHN. Under the item of vocational training, they are attempting to give some instructions in farming, and the idea is to let them have a few chickens at the camps.

A MEMBER. What kind of chickens?

Mr. KAHN. Feathered chickens [laughter], in order that the men may be taught how to raise fowls. There is also an amendment which authorizes them to sell the surplus or increase. The Senate amendment provided that the fund received should be turned over to the vocational fund, and the House conferees insisted that that be changed so that the money received would go into the Treasury of the United States.

Mr. JONES of Texas. One further question: Was the amount appropriated for the purchase of horses increased from what it was last year?

Mr. KAHN. No.

Mr. WALSH. Will the gentleman yield?

Mr. KAHN. I will.

Mr. WALSH. I was unable to determine from the reading of the statement whether any provision was agreed to by the conferees with reference to emergency officers, more particularly in the Judge Advocate General's Department, as requested by the Secretary of War.

Mr. KAHN. There is no such provision in the conference report. In the report that was acted upon by the Senate yesterday afternoon there was such a provision. It was inserted because the Secretary of War specifically asked that it be done. The Secretary of War later sent a letter saying that he was against such a provision.

Then the Secretary recalled that letter, and later on said he would be for the provision with certain modifications, to the effect that discharged emergency officers who desired to compete for positions in the Regular Army could also have the opportunity of being considered eligible for appointment under the provision. Then a Member of this House and of the Committee on Military Affairs announced that he would make a point of order on the conference report if such a provision should appear therein. The conferees, upon inquiry, thought the point of order was good, and so they allowed the matter to go out in the conference report.

Mr. WALSH. And the Secretary of War's request in that respect has not been acceded to.

Mr. KAHN. It has not.

Mr. WALSH. Can the gentleman state how much money is to be expended for the great free university which the War Department is going to set up and maintain under the head of vocational education?

Mr. KAHN. Three million five hundred thousand dollars.

Mr. WALSH. Five hundred thousand dollars more than the House bill.

Mr. KAHN. Yes; the House committee reported $3,000,000 and the House cut it down to $2,000,000.

Mr. WALSH. And now it goes back to three and a half million dollars.

Mr. KAHN. Yes; the Senators claimed that there are 105,000 men taking the training at this time and that more will be taking the training before the end of the fiscal year. They say it costs $50 to train each man. The House conferees, I want to say in all fairness, fought this increase, but finally the Senate conferees asked that the men who are in charge of the vocational training section of the Army be sent for and be allowed to testify. That was done, and thereafter the amount of $5,000,000 carried in the Senate amendment was reduced to three and one-half million dollars.

Mr. WALSH. And the result is that we will have three million and a half dollars' worth of students and apprentices in the Army and reduce by that much the Army of military soldiers.

Mr. KAHN. The understanding is that the usual amount of military training will not be done away with.

Mr. WALSH. No; but the result of this will be to encourage them not to reenlist.

Mr. KAHN. No; they claim it will encourage enlistments.

Mr. WALSH. I said reenlistments.

Mr. KAHN. Perhaps it would be a good thing if we did not have so many reenlistments. Then if we got into a war again we would have more trained men in the Army.

Mr. MILLER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MILLER. Can the gentleman give us the amount of money carried in this final report of the conferees over that of the House bill?

Mr. KAHN. About $17,000,000. The Senate asked for an increase of $41,000,000 and we cut it down to $17,000,000.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. McKEOWN) there were 107 ayes and 70 noes.

So the conference report was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

PENSION OF SOLDIERS IN THE WAR WITH SPAIN, PHILIPPINE INSURRECTION, AND CHINA RELIEF EXPEDITION.

Mr. SELLS. Mr. Speaker, I call up from the Speaker's table the bill H. R. 2 and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table and concur in the Senate amendments the bill of which the Clerk will read the title.

The Clerk read as follows:

H. R. 2. An act to pension the soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition.

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

There was no objection.

The Clerk read the Senate amendments.

The Senate amendments were agreed to.

Mr. SELLS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

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

There was no objection.

Mr. SELLS. Mr. Speaker, the amendments which have been added to this bill change in no manner the original provisions which it contained when it passed the House on March 1. Two of them are entirely inconsequential, one merely changing slightly the caption, the other regulating the manner of payment of attorney's fees and making it conform with the practice which has been observed for many years in their payment by the Commissioner of Pensions.

The Fuller bill, applicable to Civil War veterans, and which became a law on May 1, provided pensions as follows to one who in line of duty lost—

(a) One hand or one foot, or totally disabled in same, $60.

(b) An arm at or above elbow, or leg at or above knee, or totally disabled in same, $65.

(c) An arm at shoulder joint, leg at hip joint, or if artificial limb can not be used, $72.

(d) One hand and one foot, or totally disabled in same, $90.

These provisions have been added to H. R. 2 by Senate amendment, and there appears no reasonable objection why they should not be conferred on Spanish War soldiers. The World War soldier draws compensation at approximately the same rates, and this House can not refuse to accept this amendment without subjecting itself to the charge of favoritism and of discrimination against this class of our veterans.

With the enactment of this law, Congress may feel that it has given some recognition and manifested a degree of appreciation of the services of as valiant an Army as ever took up arms in behalf of this Republic. Too long have we delayed this duty. The burden of supporting these men has rested largely on the shoulders of their more fortunate comrades. And our action in passing this legislation to relieve their distress, and to aid them as they pass life's meridian, and enter upon the journey when their feet begin to falter and their energies to slacken, will find a ready approval in the hearts and minds of a citizenship who admire heroic action and love courageous sacrifice.

Let it not be said that republics are ungrateful or unmindful of a sacred trust. As these men freely gave when danger threatened, so let the country give as the clouds of adversity gather and the storm signals of distress are raised in token of physical surrender.

I desire to call attention briefly to the measures which have been passed by this Congress for the benefit of our soldiers.

First is the Fuller bill, which provides minimum pensions of $50 per month to all honorably discharged soldiers of the Civil War with a service record of 90 days or more. No legislation that we have enacted possesses greater merit; none will bring more well-deserved relief. To the Grand Army of the Republic, whose sacrifice and heroism preserved inviolate the Union of States, we have discharged a duty which the country owes to its heroic defenders.

In the passage of the Sweet bill, granting greatly increased rates of compensation, we have tried to care for the disabled soldier of the World War who followed the fortunes of our flag on European soil, and planted it in victory as a symbol of the majesty and power of this Republic.

In the passage of the bonus bill through the House recently we have endeavored to indemnify, in part at least, the financial loss which these boys sustained while serving their country through one of our greatest crises.

The widows of the Mexican and Civil Wars have received substantial increases in their rates of pensions, and have thereby been safeguarded against poverty and want in their old age.

And when this bill shall have become law, as I predict it will before adjournment of this Congress on June 5, we may, I believe, with modesty assume that no Congress has shown so great liberality nor discharged with more ready willingness our obligations to this country's defenders.

As chairman of the committee which reported this bill, I desire to express appreciation of the activities of the various Spanish War organizations; of their legislative chairman, Capt. Daniel V. Chisholm; of their commander in chief, William Jones; of the National Tribune; and of many others who have tirelessly aided in this work. I congratulate them; I congratulate the beneficiaries of the act; and, finally, I congratulate this Congress upon the successful conclusion of our labors, and the discharge of an honest debt we owe to those who have borne the brunt of battle and whose sacrifices have guided and preserved the destinies of the Republic.

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. 14384) to amend the penal laws of the United States.

The message also announced that the Senate had receded from its disagreement to the amendments of the House of Representatives to 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.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12530, an omnibus pension bill, with a Senate amendment thereto, and agree to the Senate amendment.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table an omnibus pension bill, with a Senate amendment thereto, and agree to the Senate amendment. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

Mr. FULLER of Illinois. Mr. Speaker, this bill in effect is a substitute for other bills which have been passed by the House, and I ask that the Clerk read the bill as it is, as amended, as it comes from the Senate.

The SPEAKER. The gentleman asks unanimous consent that the Clerk read only the Senate amendment in the shape in which it now stands, and not read the items stricken out. The Chair understands that the Senate has stricken out the whole of the House bill and inserted a new bill.

Mr. FULLER of Illinois. That is correct.

The SPEAKER. And that the new bill is a substitute for the bills passed by the House.

Mr. FULLER of Illinois. That is correct.

The SPEAKER. The gentleman asks unanimous consent that the Senate amendment be read without reading the part stricken out. Is there objection?

There was no objection.

The Clerk read the Senate amendment.

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

The Senate amendment was agreed to.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 o'clock until 8 o'clock p. m. Is there objection?

There was no objection.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. WINSLOW. Mr. Speaker, in the absence of the gentleman from Wisconsin [Mr. ESCH], I move to suspend the rules and pass the bill H. R. 14208, to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, together with the amendments thereto, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Massachusetts moves to suspend the rules and pass the bill, with amendments, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, be, and hereby is, amended so as to read as follows:

"SEC. 9. (a) That any person not an enemy or ally of enemy claiming any interest, right, or title in any money or other property which may have been conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States, or to whom any debt may be owing from an enemy or ally of enemy whose property or any part thereof shall have been conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States may file with the said custodian a notice of his claim under oath and in such form and containing such particulars as the said custodian shall require; and the President, if application is made therefor by the claimant, may order the payment, conveyance, transfer, assignment, or delivery to said claimant of the money or other property so held by the Alien Property Custodian or by the Treasurer of the United States, or of the interest therein to which the President shall determine said claimant is entitled: *Provided*, That no such order by the President shall bar any person from the prosecution of any suit at law or in equity against the claimant to establish any right, title, or interest which he may have in such money or other property. If the President shall not so order within 60 days after the filing of such application or if the claimant shall have filed the notice as above required and shall have made no application to the President, said claimant may, at any time before the expiration of six months after the end of the war institute a suit in equity in the Supreme Court of the District of Columbia or in the district court of the United States for the district in which such claimant resides, or, if a corporation, where it has its principal place of business (to which suit the Alien Property Custodian or the Treasurer of the United States, as the case may be, shall be made a party defendant), to establish the interest, right, title, or debt so claimed, and if so established the court shall order the payment, conveyance, transfer, assignment, or delivery to said claimant of the money or other property so held by the Alien Property Custodian or by the Treasurer of the United States or of the interest therein to which the court shall determine said claimant is entitled. If suit shall be so instituted, then such money or property shall be retained in the custody of the Alien Property Custodian, or in the Treasury of the United States, as provided in this act, and until any final judgment or decree which shall be entered in favor of the claimant shall be fully satisfied by payment or conveyance, transfer, assignment, or delivery by the defendant, or by the Alien Property Custodian, or Treasurer of the United States on order of the court, or until final judgment or decree shall be entered against the claimant or suit otherwise terminated.

"(b) In respect of all money or other property conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or seized by him hereunder and held by him or by the Treasurer of the United States, if the President shall determine that the owner thereof at the time such money or other property was required to be so conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian or at the time when it was voluntarily delivered to him or was seized by him was—

"(1) A citizen or subject of any nation or State or free city other than Germany or Austria or Hungary or Austria-Hungary, and is at the time of the return of such money or other property hereunder a citizen or subject of any such nation or State or free city; or

"(2) A woman who at the time of her marriage was a subject or citizen of a nation which has remained neutral in the war, or of a nation which was associated with the United States in the prosecution of said war, and who prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary; or

"(3) A woman who at the time of her marriage was a citizen of the United States (said citizenship having been acquired by birth in the United States), and who prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary; or

"(4) A citizen or subject of Germany or Austria or Hungary or Austria-Hungary and was, at the time of the severance of diplomatic relations between the United States and such nations, respectively, accredited to the United States as a diplomatic or consular officer of any such nation, or the wife or minor child of such officer, and that the money or other property concerned was within the territory of the United States by reason of the service of such officer in such capacity; or

"(5) A citizen or subject of Germany or Austria-Hungary, who by virtue of the provisions of sections 4067, 4068, 4069, and 4070 of the Revised Statutes, and of the proclamations and regulations thereunder, was transferred, after arrest, into the custody of the War Department of the United States for detention during the war and is at the time of the return of his money or other property hereunder living within the United States; or

"(6) A partnership, association, or other unincorporated body of individuals outside the United States, or a corporation incorporated within any country other than the United States, and was entirely owned at such time by subjects or citizens of nations, States, or free cities other than Germany or Austria or Hungary or Austria-Hungary, and is so owned at the time of the return of its money or other property hereunder; or

"(7) The Government of Bulgaria or Turkey, or any political or municipal subdivision thereof; or

"(8) The Government of Germany or Austria or Hungary or Austria-Hungary, and that the money or other property concerned was the diplomatic or consular property of such Government—

then the President, without any application being made therefor, may order the payment, conveyance, transfer, assignment, or delivery of such money or other property held by the Alien Property Custodian or by the Treasurer of the United States, or of the interest therein to which the Presidents shall determine such person entitled, either to the said owner or to the person by whom said property was conveyed, transferred, assigned, delivered, or paid over to the Alien Property Custodian: *Provided*, That no person shall be deemed or held to be a citizen or subject of Germany or Austria or Hungary or Austria-Hungary for the purposes of this section, even though he was such citizen or subject

at the time first specified in this subsection, if he has become or shall become, ipso facto or through exercise of option, a citizen or subject of any nation or State or free city other than Germany, Austria, or Hungary, (first) under the terms of such treaties of peace as have been or may be concluded subsequent to November 11, 1918, between Germany or Austria or Hungary (of the one part) and the United States and/or three or more of the following-named powers: The British Empire, France, Italy, and Japan (of the other part), or (second) under the terms of such treaties as have been or may be concluded in pursuance of the treaties of peace aforesaid between any nation, State, or free city (of the one part) whose territories, in whole or in part, on August 4, 1914, formed a portion of the territory of Germany or Austria-Hungary and the United States and/or three or more of the following-named powers: The British Empire, France, Italy, and Japan (of the other part). For the purposes of this section any citizen or subject of a State or free city which at the time of the proposed return of money or other property of such citizen or subject hereunder forms a part of the territory of any one of the following nations: Germany, Austria, or Hungary, shall be deemed to be a citizen or subject of such nation. And the receipt of the said owner or of the person by whom said property was conveyed, transferred, assigned, delivered, or paid over to the Alien Property Custodian shall be a full acquittance and discharge of the Alien Property Custodian or the Treasurer of the United States, as the case may be, and of the United States in respect to all claims of all persons heretofore or hereafter claiming any right, title, or interest in said property, or compensation or damages arising from the capture of such property by the President or the Alien Property Custodian: *Provided further, however*, That except as herein provided no such action by the President shall bar any person from the prosecution of any suit at law or in equity to establish any right, title, or interest which he may have therein.

"(c) Any person whose property the President is authorized to return under the provisions of subsection (b) hereof may file notice of claim for the return of such property, as provided in subsection (a) hereof, and thereafter may make application to the President for allowance of such claim and/or may institute suit in equity to recover such property, as provided in said subsection, and with like effect. The President or the court, as the case may be, may make the same determinations with respect to citizenship and other relevant facts that the President is authorized to make under the provisions of subsection (b) hereof.

"(d) Whenever a person, deceased, would have been entitled, if living, to the return of his money or other property hereunder, then his legal representative may proceed for the return of such property as provided in subsection (a) hereof: *Provided, however*, That the President or the court, as the case may be, before granting such relief shall impose such conditions by way of security or otherwise, as the President or the court, respectively, shall deem sufficient to insure that such legal representative will redeliver to the Alien Property Custodian such portion of the money or other property so received by him as shall be distributable to any person not eligible as a claimant under subsections (a) or (c) hereof.

"(e) No money or other property shall be returned nor any debt allowed under this section to any person who is a citizen or subject of any nation which was associated with the United States in the prosecution of the war, unless such nation in like case extends reciprocal rights to citizens of the United States; nor in any event shall a debt be allowed under this section unless it was owing to and owned by the claimant prior to October 6, 1917, and as to claimants other than citizens of the United States unless it arose with reference to the money or other property held by the Alien Property Custodian or Treasurer of the United States hereunder.

"(f) Except as herein provided, the money or other property conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian, shall not be liable to lien, attachment, garnishment, trustee process, or execution, or subject to any order or decree of any court.

"(g) This section shall not apply, however, to money paid to the Alien Property Custodian under section 10 hereof."

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Mr. Speaker, I note on page 8, line 21, a place where apparently the word "and" should be stricken out. There are certain other places of the same character. Does the gentleman propose to offer an amendment to strike that word out?

Mr. ESCH. No; those words "and/or" are rightly inserted. It is for the purpose of having it in the conjunctive or the alternative form. It was recommended in such form by the Secretary of State. It is the common use, we were advised, in the State Department.

Mr. GARD. It reads:

For allowance of such claim and/or may institute suit—

And so forth.

I thought it was an inaccurate expression. Of course, I would abide by the wishes of the Secretary of State in the matter.

Mr. ESCH. That was recommended by the representative of the Department of Justice. He said it was justified in the peculiar circumstances of cases that will arise before the Alien Property Custodian.

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

Mr. ESCH. Yes.

Mr. BLANTON. On page 6, line 21, the word "Presidents" is used instead of the word "President."

Mr. ESCH. Yes; I am going to ask unanimous consent to correct that. It is a typographical error.

Mr. BLANTON. Concerning the matter spoken of by the gentleman from Ohio [Mr. GARD], which occurs in line 11, on page 7, and in line 21, on page 8, where the word "and" is used, followed by a mark and then the word "or," should the mark be used?

Mr. ESCH. I understand so. It is the form of expression used in documents of the State Department. That was prepared by the State Department.

Mr. BLANTON. Are such marks used anywhere else in the United States?

Mr. ESCH. They will be in this statute if it is adopted. The mark is also used in the war revenue tax law. We use the same expression. I ask unanimous consent to offer an amendment to insert the word "President" in place of the word "Presidents," on page 6, line 21.

Mr. BLANTON. Mr. Speaker, before that is done I demand a second.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Wisconsin is entitled to 20 minutes and the gentleman from Texas to 20 minutes.

Mr. ESCH. Mr. Speaker, the purpose of this bill is to amend section 9 of the trading-with-the-enemy act in order to enable the Alien Property Custodian to restore property to parties from whom the property has been taken. It has been found that since the armistice the status of many people whose property has been taken away or seized has changed absolutely, and that is particularly true with reference to the people of Alsace-Lorraine, who at the beginning of the war were German citizens, and, of course, alien enemies. The like situation has developed in the countries that constitute the Republic of Jugo-Slavia and the Republic of Czechoslovakia, these countries, or their constituent parts, having been constituent parts of the Empire of Austria-Hungary.

In order that justice may be done to those people it was found necessary for us to amend section 9 in order to authorize the Alien Property Custodian to restore the property to those who now are no longer our enemies, but are citizens of countries that are friendly to the United States; in fact the United States has already recognized the Republic of Czechoslovakia, and we have sent a minister there, and that country maintains a legation here in Washington. A like situation obtains as to Jugo-Slavia. Now, with reference to Bulgaria and Turkey, the situation is somewhat different. In fact, at the beginning of the war, our State Department advised the Alien Property Custodian not to take property of citizens of Turkey, and the Alien Property Custodian sought to follow out the suggestions made by the Secretary of State, the Secretary believing that as we had so much more property belonging to American citizens in Turkey than Turkey had property belonging to her citizens in the United States, it would be unwise for us to seize property of Turkish citizens in the United States. However, the Alien Property Custodian was not able fully to carry out the suggestion and advice of the Secretary of State, because in some instances, due to inadvertence or misunderstanding, he seized the property of citizens of Turkey. That is true also of Bulgaria, and yet Bulgaria and Turkey have taken none of the property of American citizens in Turkey or Bulgaria, and on account of that situation our position is absolutely indefensible to retain the property of their citizens, and so we have to amend section 9 in order to take care of these various situations. We have added a new feature in reference to American-born women who married alien enemies prior to the declaration of war on the 6th of April, 1917, when such property was not derived either directly or indirectly from any German source. These are the main points of the bill, and the justification for these amendments is as I have just stated.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. ESCH. I will.

Mr. JOHNSON of Washington. The provisions on pages 4 and 5 with regard to the rights of American women married to aliens classified as alien enemies will relieve Congress of the necessity of passing individual bills restoring citizenship?

Mr. ESCH. Yes.

Mr. JOHNSON of Washington. That is highly desirable. One more question: There is nothing in this bill that will take care of the property of any national of Austria residing now in the United States?

Mr. ESCH. No; but perhaps I do not understand the inquiry.

Mr. JOHNSON of Washington. What I have in mind is an individual case. From my district I have the case of an Austrian woman whose husband was killed in a mine. Under the State laws she is entitled to a certain sum of money as compensation, but that money is held by the Alien Property Custodian. Later her boy's arm was torn off by a thrashing machine, and he is entitled under the State compensation law to get some money. Neither mother nor son can receive a

cent, as the State is forbidden by the Alien Property Custodian to pay. It is a very distressing case, and I see no way to relieve it. Apparently it is not advisable now to undertake to pass individual relief bills?

Mr. ESCH. We tried to make the law cover as many cases as we could, and in fact liberalized the bill as originally presented by shortening the date and eliminating the provision in reference to having the marriage celebrated in the United States.

Mr. JOHNSON of Washington. Of course, this woman and her husband were both Austrians. He is dead, and the State of Washington is obliged to hold the money intended to provide for her provision under the inheritance act. It is a peculiar situation.

Mr. ESCH. It is a remarkable case.

Mr. BLANTON. Does the gentleman from Illinois want some time?

Mr. SABATH. I do.

Mr. BLANTON. I yield the gentleman three minutes.

Mr. ESCH. Will the gentleman pardon me a minute? Did the Chair put the question on the amendment I suggested; that is, to strike out the final "s" in the word "Presidents"?

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

Mr. SABATH. Mr. Speaker, the gentleman from Wisconsin [Mr. ESCH] has splendidly explained the provisions of this bill. We have in this country thousands upon thousands of people who unfortunately have been classified as alien enemies, when, in fact, they were never such. But they were the subjects of countries with which we were at war. That applies not only to the Alsace-Lorraine people, but it applies to thousands of Polish people who are residents of our country, unwillingly subjects of Germany, some of Austria-Hungary, and some the subjects of Russia. Now, the same thing applies to the Czechoslovaks, the Jugo-Slavs, of whom there are many nationalities, like the Serbians, Croatians, Slovenes, and so forth. They were all friendly to the cause of the Allies, but unfortunately they were the subjects of Austria. The first chance they had they came to the aid of the cause of the Allies, and their countrymen resident here have done likewise. But due to the law all were classified as alien enemies, and their property has been taken over by the Alien Property Custodian. Our country made it possible for these countries to be free from the oppressive rule of Austria-Hungary and Germany, and they are fully appreciative that it was America that helped to secure for them their freedom and independence. Not only did Alsace-Lorraine again become a part and parcel of France, but Bohemia, Moravia, Silesia, and a part of Hungary became the free and independent Republic of Czechoslovakia. The Polish people that have been divided, a portion of them oppressed by Prussia, others by Austria, and still others by Russia, have again become a united, strong, and powerful nation. Jugo-Slavia, composed of old Serbia and the southern Balkan States, has been recognized as the Jugo-Slavia State. All of these peoples and nations are fully appreciative of the services rendered them by this great Nation of ours, and the hundreds of thousands of their countrymen residing in the United States, realizing the position of our Nation during the entire war, in every way aided and demonstrated their loyalty to our country. But even if we are technically still at war, it is our duty to release the property of these people, who for upward of two years have not been citizens of Austria-Hungary or Germany, but citizens of their respective new republics, and therefore not alien enemies, and justice demands that their property should be turned over to them as speedily as possible, as these people whose property is being held have in every way proven that they were alien enemies in name only and not in fact.

Mr. Speaker, this bill will also release a great deal of property and relieve the hardships of many American women who have married men of these countries, and I hope there will be no delay in the passage of this bill that relief may be accorded them all.

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. Mr. Speaker, I reserve the balance of my time.

Mr. ESCH. Mr. Speaker, I also reserve the balance of my time.

Mr. SABATH. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection it is so ordered.

RECESS.

The SPEAKER. The hour of 6 o'clock having arrived, the House will stand in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent that the bill H. R. 6376 and the bill H. R. 1189 may lie on the table. They have been disposed of by other bills.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the two bills he mentioned, which have been disposed of by being incorporated in the omnibus bill, be laid on the table. Is there objection?

There was no objection.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. BLANTON. Mr. Speaker, I would like to get some information from the committee in regard to this bill. We have been given to understand that the property and money in the hands of the Alien Property Custodian are going to be used in the payment of the claims of our American citizens for losses occasioned by the German Government, especially losses based upon the *Lusitania* horror. Now, the provision is made in this bill that anyone claiming that any alien enemies were indebted to them could make claim against the Alien Property Custodian and have claims allowed out of such property and such estates of alien enemies. I want to call the attention of the chairman and of the committee to the fact that almost every German enemy, vicious or otherwise, if he has not relatives living in this country, has at least good, warm friends scattered over the United States. What is to keep the friends or relatives of the alien enemies from coming in and making claims, fictitious and otherwise, of indebtedness against such estates, and wiping them out? It would be very easy to date the claim back prior to October, 1917, the date provided in this bill. It would be a very easy matter to set up such claims and to furnish proof of their existence. There is not a single alien enemy in Germany to-day but will want his friends and relatives to get the benefit of their property if they can. Is that the policy of this Government, to pass such a law as will permit these frauds to be passed upon the rights of individuals who have good, valid, conscientious claims based upon the *Lusitania* loss?

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I will.

Mr. SANDERS of Indiana. Does the gentleman really think that the Department of State and the Department of Justice each would be urgently requesting that we pass this legislation if it would work the injustice that he seems to think it would?

Mr. BLANTON. Oh, the Department of State is made up of a Secretary of State and subordinates. The Secretary of State has much to do on many matters of importance, and he leaves largely to subordinates attention to other business. The subordinates in that department are just like the subordinates in Congress sometimes; they do very little, and think very little; and some laws drafted in the departments are presented to this House for passage that have had very little consideration from the chiefs and heads of the departments.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield further?

Mr. BLANTON. I yield.

Mr. SANDERS of Indiana. Has the gentleman noticed that in the hearings the letters were signed by A. Mitchell Palmer and Bainbridge Colby, the heads of those respective departments?

Mr. BLANTON. Oh, yes; but I am directing inquiries that should appeal to the good sense and judgment of the gentleman himself. He does not let other people do his thinking for him. He does his own thinking. I am asking of the gentleman, and I am asking my colleagues, whether it is good policy to pass a law that will permit alien enemies in Germany to let their friends and relatives in this country make out fictitious claims and wipe these estates from the hands of the Alien Property Custodian and defeat the claims of honest claimants based upon the *Lusitania* disaster.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield again?

Mr. BLANTON. Yes.

Mr. SANDERS of Indiana. Is the gentleman aware of the fact that before these claims can be paid out they must be approved by the President of the United States?

Mr. BLANTON. Oh, yes. But does the gentleman believe that the President of the United States will dig down into these claims and pass upon them as I dig down and pass upon some claims pending before the Committee on Claims?

Mr. SANDERS of Indiana. I have more confidence in the Department of State and the Department of Justice and the Alien Property Custodian also, who ask that this bill be passed, than the gentleman has. The gentleman has asked this question of the committee. Does the gentleman think, if a citizen of the United States has a valid claim which would be approved by the President of the United States against property held by the Alien Property Custodian, that that right of a citizen of the United States should not be protected?

Mr. BLANTON. Oh, the gentleman is a good lawyer, and he knows that if some friend or relative of some alien enemy can come here and present a claim against a particular alien enemy's estate, a claim of indebtedness, and can furnish proof, fictitious or otherwise, good on its face, that that indebtedness accrued prior to October, 1917, it will wipe the estate out of the hands of the Alien Property Custodian and leave nothing to pay the claims of American citizens based upon the *Lusitania* loss and other losses.

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

Mr. BLANTON. Certainly.

Mr. MONTAGUE. Could the gentleman put his finger on the section of the bill and show us where the injury would result that he complains of?

Mr. BLANTON. Oh, right in the beginning of the bill, almost, where it is provided that anyone having a claim based upon indebtedness against an alien enemy, and a provision providing for his presenting that claim and having it allowed and paid. It is as plain and simple as anything in the English language. Anybody can understand it.

Mr. MONTAGUE. Of course, the gentleman understands primarily that this bill is intended to relieve people whose property has not come from German or other alien enemy, for example, which was obtained by virtue of marriages, and, secondly, property rights arising out of claims. Why should we not authorize the presentation of claims subject to the action of the Department of State and the Department of Justice and the President in passing upon them?

Mr. BLANTON. Perhaps the gentleman overlooked my initial statement, and on that hinges all of my complaint, and that is that every alien enemy in Germany has in this country, if not relatives, at least friends, whom he would like to see get his property rather than have the Government or citizens of the United States have it, and who will combine and conspire with such friends and such relatives to help establish cases and claims of indebtedness to defeat the application of these funds to the claims of American citizens.

Mr. MONTAGUE. Does not the gentleman think that the man who has a claim against property—not against a German citizen, except indirectly, but against property in the hands of the Alien Property Custodian—ought to be permitted to assert that claim?

Mr. BLANTON. The only claim he has would be a note or mortgage or other evidence of indebtedness.

Mr. MONTAGUE. Why should not an American citizen be permitted to assert his claim against that property? Why does the gentleman want to confine it to people who have been injured by the sinking of the *Lusitania* alone? I am sure the gentleman holds no brief for the unfortunate *Lusitania* victims.

Mr. BLANTON. None in the world.

Mr. MONTAGUE. Why not let them take their chances with everybody else?

Mr. BLANTON. I was merely illustrating one feature of what might happen under this bill. I was not intimating that that was all of the objection, but I was illustrating what could happen under this bill. The distinguished gentleman knows that my illustration is good, that an alien enemy in Germany with a relative or friend here could conspire with him to create evidence of an indebtedness existing prior to October, 1917.

I promised to yield to the distinguished gentleman from Kentucky [Mr. ROBSION], and I yield to him the remainder of my time.

Mr. ROBSION of Kentucky. Mr. Speaker, how much time is yielded to me?

The SPEAKER. Seven minutes.

Mr. BLANTON. Mr. Speaker, the gentleman from Kentucky has what I am sure would be decided by the Speaker to be a question of personal privilege, so that he could take an hour of the time of this House if he demanded it, but he does not desire it.

Mr. MONTAGUE. Does what he desires to say relate to this bill?

Mr. BLANTON. Under the circumstances I ask unanimous consent that in addition to the time I have yielded to the gentleman he may have 13 minutes, and that he may speak out of order.

Mr. ESCH. Mr. Speaker, I shall have to object to that. I will ask the Speaker how much time I have remaining.

The SPEAKER. The gentleman from Wisconsin has 13 minutes.

Mr. ESCH. I will yield to the gentleman four minutes of my time.

Mr. BLANTON. And I ask that the gentleman from Kentucky be allowed to speak out of order.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Kentucky [Mr. ROBSION] may speak out of order. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized for 11 minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, we do not know what this is going to be about. We had better wait and see.

Mr. ROBSION of Kentucky. Mr. Speaker and gentlemen of the House, I will say in the beginning that I am not seeking to criticize anybody's vote or to defend my own vote.

On May 31, 1920, there appeared in the Courier Journal, of Louisville, Ky., an editorial, in which was made the charge, in substance, that the American soldiers of the World War were willing to sell themselves for this bonus legislation, and that the Members of Congress who voted for it were willing to buy them, and the deal was consumated by casting our votes for it. The Speaker of this House is belittled and ridiculed; this body as a whole was held up to scorn, and the Kentucky delegation in the House were denounced as cowards. I deny all of these charges and denounce them as vile slanders, willful and malicious lies. [Applause.]

I know no man more faithful, honest, or honorable than our worthy Speaker ever occupied this exalted position. [Applause.] I never before found a body of men more honorable or courageous than the men who make up the membership of this House. It is true that we may not see the irrigation question as those who live in the West, the merchant marine question as those who live in the East, the commercial problems as those who live in the North, or the agricultural problems as those who live in the South, but must those who differ from us be denounced as cowards and crooks? I see men in this House who speak and vote for measures in the interests of the welfare of the whole Nation when they know that it will lessen their chances of reelection in their own districts. [Applause.]

Mr. Robert Worth Bingham, sometimes called Mr. Bangum, is the publisher and editor of the Courier-Journal. Now, who is this Mr. Bingham, who sets himself up as the mentor and critic of the membership of this House and the American soldier and sailor? At one time he claimed to be a Democrat and was elected county attorney of Jefferson County, in which is located the city of Louisville. He was reelected through the intimidation, fraud, and ballot-box stuffing of the worst political machine with which Louisville was ever afflicted. His election was contested. The case was carried to the highest court of the State, made up almost exclusively of members of his own party. This court, in a well-considered opinion, declared that the election was so corrupt, unlawful, and fraudulent as to defeat the will of the people, and Mr. Bingham was ousted. [Applause.]

We next hear of Mr. Bingham running for office on the Republican ticket, but he was again repudiated at the polls. Kentuckians looked upon him as neither bird nor mouse, but rather a political bat. [Laughter.]

Having been retired by both political parties and having made more or less of a failure financially as well as politically, he sought new fields of conquest. He enlisted, but not in the war. He did not rush the Germans at Argonne Forest, Belleau Wood, or Chateau-Thierry, but he did make a rush for the hand and fortune of the aged widow of Mr. Flagler, the oil magnate of New York and Florida. [Laughter.] Being much younger and much more active, of course, he outstripped the good woman in the race and went "over the top." [Laughter.] But how did Mr. Bingham become the owner and publisher of the Courier-Journal and the Louisville Times?

A former law partner and good friend of Mr. Bingham prepared a codicil for Mr. Bingham's new wife, by which Mr. Bingham was to receive "a bonus" at her death of $5,000,000.

His wife dying suddenly soon after this codicil was made, Mr. Bingham came into the possession of this $5,000,000 "bonus." [Laughter.] He bought these two newspapers. He did not possess the energy, brawn, or brains to acquire, manage, or control any newspaper. He could not have bought a small part of

either of them. It was a sad, sad day for the Courier-Journal when the rich widow's millions displaced that great editor and patriot, Col. Henry Watterson, who was the South's greatest editor and at one time an honored Member of this House, and set up in his stead this Mr. Bingham. He is publisher and editor of the Courier-Journal solely by grace of the "bonus" he received from the rich widow. [Laughter.]

In Kentucky to-day neither the Republicans nor Democrats have any faith in the politics or political policies of the Courier-Journal as managed by Mr. Bingham. While the Courier-Journal poses as a Democratic newspaper, the friends of that party in Kentucky know that it and Mr. Bingham constantly stab the party in the back. They look out for the "bonus." Last fall they charged a Democratic United States Senator of Kentucky and the party a large sum to print a speech of that Democratic Senator made in behalf of and in the interest of the Democratic ticket for governor and other State officers.

We can see that the Courier-Journal and Mr. Bingham are not opposed to a "bonus" on principle. They are in favor of a "bonus" if it is large enough and is going to one of them. [Laughter and applause.]

If I were Mr. Bingham and had my debts paid by a rich widow and had received a $5,000,000 "bonus," I should not object to the American soldier, who left his friends, his home, his country, and went into hell itself in defense of Mr. Bingham, his $5,000,000 "bonus," and the Courier-Journal, receiving a small "bonus." [Applause.] Now, this man, whose election was set aside because of the intimidation of voters, corruption, fraud, and ballot-box stuffing, who has been both Democrat and Republican in seeking office, and who is a political acrobat and fortune hunter, undertakes to call the sworn Representatives from the great State of Kentucky cowards, drones, and crooks, and to abuse and denounce the heroes of the World War for demanding justice for themselves and the sworn officers of the House who voted to give them justice. We are answerable alone to our people, our conscience, and our God.

I have before noted other big, rich newspapers, the big trusts of the country, the war profiteers, and the millionaires denouncing as "looters of the Treasury" and "mercenary patriots" our heroic defenders, and I am unwilling to sit idly by and permit Mr. Bingham, the Courier-Journal, or anybody else to slander or maliciously and falsely misrepresent the men who offered their lives, who saved this country, and brought the Stars and Stripes back in honor and victory. [Prolonged applause.]

Mr. RAYBURN. If the gentleman will give assurance that he is not going to extend his remarks on the bonus matter, I will not object.

Mr. BENSON. I object.

Mr. ESCH. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, I have no purpose to make an argument. I just wish to give assurance to the House that this bill has been thoroughly considered by the Committee on Interstate and Foreign Commerce, and it comes here with the unanimous report of that committee. It simply undertakes to do justice to American citizens and other citizens who are not alien enemies, as respects their claims to or rights in the property now held by the alien property custodian. I think that this bill amply safeguards and protects all rights and interests. It will open up no such imaginary wrongs as have disturbed the imagination of the gentleman from Texas. It is simply to do justice, and to right what are now very acute existing wrongs. For example, to enable certain married women whose property was not inherited from the enemies, whose property was their own, to have control of their own property. That is one of the prominent items in the bill. I have no time to go further into the matter, but I felt, as a member of the committee, I should make this assurance at least to the House. [Applause.]

Mr. ESCH. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, of course in three minutes I have not sufficient time to discuss this bill, but I want to say to the Members of the House that the committee heard this matter very fully, and heard the officers connected with the alien-property custodian. We heard those who know most about it and there is not to my mind the shadow of a doubt that the bill ought to pass and pass just as soon as possible. Hundreds of thousands of dollars are held by the Alien Property Custodian and can not be paid to the parties who are justly entitled to receive it without legislation. The law was never passed as a confiscation act, but it was passed to take care of and preserve the property of parties entitled to it. But it can not be done in any other way and I hope there will not be a single adverse vote.

Mr. Speaker, I yield back the remainder of my time.

Mr. GARD. Will the gentleman yield?

Mr. ESCH. I will yield to the gentleman from Ohio.

Mr. GARD. I desire to make an inquiry as to the provision on page 6, subdivision A, in respect to the letter of Secretary Colby as it appears on page 5 of the report. Secretary Colby says:

> If, as it is understood to be the position of the Department of Justice, an amendment to the act is necessary before this can de done, I trust that the proposed amendment to section 9 will contain a provision authorizing the return of any enemy diplomatic or consular property or private property and effects in this country by reason of the owner having been accredited to this Government as a diplomatic or consular officer of an enemy State at the time of the severance of diplomatic relations with the State of which he was a representative.

Mr. ESCH. Let me inform the gentleman that Secretary Colby's letter had reference to the bill that I introduced some two weeks before the bill now under consideration. That causes the discrepancy in the reference.

Mr. GARD. What I desire to call attention to is the letter of Mr. Colby in reference to taking private property of consular and diplomatic agents, whereas subdivision 8 contains a stipulation only about money or property which was the property of the diplomatic and consular agents of the Government of Austria and Germany or Hungary. It contains no provision about private property of consular officers, as suggested in the letter of Mr. Colby.

Mr. ESCH. Paragraph 4, page 5, covers the inquiry which the gentleman makes.

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

Mr. ESCH. Yes.

Mr. BEE. I have just seen this bill and glanced over it. Do I understand that under this bill moneys will continue to be held by the Alien Property Custodian?

Mr. ESCH. Yes.

Mr. BEE. Upon what theory, after the war is over, is the Government proceeding to hold money belonging to aliens who are not allies of the United States? I am asking for information.

Mr. ESCH. I do not understand that we have done that.

Mr. BEE. Is not the effect of the bill to release certain portions of it?

Mr. ESCH. As specified by classes under paragraph B.

Mr. BEE. What is the theory upon which the Government holds any money at all now in the hands of the Alien Property Custodian?

Mr. ESCH. It would hold a lot of it until a proper claim is made.

Mr. BEE. Then, if a claim is properly made, the money would be turned over?

Mr. ESCH. Yes; under the provisions of this bill.

Mr. BEE. What I am seeking to get at is whether there is any occasion for the holding of property that we took over during the war to keep it from going to the benefit of our enemies.

Mr. ESCH. I think that may have to rest on the provisions of the treaty which we make with Germany.

Mr. BEE. Until that treaty is made the gentleman feels the Government would be justified in continuing to hold the property?

Mr. ESCH. Yes. Mr. Speaker, I call for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

ENLISTMENT IN THE UNITED STATES ARMY OF NON-ENGLISH-SPEAKING CITIZENS.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to discharge the Committee on Military Affairs from further consideration of the bill H. R. 3707, authorizing the enlistment of non-English-speaking citizens and aliens, and to consider in its place the bill S. 547, of similar title, with identical language.

The SPEAKER. The gentleman from New York asks unanimous consent to discharge the Committee on Military Affairs from further consideration of the bill H. R. 3707 and take up and consider at this time the bill S. 547, which the Clerk will report.

Mr. GARD. Mr. Speaker, I suggest that both bills be reported.

The SPEAKER. They are identical in language, the gentleman from New York stated.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the act of Congress entitled "An act to regulate enlistments in the Army of the United States," approved August 1, 1894, as provides that "in time of peace no person (except an Indian) who can not speak, read, and write the English language" be, and the same is hereby, repealed.

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

Mr. GREENE of Vermont. Mr. Speaker, I object.

Mr. SANFORD. Mr. Speaker, I move to suspend the rules and pass the bill S. 547, authorizing the enlistment of non-English-speaking citizens and aliens.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill S. 547. Is a second demanded?

Mr. CALDWELL. Mr. Speaker, I demand a second.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANFORD. Mr. Speaker, of course we all know that before the war illiterates were not allowed enlistment in the United States Army. We had the interesting fact before us, however, when the war was over, that of all the men that were drafted to serve in the Army over 24 per cent were illiterates. I think a great many people were shocked at that revelation. Twenty-four per cent of the drafted American boys, grown up under the school systems that exist in our several States, were unable to read the simplest English or to speak the language intelligently. There was established abroad, as we all know, recruit educational centers, and the Army did its full duty, so that Gen. Pershing was able to make the statement that when the boys came back from Europe there would not be in the whole expeditionary force a single illiterate.

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

Mr. SANFORD. In a moment. We were able to prove that right in the midst of war we could take a man into the Army and so help him and so give him the rudiments of the language that we could remove the blot of illiteracy before he was discharged. I yield to the gentleman.

Mr. KING. Mr. Speaker, I have heard that statement made a great many times about the illiteracy of the American Army. Does the gentleman mean to say that 24 per cent of the boys educated under our school system here are illiterate?

Mr. SANFORD. Twenty-four per cent of the boys who were drafted into the American Army were illiterate.

Mr. KAHN. Twenty-four and nine-tenths per cent.

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

Mr. SANFORD. Yes.

Mr. FIELDS. If the gentleman will recall, the Secretary of War suggested before our committee that it was 25.9 per cent.

Mr. SANFORD. I knew I did not have the accurate figure. The fact now stares us in the face that we must either go back to the law as it was before the war or we must pass this bill. All of the time since the armistice, operating under the war legislation, the Army has been recruiting illiterates. I talked with an Army officer yesterday, and he told me of the type of men the Army has recently found in the mountains of Kentucky, Tennessee, North and South Carolina—men with absolutely no education, but the best material for soldiers the Army had ever discovered anywhere.

They take these men who have not had the advantages of any schooling whatever and in 60 or 90 days they teach them to speak and to some extent write the language of our country. The question is whether or not it is wise to say to them, "We will not even permit you to enter the Army because you can not read and write." This proposal is not only for the benefit of the illiterate; it is also of advantage to the Army. It gives us recruits at a time when enlistments are coming in very slowly. It may be interesting for you to know that there were at the Camp Upton recruit educational center in February 1,316 students, of whom 757 were American citizens. Of course, you know an alien is allowed to enlist if he makes his declaration of intention, and after he is discharged from the Army he is able to get his citizen's papers with a little formality; but of the large number who are using the educational advantages in the Army the majority are American citizens. I reserve the balance of my time.

Mr. GARD. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARD. As neither the bill nor the report is available at the desk, I would be glad to have the gentleman explain what is the difference between the old law and the law now proposed.

Mr. SANFORD. The bill before us simply repeals that old provision of law that requires that no person who is illiterate shall be enlisted in the Army except an Indian. The gentleman has the bill before him. The language is very simple—only two lines, I think—and merely repeals that section.

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

Mr. SANFORD. Does the gentleman from New York intend to use some of his time?

Mr. CALDWELL. Yes.

Mr. SANFORD. I ask the gentleman to use some of his time.

Mr. BARKLEY. Does that 25 per cent of illiteracy of which the gentleman speaks mean that percentage of men in the Army who could not read or write any language or the English language?

Mr. SANFORD. The English language.

Mr. BARKLEY. Then, it does not mean absolutely that percentage of illiteracy?

Mr. SANFORD. No.

Mr. BARKLEY. Because a man who may read and write in some other language would not be illiterate.

Mr. SANFORD. But I think he is of very little use to us if he can speak Polish and not speak English.

Mr. BARKLEY. I agree it should not be that high a percentage of illiteracy, because if they could read at all——

Mr. SANFORD. I mean illiterate so far as our language is concerned.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. JOHNSON of Washington. What is the provision admitting aliens into the United States Army?

Mr. SANFORD. The provision is that they may be admitted after declaring their intention of becoming citizens.

Mr. HUDSPETH. What does the bill provide?

Mr. SANFORD. I would be glad to have the bill reported again. It simply repeals that provision of the law which requires a man to be able to read and write the English language before he enlists in the Army. I reserve the balance of my time.

Mr. JOHNSON of Mississippi. Mr. Speaker, we are unable to get a copy of this bill, and I ask that the bill be read.

The SPEAKER. Without objection, the Clerk will again report the bill.

There was no objection.

The bill was again reported.

Mr. GARRETT. Mr. Speaker, is the gentleman satisfied with the title of the bill?

Mr. SANFORD. As it passed the Senate; yes.

Mr. GARRETT. Is that the way it passed the Senate—as it was read from the desk?

Mr. SANFORD. Yes.

Mr. GARRETT. It strikes me that the title does not correctly describe what is in the bill; it may probably describe the intent of the bill.

Mr. CALDWELL. Mr. Speaker, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Speaker, anybody with experience in legislative matters, particularly in this Hall, knows that this is the least seemly time of all times to discharge an important committee from the consideration of an important bill, more particularly a bill which seeks to repeal a law which has been one of the firm policies of the Army of the United States for years.

An argument is made of the fact that illiterates have come into the Army in war time, and therefore the strange remedy is suggested that the Army itself shall be the schoolmaster of all the people of the United States in peace time.

It seems to me there is neither rhyme nor reason in such a position as that. An army is an army, or else it should be discharged. An army is a military force for national defense, and not a collection of schoolmasters. Because there is an admitted evil, because there is illiteracy in the country, whose duty and responsibility is it to remedy that? The public-school systems of the States. Because one by one we find weaknesses and failures in the matter of education here and there in some rural communities or some congested districts, like the great cities, are we now to shoulder the responsibilities for that individual education upon the central Government of the United States, and, above all things, upon its Army?

It seems to me the Army is about the last place where we should begin to instruct people in the three "R's." The people who go into the Army of the United States and are selected by its recruiting service stand as its means of military defense.

They are soldiers. And it seems to me if we want to get at the alien who may have lacked opportunities for education in the country from which he came, if we want to help him along in the path of citizenship, it is our first duty to take hold of him at home in the public schools. If we want to hold out an inducement of military service to him we can say, "Young

man, if you do want to become a citizen, and a responsible citizen, then you learn to read and write at home, and when you have given us good and abundant evidence of the good faith and sincerity of your intentions to be a good citizen by learning to read and write the English language at home, then we will honor you by putting you in a place of supreme trust in the United States of America. We will make you one of the guardians of the citadel; we will make you one of our soldiers in the national defense." It seems to me that is the natural trend and logic of the matter, rather than to turn that citadel of national defense into a schoolmaster's paradise. The place to correct illiteracy is in the States and in the public-school systems, or we are inverting the whole theory of our Government from the foundation.

Mr. BARKLEY. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BARKLEY. I want to ask the gentleman what consideration this committee has given this bill, if any?

Mr. GREENE of Vermont. They have given it some consideration, but some of us are in doubt about it.

Mr. BARKLEY. It passed the Senate?

Mr. GREENE of Vermont. It passed the Senate.

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

Mr. BEE. Will the gentleman yield?

Mr. CALDWELL. I will yield one minute more to the gentleman from Vermont.

Mr. BEE. I wanted to ask the gentleman from Vermont whether ability to read and write is any test of ability to make a good soldier?

Mr. GREENE of Vermont. It is, in most instances, a test, in the first place, of a man's good intentions to accept the freedom and opportunity this country affords.

Mr. BEE. Is it not true that Gen. Putnam of the Revolutionary Army and Gen. Forrest of the Confederate Army were both uneducated?

Mr. GREENE of Vermont. And, so far as that is concerned, Romulus and Remus could not read the English language, but they were good soldiers—for those days. [Laughter.] It seems to me that we are going into a mistaken policy, and it seems to me, of all times in the history of this country, when we want to be sure of the security of our social order, in these days of discontent and unrest and uncertainty, we ought to have men in the Army who do know how to read and write the English language, and who will not only understand the orders given them, but have some idea of the meaning of both the Army and the country and what they stand for.

Mr. CALDWELL. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I take the floor for the purpose of calling the attention of the officers of the United States Army to the fact that this bill as agreed to in conference—and the conference report has been adopted by both the Senate and the House and will be approved by the President—carries among its many other provisions a provision which reads:

> *Provided*, That no part of the funds herein appropriated shall be expended in the payment of the salary of any officer of the Army of the United States who shall issue or cause to be issued any order, written or verbal, prohibiting social intercourse between officers and enlisted men of said Army while not on military duty when such order was not authorized by law or general Executive order: *Provided further*, That this limitation shall not apply to an officer who shall have acted in obedience to his superior officer.

Mr. Speaker, it is, indeed, gratifying to me to see the provision just read become a part of the law governing our Military Establishment. I am gratified to see it become a law for two reasons: First, because it is right; and, second, because it is the result of my own effort, covering a period of several years.

Class distinction as now practiced in the Army of the United States was practiced in no other army in the world prior to the World War except in the German Army. The German Army, with its class distinction, which our Army officers would have us believe is essential to good discipline in the Army, failed in the task for which it had made 50 years' preparation, in front of the guns of fighting forces all of whom, except the United States, had practically no class distinction. Therefore in view of that fact it might be well for the Army of the United States to begin now to have less class distinction and more sound, sane common sense.

Mr. Speaker, as I have previously said upon this floor and in my private and public utterances elsewhere, class distinction has no place in a democratic Republic like ours, for it is in conflict with the very pillar upon which it rests and the principles which maintain it. In the first study of our theory of government we are taught that all men are equal by birth and that man's moral and social status is fixed not by the wealth he may possess or the position he may occupy but by his moral conduct. But notwithstanding that principle, which has become a part of our civic structure, our Army has always held to and practiced the old Prussian doctrine that man's social status is determined by the position he occupies in the Army, giving, of course, the social status to the man who wears upon his shoulder the insignia of an officer. That principle has been repugnant to me from my first knowledge of it, and the longer I live the more I hate it, because the longer I live the more I see of it. I have seen the private soldier who was well bred, properly reared, and highly educated snubbed socially, insulted, and humiliated by his superior officer, who was not his equal in breeding, in intellect, in culture, or in moral conduct, simply because the one happened to be a private and the other an officer; and it was to correct and prohibit that pernicious, unwarranted, and un-American practice that I have exerted my efforts to write into law the provision to which I have just referred.

I started my fight for this reform nearly two years ago, first in the Committee on Military Affairs when I offered this same provision as an amendment to a former bill. I was defeated in committee by a majority vote. I carried my fight to the Committee of the Whole House on this floor and was again defeated by a majority vote. I then offered the same provision in the House in the form of a motion to recommit the bill and secured a record vote, by which it was adopted by a vote of 170 to 91. That bill failed to pass the Senate because of a filibuster in that body, and with the consideration of this bill I renewed my fight for the adoption of this provision and again won on a motion to recommit by a vote of 162 to 105.

The Senate approved the provision. The President will approve the bill, I have no doubt, and I desire to say now and here that this provision of the bill, when it becomes law, shall not become a dead letter if I can prevent its doing so. I expect to watch the Army and insist upon the enforcement of this provision against every officer who violates or disregards it.

Mr. Speaker, this accursed system of social distinction inflicted upon the enlisted personnel of the Army, practiced before the eyes and in the presence of the civil population, is doing more to poison the mind of the civil population against the Army than all other causes combined. It is doing more to embitter the youth of the land against our governmental structure than all the rest of the combined defects of our structure. I will go still further; it is doing more to destroy patriotism and foster anarchy than all other causes that contribute to that baneful result. It is, therefore, the duty of every citizen who realizes its injurious effects upon our system of government to do all in his or her power to eliminate it from our Army in such positive terms that it will never be revived.

Mr. Speaker, I desire to say in passing that there have been recently written into our military law other reform measures for which I have contended since my earliest service in Congress, and it goes without saying that their enactment into law is most gratifying to me. Among the reform measures referred to are the revised Articles of War, granting to the convicted soldier the right to have his case reviewed by a board of review; the inauguration of a system of vocational training in our Army to prepare the enlisted men for more useful and more gainful occupations upon their return to civil life; and the repeal of that provision of the law governing enlistments which prevented the enlistment in time of peace of a man who could not read and write. We have always enlisted men in time of war who could not read, write, or even speak the English language, and it has been my belief and my contention that any man who is good enough to fight and die for his country in time of war is good enough to serve in its Army in time of peace, if he desires to so serve.

We enacted for our ex-service men of the World War a statute providing liberal compensation for those incurring disabilities in line of duty and insurance for the dependents of those who fell on the field of battle or perished in camp. These benefits were never before extended to our country's defenders. It is therefore obvious that the country is becoming more appreciative of the services of the men who protect its flag in time of war.

Mr. Speaker, while I have advocated and worked for the enactment of reform measures essential to the welfare of our soldiers, the Military Establishment, and the country, I have opposed with all the energy I possessed the effort of the militarists to force upon the country compulsory universal military training, and especially compulsory military service in time of peace, which was so recently attempted, and I shall continue to oppose all measures designed to accomplish those results.

There are other reform or progressive measures to which I could refer that have been enacted into law within the last

few years which will operate to the betterment of our Military Establishment, and especially to the welfare of the enlisted man, but time will not permit me to refer to them. It was not my intention, however, in the beginning to refer to as many as I have, but I could not let this opportunity pass to call the attention of the commissioned personnel of the Army to the fact that the provision for which I have contended and for which I have worked for so long, which is designed to prevent an officer from becoming a law unto himself in the enforcement of his own ideas of social distinction, is now written into law. [Applause.]

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

Mr. FIELDS. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

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

There was no objection.

Mr. CALDWELL. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. SABATH].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. SABATH. Mr. Speaker, of the 200,000 aliens that were naturalized in our camps about 25 per cent were illiterate. The only trouble that the War Department had with those 200,000 men who enlisted and were accepted in the service was that they desired too eagerly to be sent across. The only trouble that any camp commander had with them was that they were too anxious to be sent across to show their patriotism and devotion to their adopted country.

I was more than pleased with the record that these men made, and I am glad that the General Staff and the committee, who have so carefully investigated the splendid record of these men, have come to the conclusion that it will be in the interest of the Nation, that it will be in the interest of the Army, if these men are given the chance and opportunity to serve their adopted country.

True, some of them are illiterate and not capable of writing or reading English, but I know that they are capable and splendid fighters and many of them desire to enter our Army and serve the Nation, and all of them will and are bound to make good soldiers. The gentleman from Massachusetts, who is opposed to the bill, is fearful that these aliens can not be trusted and relied upon and is strenuously opposed to accepting the illiterates into the Army. If the gentleman were thoroughly familiar with the record these foreign-born men have made in the late World War I am sure that his fears would be allayed, as they have demonstrated beyond any doubt that they can be relied upon, can be trusted, and their loyalty should not and can not be questioned.

Mr. Speaker, the adoption of this bill will not, as the gentleman fears, cost the War Department large sums of money for the education of these illiterates, but, on the other hand, it will save the department thousands of dollars which it annually expends for advertising and in the recruiting service, and inasmuch as the General Staff has recommended this change I hope that they will also see to it that proper treatment is accorded these boys and that the abuse heaped upon them on the part of some of the officers in some of the camps will not be tolerated in the future. [Applause.]

Mr. CALDWELL. Mr. Speaker, I have only one more speech on this side.

Mr. SANFORD. I shall move the previous question when the gentleman has concluded.

Mr. GARRETT. Will the gentleman from New York [Mr. CALDWELL] allow the gentleman from New York [Mr. SANFORD] to yield to me?

Mr. CALDWELL. We have only one more speech on this side.

Mr. GARRETT. I wish only to repeat my suggestion to the gentlemen who are interested in this bill about the title. There ought to be some way to amend this title. It does not conform to the bill.

The SPEAKER. It can be done by unanimous consent.

Mr. CALDWELL. Mr. Speaker, the object of this bill is to place enlistments in the Army upon the same basis as enlistments in the Navy and the Marine Corps. In the Navy and in the Marine Corps there is no limitation on enlistments as regards ability to read and write or speak the English language, and in the Navy and Marine Corps every ship has its school in which this Americanization work is going on all the time.

During the war, as has already been pointed out, the Americanization process began for the first time in the Army. At the present time the Americanization work in the United States Army is being carried on under experts who received their training during the time of war, and there are now five companies of these men who are learning to read and write and speak the English language that have been enlisted under the war-time legislation which was necessary for us to pass, who are going over the country to-day demonstrating the wonderful work that is being done by the Army in this respect. Only a few weeks ago one of these companies appeared upon the plaza in front of the Capitol and gave a demonstration of the work being done in the Army for these men. To-night at the stadium there is a circus or show being staged by the War Department with one of these expert units, composed of men from all sections of the country, some of whose parents were born in the United States and who yet, notwithstanding the educational system of our country, could neither read nor write nor speak the English language at the time they enlisted in the Army.

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

Mr. CALDWELL. Yes.

Mr. JAMES. Is the gentleman in favor of allowing aliens to enlist in our Army?

Mr. CALDWELL. If it is going to make them real Americans as a consequence of what they learn, yes. I am perfectly willing to rest upon the record of the aliens who joined the Army of the United States and went to France to help us fight our battles to demonstrate that we are taking no chances in letting these men enlist in our Army.

Mr. BARKLEY. This bill does not permit aliens to enlist in the United States Army.

Mr. CALDWELL. It lets declarants enlist, but it makes no difference whether it does or not. I see no objection to it if it makes them good American citizens, because it is to that end that we are undertaking to do this work in the Army.

Now, as to the question of expense, I call the gentleman's attention to the fact that in the Army reorganization bill and in the Army appropriation bill that has just passed this House we have provided for an officer personnel of about 18,000. What are you going to do with them?

There are not enough soldiers in the Army to occupy their time unless institutions of this kind are erected to give them something to do. This will not be an added burden to the United States in the matter of dollars and cents. It is using that which we are already paying for, and using it for a good purpose.

Mr. GREENE of Vermont. The gentleman remembers, of course, that, while that is true, instruction to the soldiers in the Army ought to be given by its own officers. Yet the War Department, by some strange hook or crook, has to handle civilian schoolmasters.

Mr. CALDWELL. Not in this particular kind of work, because I was talking to an officer in charge of it in the Army and Navy Club this evening, and I am assured that this Americanization work that is being done, which is temporary, because the law under which it is being done is war legislation, is carried on by the Army.

Mr. GREENE of Vermont. Then there is one less excuse for the employment of the civilians in the War Department who are doing this work.

Mr. CALDWELL. I will be glad when all the civilians get out of the Army.

Mr. GREENE of Vermont. So will I.

Mr. CALDWELL. I can not see any merit in the contention of the gentleman from Vermont [Mr. GREENE] when he says the Army is an institution for defense and nothing else. In my opinion the Army, like any other institution of the United States Government, if it is to be efficient, should be used in every way that is possible that does not interfere with its ordinary and particular functions. I think there is no excuse in the world why the officers of the United States Army should not be devoting, in their spare time, their energies and intellects to improving the citizenship of this country and building up the magnificent structure that we hope it will continue to be. Remember, this does not apply altogether to immigrants, but also to many thousands of native born who can neither read, write, nor speak the English language.

Mr. SANFORD. I ask for a vote.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 109, noes 21.

Accordingly, two-thirds voting in the affirmative, the rules were suspended, and the bill passed.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the corresponding House bill, H. R. 3707, be laid on the table.

The SPEAKER. The gentleman from California asks unanimous consent that the corresponding House bill be laid on the table. Is there objection?

There was no objection.

JOINT COMMITTEE ON REORGANIZATION.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 191, to create a joint committee on the reorganization of the administrative branch of the Government.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to take from the Speaker's table and consider in the House a Senate joint resolution, which the Clerk will report.

Mr. BLANTON. Mr. Speaker, I am going to object, so I will save time by objecting now.

Mr. REAVIS. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 191.

Mr. CANNON. Let us have it read.

The SPEAKER. The gentleman from Nebraska moves to suspend the rules and pass Senate joint resolution 191, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That a joint committee is created, to be known as the joint committee on reorganization, which shall consist of three Members of the Senate to be appointed by the President thereof, and three Members of the House of Representatives to be appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled in the same manner as the original appointments.

SEC. 2. That it shall be the duty of the joint committee on reorganization to make a survey of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business.

SEC. 3. That the committee shall, from time to time, report to both the Senate and the House of Representatives the results of is inquiries, together with its recommendations, and shall prepare and submit bills or resolutions having for their purpose the coordination of Government functions and their most efficient and economical conduct. The committee is authorized to employ such assistance as it may require, at such compensation as the committee may determine to be just and reasonable, and to make such reasonable expenditures as may be necessary for the proper conduct of its work, such expenditures to be paid in equal parts from the contingent funds of the House of Representatives and the Senate, as from time to time may be duly authorized by resolutions of those bodies.

SEC. 4. That the officers and employees of all administrative services of the Government shall furnish to the committee such information regarding powers, duties, activities, organization, and methods of business as the committee may from time to time require, and the committee or any of its employees, when duly authorized by the committee, shall have access to and the right to examine any books, documents, papers, or records of any administrative service for the purpose of securing the information needed by the committee in the prosecution of its work.

The SPEAKER. Is a second demanded?

Mr. GARRETT. Mr. Speaker, I demand a second.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Speaker and gentlemen of the House, I have no desire to take any more time than is necessary on this resolution to-night, because I realize how urgent and necessary the time of the House is in the passage of other measures. For that reason I sought unanimous consent for the consideration of this resolution in order that we might expedite the time required.

The purpose of the resolution briefly stated is this: It calls for the appointment of a joint commission of the House and Senate of three Members each for two years.

Mr. BARKLEY. Will the gentleman yield?

Mr. REAVIS. I will.

Mr. BARKLEY. Does the gentleman construe this resolution to mean that the commission must at all times be composed of Members of both Houses? Will a Member who goes out next March, if he is a member of that commission, still be eligible?

Mr. REAVIS. I have no doubt of that.

Mr. BENSON. Mr. Speaker, I make the point of order that no quorum is present.

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

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

The motion was agreed to.

The Doorkeeper was ordered to close the doors, the Sergeant at Arms to notify absentees, and the Clerk to call the roll.

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

Anderson	Fairfield	McClintic	Sinclair
Baer	Ferris	McCulloch	Slemp
Bell	Flood	McKinley	Small
Boies	Frear	McPherson	Smith, Ill.
Booher	Fuller, Mass.	Mann, Ill.	Smith, Mich.
Brinson	Glynn	Mann, S. C.	Smithwick
Britten	Godwin, N. C.	Mansfield	Snyder
Brooks, Ill.	Goldfogle	Mason	Stedman
Buchanan	Goodall	Mays	Steele
Butler	Gould	Merritt	Steenerson
Cantrill	Graham, Pa.	Morin	Stephens, Miss.
Caraway	Griffin	Nelson, Wis.	Stephens, Ohio
Carss	Hamill	Newton, Minn.	Stiness
Carter	Hamilton	Nicholls	Stoll
Clark, Fla.	Harreld	O'Connor	Strong, Pa.
Cole	Hastings	Olney	Sullivan
Cooper	Haugen	Osborne	Taylor, Ark.
Copley	Hayden	Paige	Tillman
Costello	Hernandez	Parker	Tinkham
Curry, Calif.	Hersman	Pou	Upshaw
Dale	Hoey	Purnell	Vaile
Davis, Minn.	Holland	Ramseyer	Vare
Dempsey	Houghton	Randall, Calif.	Venable
Denison	Hulings	Randall, Wis.	Volstead
Dent	Igoe	Rhodes	Walters
Dewalt	Ireland	Riddick	Ward
Dickinson, Mo.	Johnson, S. Dak.	Robinson, N. C.	Weaver
Dowell	Kettner	Rodenberg	Webster
Drane	Kiess	Romjue	Wilson, Ill.
Drewry	Kitchin	Rucker	Winslow
Dunn	Kleczka	Sanders, La.	Wise
Dupré	Langley	Schall	Woods, Va.
Eagle	Lankford	Scully	Woodyard
Ellsworth	Lazaro	Sears	Young, N. Dak.
Elston	Lee, Ga.	Sells	
Evans, Nev.	Longworth	Sherwood	

The SPEAKER pro tempore (Mr. LITTLE). Two hundred and eighty-one Members have answered to their names, a quorum.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. REAVIS] is recognized for 17 minutes.

Mr. REAVIS. Mr. Speaker, the resolution now before the House under motion to suspend the rules is a Senate resolution which unanimously passed that body. A similar resolution, introduced by me, was reported to the House favorably by the Committee on the Judiciary, but I am asking at this time to substitute the Senate resolution for the resolution introduced by me, with the idea of economizing in time.

I have reached the conclusion, after many months of investigation and study, that the passage of this resolution would mark the beginning of one of the most constructive pieces of legislation that has been before the present Congress. For many years the overlapping and duplication of activities in the departments and bureaus of the Government has been a source of waste and expense almost incalculable. A sincere study of the situation leads one to the conclusion that, while the Government of the United States is the world's biggest business, it is likewise the world's worst-managed business. There has been no reorganization of governmental departments since the days of Alexander Hamilton, and the result of this indifference is appalling to any sincere student of governmental affairs.

Mr. Taft, in January of 1912, sent a special message to the Congress, calling to its attention the great waste of public money because of duplication of activities. Ex-Secretary of the Interior Lane quite recently gave public expression regarding the overlapping in the several departments and the urgent necessity for some change.

The resolution introduced by me and reported favorably from the Committee on the Judiciary offers the first opportunity to the Members of Congress to meet the situation efficiently and finally.

Mr. BENSON. Will the gentleman yield?

Mr. REAVIS. In a moment.

Mr. BENSON. Then I make the point of order that there is no quorum present.

The SPEAKER pro tempore (Mr. LITTLE). The Chair has just ascertained that there is a quorum present. The gentleman from Maryland will please be seated and desist from smoking. It is against the rules.

Mr. BENSON. Then I will wait a few minutes and make the point another time.

Mr. REAVIS. This resolution provides for a committee to make investigation of the duplication of activities and to report legislation that will eliminate this endless overlapping.

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

Mr. REAVIS. I have only a little time, and it is very late at night. I decline to be interrupted.

Among the measures to be considered by this committee, if this resolution shall pass, will be the bill known as the Jones-Reavis bill, which was introduced in the Senate by Senator JONES of New Mexico and in the House by myself, which contemplates the reorganization of the Interior Department into a department of public works. The purpose of this legislation is to start with one department and to coordinate within that department all activities of government which are in harmony with the functions of the department. As it is to-day, many of the activities under the Secretary of the Interior are totally unrelated to the functions which that department naturally and logically should perform. It is a little difficult to understand and far more difficult to ascertain why certain activities have been given to the Interior Department. The work of that department to-day is a hodgepodge of totally unrelated purposes, which is resulting in endless duplication and appalling expense.

For instance, the Department of the Interior has control of the insane hospital known as St. Elizabeths. This hospital should be removed from the jurisdiction of the Interior Department and should be given to the Bureau of Health, where it logically belongs. The Department of the Interior also has the Howard School and the School for the Deaf. These activities should be given to the Bureau of Education. The Pension Bureau, now under the Department of the Interior, should be consolidated with the War Risk under the Treasury Department. As it is, we have one personnel caring for the soldiers of the World War and another personnel caring for the soldiers of the Civil War. These two activities should be joined in one department. The Bureau of Patents should be taken from the Department of the Interior and given to the Department of Commerce, where it really belongs, and all of the public-work functions should be gathered together and coordinated within the Interior Deparment.

As an example of the endless duplications, let me cite to you that there are 39 separate governmental agencies handling engineering, architectural, and public-work functions, all of a related kind. There is no good reason why all of these agencies should not be coordinated in one department and about 38 of the useless organizations done away with. There are 26 governmental agencies engaged in surveying and mapping; there are 27 separate and distinct agencies engaged in public building operations; there are 16 agencies authorized to build roads; there are 19 engaged in hydraulic construction; there are 16 doing work on rivers; there are 10 engaged in public-land functions; there are 15 doing chemical investigation connected with public-work operations; there are 22 doing engineering and research. Many of these agencies have been inactive for a number of years, but they are keeping up their personnel in anticipation of work in the future. The coordination of all these functions, which will result in doing away with useless bureaus and duplication of activities, will save to the country in my judgment at least $300,000,000 a year.

Some of the duplications are so ridiculous that if they were not tragic they would be absurd. For instance, the Government seeks to protect the wild animals in the national parks. If a brown Kadiak bear has twin cubs, one brown and one black, which often happens, and one should shoot the brown cub he must make his settlement with one department, but if he shoot its full brother, the black cub, he must settle with another department. If you were to shoot a fox in Alaska, your settlement would be with the Department of Agriculture, while if you trapped the same fox, you must make your settlement with a bureau in the Department of Commerce. To put an end to these duplications will mean not only the release of thousands and tens of thousands who are now working for the Government but it would result in far more efficient service.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield for a question?

Mr. REAVIS. I will be very glad to yield.

Mr. CLARK of Missouri. Is not this very thing you are trying to do now precisely what it was claimed the budget system will do?

Mr. REAVIS. It is difficult to answer that question because I do not know all that has been claimed for the budget system, but the difference between the budget system and the plan proposed by myself is that the budget system provides for a reorganization within the departments by the departmental heads, while the system sought by this legislation provides for a legislative investigation and a legislative reorganization without regard to the views of the department heads. The truth of the matter is that the provision of the legislation now before the House supplements and works in harmony with the budget system and will add greatly to its efficiency.

Mr. CLARK of Missouri. Was not the argument you were making the principal argument that was given in favor of the budget system?

Mr. REAVIS. Probably it was, for the purposes of the budget and the purposes of this legislation are very similar, but a full understanding of the two propositions will disclose that the provisions of the resolution as now before the House will permit the Congress to do many things which the budget can not and will not do.

Mr. CLARK of Missouri. Is not this resolution providing for a duplication just exactly what the budget is proposed to prevent?

Mr. REAVIS. I presume that the distinguished gentleman from Missouri means by that question that the purpose of this resolution is a duplication of the budget provision. This, however, is not correct. It has been my experience and observation that the more efficient and ambitious the department head the greater the menace he is in some respects to the economical administration of governmental affairs. All ambitious and active men are apt to lose their sense of proportionate value and to reach the conclusion that the thing they do is the most important thing that is being done. This characteristic of humanity leads an efficient department head to believe that the success of his department is the most important feature of the Government, and the result of it is that he is constantly adding to its activities and enhancing and improving those things which come within the jurisdiction of his department. It is no concern to him that many other bureaus within the Government are doing the identical thing which he is doing within his department. His chief concern is to retain within his department jurisdiction of that matter and to constantly strive to make the jurisdiction more comprehensive. The result will be that a budget system will encounter this attitude at every stage of the game. The department heads will be very reluctant to give up activities in which they take great pride, but the legislation now before the House will permit Congress to compel department heads to give up activities in which there is duplication without regard to the disposition of the department heads.

For instance, the Government issued through its several bureaus and departments 16 cookbooks last year. The last one that was issued was published by the Board for Vocational Education. This is a board organized by the Congress for the purpose of rehabilitating crippled soldiers of the World War, to prevent, so far as possible, their becoming derelicts in life. The money appropriated for this purpose is being spent in sending the crippled soldiers cookbooks. Now, a budget system, if it works as it has worked in England, would probably result in the economic publication of 16 cookbooks. The resolution now before Congress would result in the elimination of at least 15 of them. It may be of interest to state that while the Government has been issuing 16 cookbooks and consuming vast quantities of print paper in these and similar useless publications, 1,300 country town newspapers have suspended in the last three months because they could not secure print paper upon which to print their publication.

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

Mr. REAVIS. In a moment, if I have time.

Mr. McKEOWN. Will the gentleman yield?

Mr. REAVIS. In just a minute.

The Jones-Reavis bill, seeking to coordinate all public-works functions in one department, and the resolution now before the House have the most earnest recommendation of Mr. Franklin Roosevelt, Assistant Secretary of the Navy; ex-Secretary of the Interior Lane; and every other gentleman who has had the opportunity to observe the inefficient manner in which the business of the Government is being transacted. I now yield to the gentleman from Oklahoma.

Mr. McKEOWN. I want to ask the gentleman when this committee is expected to commence its work? Is it to commence at the next session of Congress or is it expected to work between now and the next session? That is the question I desire to propound.

Mr. REAVIS. I am not able to answer that question any more than to give you my personal idea. I want to be perfectly frank and candid with the Democratic side of the House and to tell them it is my hope, if this resolution passes and the committee is appointed, that it will commence its work at once.

Mr. McKEOWN. I will say that I am in sympathy with the purpose of this resolution, but I am wondering if it would not be just as well to have it commence after the next election.

Mr. REAVIS. I appreciate the suggestion that there might be some partisan advantage if the committee should begin its work now and publicity be given to the inefficiency that now

obtains in governmental matters; but, as I have stated, I want to be perfectly candid with the Democratic side of the House. I am not concerned with the political significance of this resolution, and I do not believe that any man broad enough to see the crying necessity for legislation of that character should be inspired to oppose it because of politics. I believe that this is the psychological moment for legislation of this character. There are two reasons in my mind which inspire this belief. One of the reasons is that the people demand that their taxations be reduced. For many years we have been collecting the revenues of this Government through systems of indirect taxation. The revenues have been collected through a protective tariff and by excise taxations on intoxicating liquors. Indirect taxation of this kind prevents the people from realizing fully just who is paying the expenses of the Government. There was a time when the expenses of the Government amounted to only 12 cents per capita a year. To-day the annual per capita expense exceeds $40. This tremendous expense has made it necessary to resort to direct taxation, and the people have suddenly become painfully aware of who pays the expenses of the Government. Every taxpayer within the Nation, when he looks at his tax receipt, wonders what we are doing with the money, and the burdens imposed upon him incite a demand for economy. Anything looking to a reorganization of governmental business that will reduce expenses will meet with approval of the man from home.

Another reason which I have in mind and which inspires the hope that this committee will immediately become active is the fact that the majority in Congress is of one political faith while the departmental heads are of another. It will be far easier for Congress to pass legislation reorganizing departments held by Democrats than it would be for Congress to pass such legislation if the Congress and the departments were of the same political faith. The reasons for this are so many and are so apparent to the membership of the House that it is quite unnecessary for me to devote any time demonstrating that proposition.

For these reasons and others I want to eliminate all partisan questions from this resolution, and I want to candidly say to you that even though Democratic Members of the House, inspired by partisan consideration, may be disposed to defeat this resolution, nevertheless if I have my way about it the committee will begin its work at once.

Mr. BEE. Will the gentleman yield?

Mr. REAVIS. I will yield to the gentleman.

Mr. BEE. Under section 4 there seems to be some expense for these departments to furnish the information if necessary. How does the gentleman provide for the expense upon the departments in furnishing this?

Mr. REAVIS. There is no provision made for any expense the departments may incur by reason of furnishing the information; neither are there provisions for expense incurred in furnishing estimates to the Appropriations Committee. This is a part of the natural and ordinary work of the departments and the expense should be very nominal.

Mr. BEE. Will the gentleman yield for another question?

Mr. REAVIS. With pleasure.

Mr. BEE. This committee is not to report until the next session of the Congress?

Mr. REAVIS. It can not possibly report until the next session of Congress, because if we adjourn there will be no one to report to.

Mr. BEE. There will be nothing, however, to prevent giving out newspaper interviews from time to time of what this committee has discovered?

Mr. REAVIS. Absolutely nothing, but I am sure that the gentleman from Texas is too responsible a man to be concerned by any trifling political considerations in the presence of a proposition as far-reaching and constructive as this.

Mr. BEE. I find it in the committee investigating the War Department.

Mr. REAVIS. The purpose of this resolution is not to criticize anyone. The departments have been in their present condition for many years and under both political parties. Every man familiar with the situation is impressed with the urgent nced of a reorganization, and I am satisfied in my own mind that the passage of this resolution and the legislation which will be reported from this committee will effect a saving to the taxpayers of this country of more than $300,000,000 a year. I am not concerned whether it goes to the credit of one party or the other, but I am concerned only in the passage of this resolution, which in its effect will go to the benefit of the taxpayers of the Nation.

For the past five years men have been engaged in the gentle art of killing their fellows. For the past five years we have exerted every effort to destroying those things material and spiritual which we have toiled and suffered for centuries to produce. For reasons which I have not time to recount, the world seems to have drifted into an atmosphere of class selfishness. Washington is filled with national organizations each working for its own purpose, each demanding legislation in many instances destructive of the rights and the interests of the other fellow, until it approaches a government by groups. The time has come for a return to fundamentals and to recognize that the main purpose of a republic lies in the good of the whole people, and that the justification of the United States as a government consists in beneficial service to the general good as distinguished from the class good. Day after day we have been considering legislation demanded by groups. Day after day we are told by certain national organizations to be subservient to their demands or to be prepared to meet defeat. Personally, I have never been obedient in my public activities to anything excepting the dictates of my own judgment and my own conscience. I do not intend to do violence to either at the command of anybody or of any organization.

I am presenting this legislation as legislation that is beneficial to the whole of the Nation. I do not know that I shall be successful in securing its passage, but if it is defeated I shall press it, and continue to press it, so long as I am in Congress or until it becomes a part of the law of the land. There is no question in my mind as to its beneficial results. I am very certain that the elimination of duplications and overlapping in departmental matters will result in the saving of hundreds of thousands of dollars every year. There is no reason why it should not be done. There is every reason, in the presence of the strife and turmoil that prevail in this country and of the unrest occasioned by the excessive cost of necessaries of life, that the Government should be put upon a sane, efficient, and economical business basis. This resolution presents the opportunity to do these things.

Mr. BENSON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore (Mr. LITTLE). The Chair has just ascertained there was a quorum. The gentleman from Nebraska [Mr. REAVIS] will now proceed. [Laughter.]

Mr. CLARK of Missouri. Mr. Speaker, the making of the point of no quorum is a constitutional privilege. It can not be waived by the Speaker or anybody else.

The SPEAKER pro tempore. That is no information to the Chair. The Chair has been quite familiar with the fact for a considerable time.

Mr. CLARK of Missouri. I insist that the Chair obey the rules of the House. [Applause on the Democratic side.]

The SPEAKER pro tempore. Does the gentleman make the point of order of no quorum?

Mr. CLARK of Missouri. I did not. The gentleman from Maryland [Mr. BENSON] did, and he had a perfect right to do it. [Applause on the Democratic side.]

The SPEAKER pro tempore. There has just been a count of the House. Very little time has expired since that and the Chair finds from that count that there is a quorum here.

Mr. CLARK of Missouri. The Chair can not rely on a count that was made 30 minutes ago.

The SPEAKER pro tempore. The Chair holds that a quorum is present.

Mr. CLARK of Missouri. I appeal from the decision of the Chair. [Applause on the Democratic side.]

The SPEAKER pro tempore. The Chair will count the House. [Cries of "Regular order!"]

Mr. WINGO. The Chair can not count on an appeal.

The SPEAKER pro tempore. The Chair will count the House.

Mr. MONDELL. There is nothing to appeal from.

Mr. WINGO. The gentleman from Missouri [Mr. CLARK] has appealed from the decision of the Chair.

Mr. MONDELL. The Chair is now counting.

The SPEAKER pro tempore. The Chair is endeavoring to count the House.

Mr. WINGO. The Chair has made a ruling and it was appealed from. He can not usurp his authority and absolutely ride roughshod over the rule. [Cries of "Regular order!"]

The SPEAKER pro tempore. The regular order is that the Chair is counting.

Mr. WINGO. The regular order is an appeal was taken from the decision of the Chair, and the Chair is absolutely riding roughshod over the rules of the House. The gentleman from Missouri appealed from the decision of the Chair.

The SPEAKER pro tempore. The gentleman is out of order, and the Chair will proceed to count.

Mr. WINGO. I know I am not out of order, but the Chair is out of order.

The SPEAKER pro tempore. The Chair will proceed in order.

Mr. WINGO. There is an appeal from the decision of the Chair.

The SPEAKER pro tempore. There is nothing to appeal from.

Mr. MONDELL. The gentleman from Arkansas [Mr. WINGO] is out of order.

Mr. WINGO. I am not. I have a right to insist on the Chair putting the appeal. That is something the Chair can not ignore. He has no discretion.

Mr. WALSH. Mr. Speaker, I move to lay the motion to appeal on the table.

The SPEAKER pro tempore. There is no appeal in this. The Chair will count the House. [After counting.] Two hundred and forty-nine Members are present. [Applause.] The Constitution is all right, and the gentleman from Nebraska can go on and is recognized for four minutes. If the gentlemen will preserve order during that four minutes, they will not stretch out to eight. [Laughter.] The gentlemen will take their seats.

Mr. REAVIS. This committee, Mr. Speaker, contemplated by this resolution, is a House and Senate committee, that will be composed of both Democrats and Republicans in accordance with the rules which obtain in the appointment of committees.

I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker——

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 20 minutes.

Mr. GARRETT. I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I am sure everyone is in sympathy with the purpose of this resolution, and I join the gentleman from Nebraska in all he has said concerning the extravagance and inefficiency brought about by any duplications which may exist in the departments. But I want to call the attention of the House to the fact that here during the last hours of this session, without opportunity to amend or offer any kind of perfecting amendment to this resolution, we are asked to out-Herod Herod in the matter of duplication of services. [Applause on the Democratic side.]

Mr. REAVIS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield in five minutes, unless the gentleman will yield some time to me.

Mr. REAVIS. All I want to say is——

Mr. BYRNS of Tennessee. I can not yield.

Mr. Speaker, this resolution was recommended, as the gentleman from Nebraska has said, but it was recommended before Congress passed the budget bill. It was passed unanimously by the Senate, as he has said, but it was passed by the Senate before the budget bill became a law. Now, what have we? We now have a budget bureau which has an appropriation of $225,000 a year, and that budget bureau is given authority through its representatives to go into the various bureaus of this Government and to investigate the subject of duplication and the expenditure of money. In addition to that, under the budget law the comptroller general, who has an appropriation under his control of $3,000,000, has the same power vested in him and his representative, and he is under the direct control of Congress or of any committee having jurisdiction. [Applause on the Democratic side.] Have you no confidence in the effectiveness of the budget law which you have just passed? If so, then why add this additional burden to the taxpayers by providing for an expensive organization to do what the budget law is expected to do?

The director of the budget and the comptroller general are authorized and directed to go into the departments of the Government for the purpose of doing just what this resolution provides. More than that, the Bureau of Efficiency, for which an appropriation of $125,000 a year is carried, has the authority, through its representatives, to go into these departments and make investigations as to duplication and expenditures in the various departments of this Government, and now the gentleman comes in in the closing hours of the session with a resolution to perform identically the same service and making an indefinite appropriation for that service. No man here can tell what it will cost, but, judging from what these other bureaus cost, it will cost probably $100,000 or $200,000. And more than that, it provides for three Members of the House and three Members of the Senate, and I call your attention to the fact that under this resolution there is nothing to prevent an indefinite tenure and nothing to cause a vacancy when a member of the commission becomes no longer a Member of Congress. When one member of that commission shall go out of Congress, either by failure of election or for any other reason, he may, if he chooses, continue a member of the commission, and, of course, will be paid a handsome salary. And yet, as the author of this resolution told me the other day, if they do this work properly it will take two years possibly to complete the job.

In addition to that, as I have already said, there is no sum fixed as to the amount that can be expended by this commission. There is no limit on the amount of salary that can be paid to employees and experts and accountants under the commission. If you call this an "economy Congress," if you stand here and criticize duplications in the departments, are you in any position to go before the country and complain of duplication when, as a matter of fact, you are duplicating here four times with reference to the work to be carried on under this resolution?

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman give me one minute more?

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

The SPEAKER pro tempore. The gentleman is recognized for one minute more.

Mr. BYRNS of Tennessee. We are asked to vote for this resolution, which is brought in at the close of the session, with no opportunity of offering an amendment limiting the amount of money that may be expended by this commission, with no opportunity given to any Member to offer an amendment limiting the membership of this commission to Members who are actually serving in Congress. We are asked to vote for this resolution without any opportunity for discussion or real consideration. Why was it not brought before Congress before this, when the House would have an opportunity to amend it in the particulars to which I have referred? I have wondered what would happen if——

The SPEAKER pro tempore. The time of the gentleman from Tennessee has again expired.

Mr. GARRETT. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for two minutes more.

Mr. BYRNS of Tennessee. I have wondered what would happen if the head of the budget bureau were to walk into the office of some bureau chief and say to him, "We are here at the instance of the President for the purpose of examining your books and documents and papers," and then the next moment a representative of the comptroller general should walk in and say to him, "I am here at the instance of Congress for the purpose of examining your books and your documents and your papers," and the next moment a representative of the Bureau of Efficiency were to walk in and say to the bureau chief, "I am here by virtue of direction from the director of the bureau to examine your books and documents and papers to see whether duplication exists between your bureau and other bureaus of this Government," and then the next moment a representative of this commission should walk in and say, "I come here as the representative of the Congressional Commission to look into your books and papers and documents to ascertain if there is any duplication between you and other bureaus." Do you not see how absurd this proposition is?

I thought the last word had been said and the limit had been reached in the appointment of investigating committees and commissions. I am surprised that now, at the close of the session of Congress, it is proposed to crown the work of this session by creating an additional expensive commission to do the work already provided for under laws heretofore passed by Congress.

I repeat, I am not opposed to the object of this resolution, but I am opposed to appointing four expensive agencies for the purpose of doing the same class of work. [Applause on the Democratic side.]

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, when properly presented there is not a Member of this House who is not in favor of the purposes of this resolution. But since the signing of the armistice we have seen upon the floor of this House so many exhibitions of dirty partisan politics that we have become suspicious of proceedings of this kind.

This bill was introduced in the Senate on April 16. It was called up on May 10 by one Senator. Another Senator asked that it be read, and still another Senator said he was in favor of it, and, lo and behold, the bill passed, and we have not heard a word of it since then until now it is called up in the closing

hours of this Congress under suspension, when we can not amend it in any way.

What does it provide? Just another smelling committee, to bring out a lot of bogus facts to use in campaigns on the hustings. That is all. Why, the Joint Committee on Reclassification of Salaries by a rider was created in the closing hours of the last session of the last Congress, without five Members of Congress knowing anything about it, and it first provided an appropriation of $25,000 to start on.

Then we had to give them $50,000 more, and it has cost already $75,000, with more yet to come. But they say that this will be a committee appointed in the regular way with minority representation. If it is to be so appointed, I want to ask the distinguished gentleman from Nebraska why is it that it is not so provided in the language of the bill? It says that the Speaker shall appoint three Members from this body who shall go on that commission. It does not say, like the resolutions under which the other commissions were appointed, that two shall be from the majority and one from the minority. I know the distinguished Speaker would be fair enough to give the minority representation upon it; but concerning the other two majority Members he could, and I believe he would—because it has been done heretofore—probably appoint two lame ducks, two Members that may be made lame ducks in the next few months. Then the smelling would begin. Why do you not wait until we come back in December?

Mr. REAVIS. Will the gentleman yield to me?

Mr. BLANTON. Then if it comes up in a proper manner we will vote with you to give you a live commission to do the very thing that this resolution seeks to do.

Mr. REAVIS. Did the gentleman ever hear of the appointment of a lame duck to a position which had no salary attached to it?

Mr. BLANTON. Oh, well, the salary undoubtedly would come afterwards. You fellows are so used to voting salaries—and you have got your eyes up to $10,000 or $12,000—that the very minute they become lame ducks you would provide the salaries for them, and the gentleman knows it. The salary would come through a little resolution that would be passed more quickly than this resolution passed the body at the other end of the Capitol.

Mr. TINCHER. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Kansas.

Mr. TINCHER. Who has been appointing lame ducks?

Mr. BLANTON. It is something that we learned from the Republicans 25 years ago, and they have been appointed ever since.

Mr. JUUL. But you know how now.

Mr. BLANTON. You are making positions for them, and I am not in favor of making positions for anybody now. I am going to vote against every new commission and every new bureau and every new department of this Government that is sought to be created until we reduce our Government's indebtedness of $23,000,000,000 that is staring the taxpayers in the face to-night. I want to see it reduced and the debts paid by an honest Government, that can pay its debts only by getting taxes out of the pockets of the taxpayers. [Applause.]

Mr. GARRETT. I yield the remainder of my time to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, if one may venture a note of seriousness into that which somewhat savors of comic opera, I beg leave to discuss this matter in the light of an amendment which I would have offered if the opportunity had been presented. Very much to my regret the bill now comes under such parliamentary procedure that we are unable to offer any amendment.

It would seem from the language of the bill that about the only purpose it will have is to constitute this committee to make a survey of the so-called budget system. If there ever was an instance where duplication is indeed duplicated by itself, it is in this bill. Here is a bill passed by the Senate, after little or no discussion, on May 11, and not presented here until the time when we have passed a rule for six suspension days. It is not presented at a time or under parliamentary procedure when anyone who desires to perfect a bill for proper legislative purposes may offer an amendment.

That to which I particularly desire to call attention is in connection with the reading of the bill in its present form. The amendment I would have proposed, and which I submit for your information now, is following line 8 of the bill.

I propose the following amendment:

If the elected term of any Member of the Senate or House of Representatives who shall have been appointed as a member of the joint committee to be known as the Joint Committee on Reorganization shall expire a vacancy shall be held to exist in said joint committee.

I think it is the purpose of the membership of the House to appoint a live committee. By that I mean a committee of those who are in the Senate and in the House of Representatives. Under the language of this bill I think there is grave doubt as to whether the committee to be appointed, after it has been appointed, will not continue although the expiration of the term of some of them may have been had. Therefore, it is to make the bill clear in this respect that I have suggested this, and I suggest it now only in the hope that such proceeding may be had that we may avail ourselves of the great principle of writing legislation and that is to have a fair, frank, and honest discussion and a meeting of minds in order that we may write the best kind of legislation. In the sixty-fifth Congress a commission was created by a provision, I think in the legislative bill, which was almost exactly in terms identical with this language. Under that provision persons were appointed who in a short time ceased their membership in this House, but they continued as a commission, and these men would continue. I realize that it is the contention of the gentleman from Nebraska [Mr. REAVIS], since he has so expressed it, that this statement of mine is not borne out by his interpretation of the language of the law. But I submit to the careful consideration of the membership of this entire House that this language carried in the resolution when the committee is appointed it must be three Members of the Senate and three Members of the House, but when appointed there is no provision as to what constitutes a vacancy.

The language which I have spoken of, and which I would venture to suggest as an amendment if I could, would clarify and make certain this bill and provide that when a man ceases to be a Member of the House likewise he should cease to be a member of the joint committee. [Applause.] That is the principal thing. I think everybody in the House wants that. The House and the country are tired of creating commissions. We have been creating commissions in this House, every day making bureaus and commissions, increasing all sorts of executive departments, and the country is tired of them. Here is an opportunity to declare affirmatively that it shall be a live, continuing committee only so long as its members are Members of this great legislative body. [Applause.]

Mr. MOORE of Virginia. Mr. Speaker, I hope that gentlemen on the Democratic side will not assume that this is a partisan measure, and in order to dispel any such idea I should like to indicate the genesis of the resolution. There has been a good deal of discussion during the present Congress about unbusinesslike and wasteful methods in the departments that have grown up during a long period and for which no individual and no one party is responsible. As far back as February, when criticism of that sort was very prevalent here, I announced a purpose to introduce a resolution of this character. It was introduced. It is a much more comprehensive resolution than the one now under consideration. It was referred to the Committee on Rules, but has not been reported by that committee. This resolution is similar, though less comprehensive. This resolution proposes, as did my resolution, not that the officials in the departments shall make an investigation and let the matter rest there but that a legislative committee shall make a full survey and report to Congress the condition it finds to exist.

The condition confessedly is bad. There is not a Member who will deny that it is bad, that departmental operations are carried on in an awkward and inefficient way, that they are carried on extravagantly, and I submit that the duty is upon us here and now, even at this late hour, to do what we can to correct the bad condition that admittedly exists. I would be unwilling as a Representative, upon a suggestion that the measure is belated—and that suggestion applies not alone to this measure but to a good many others that are important, as, for instance, to the merchant-marine bill, which many are going to vote for without any close scrutiny—to have it go out that I had failed for that reason to support a measure as salutary as I believe this will be in results.

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

Mr. MOORE of Virginia. I only regret that I have not a little more time in which to discuss this resolution, but I appeal to my friends on this side to give it serious consideration before opposing it.

The SPEAKER. All time has expired. The question is on suspending the rules and passing the resolution.

The question was taken, and on a division (demanded by Mr. REAVIS) there were—ayes 114, noes 102.

Mr. REAVIS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and there were—yeas 142, nays 135, not voting 150, as follows:

YEAS—142.

Ackerman	Fuller, Ill.	McArthur	Sanders, Ind.
Andrews, Md.	Garland	McFadden	Sanders, N. Y.
Andrews, Nebr.	Goodykoontz	McLaughlin, Mich.	Sanford
Bacharach	Graham, Ill.	McLaughlin, Nebr.	Scott
Barbour	Green, Iowa	MacCrate	Sells
Begg	Greene, Mass.	MacGregor	Shreve
Benham	Hadley	Madden	Siegel
Bland, Ind.	Harrison	Magee	Sinnott
Brooks, Pa.	Hays	Mapes	Smith, Idaho
Burdick	Hersey	Michener	Snell
Burroughs	Hickey	Miller	Strong, Kans.
Campbell, Kans.	Hicks	Monahan, Wis.	Summers, Wash.
Cannon	Hill	Mondell	Swope
Chindblom	Hoch	Montague	Temple
Christopherson	Howard	Moore, Ohio	Thompson
Classon	Husted	Moore, Va.	Tilson
Crago	Hutchinson	Moores, Ind.	Timberlake
Cramton	Jefferis	Morgan	Tincher
Crowther	Johnson, S. Dak.	Mott	Towner
Dallinger	Johnson, Wash.	Mudd	Treadway
Darrow	Jones, Pa.	Neely	Vaile
Davis, Minn.	Juul	Nolan	Vestal
Denison	Keller	Ogden	Voigt
Dunbar	Kelly, Pa.	Peters	Walsh
Dyer	Kennedy, R. I.	Platt	Wason
Echols	King	Porter	Watson
Edmonds	Kinkaid	Radcliffe	Whaley
Elliott	Knutson	Ramsey	Wheeler
Emerson	Kraus	Reavis	White, Kans.
Esch	Kreider	Reed, N. Y.	White, Me.
Evans, Nebr.	Lampert	Reed, W. Va.	Williams
Fess	Lehlbach	Ricketts	Wood, Ind.
Focht	Little	Robsion, Ky.	Yates
Fordney	Luce	Rogers	Zihlman
Foster	Lufkin	Rose	
French	Luhring	Rowe	

NAYS—135.

Almon	Davis, Tenn.	Kendall	Phelan
Ashbrook	Dickinson, Iowa	Kincheloe	Quin
Aswell	Dominick	Lanham	Rainey, Ala.
Ayres	Donovan	Larsen	Rainey, H. T.
Babka	Dooling	Lea, Calif.	Rainey, J. W.
Bankhead	Doremus	Lee, Ga.	Raker
Barkley	Doughton	Lesher	Rayburn
Bee	Eagan	Lonergan	Riordan
Benson	Evans, Mont.	McAndrews	Romjue
Black	Fields	McDuffie	Rouse
Blackmon	Fisher	McGlennon	Rowan
Bland, Mo.	Gallagher	McKenzie	Rubey
Bland, Va.	Gallivan	McKeown	Sabath
Blanton	Gandy	McKiniry	Sims
Bowers	Ganly	McLane	Sisson
Box	Gard	Maher	Smith, N. Y.
Brand	Garrett	Major	Steagall
Briggs	Goodwin, Ark.	Mann, S. C.	Stevenson
Burke	Greene, Vt.	Martin	Sumners, Tex.
Byrnes, S. C.	Griest	Mead	Tague
Byrns, Tenn.	Hardy, Colo.	Milligan	Taylor, Ark.
Caldwell	Hawley	Minahan, N. J.	Taylor, Colo.
Campbell, Pa.	Heflin	Moon	Thomas
Candler	Hersman	Mooney	Venable
Carew	Huddleston	Nelson, Mo.	Watkins
Casey	Hudspeth	Newton, Mo.	Welling
Clark, Mo.	Hull, Tenn.	O'Connell	Welty
Cleary	Humphreys	O'Connor	Wilson, La.
Coady	Jacoway	Oldfield	Wilson, Pa.
Collier	James	Oliver	Wingo
Connally	Johnson, Ky.	Padgett	Woods, Va.
Crisp	Johnson, Miss.	Park	Wright
Cullen	Johnston, N. Y.	Parrish	Young, Tex.
Davey	Jones, Tex.	Pell	

NOT VOTING—150.

Anderson	Ellsworth	Kelley, Mich.	Randall, Wis.
Anthony	Elston	Kennedy, Iowa	Reber
Baer	Evans, Nev.	Kettner	Rhodes
Bell	Fairfield	Kiess	Riddick
Boies	Ferris	Kitchin	Robinson, N. C.
Booher	Flood	Kleczka	Rodenberg
Brinson	Frear	Langley	Rucker
Britten	Freeman	Lankford	Sanders, La.
Brooks, Ill.	Fuller, Mass.	Layton	Schall
Browne	Garner	Lazaro	Scully
Brumbaugh	Glynn	Linthicum	Sears
Buchanan	Godwin, N. C.	Longworth	Sherwood
Butler	Goldfogle	McClintic	Sinclair
Cantrill	Good	McCulloch	Slemp
Caraway	Goodall	McKinley	Small
Carss	Gould	McPherson	Smith, Ill.
Carter	Graham, Pa.	Mann, Ill.	Smith, Mich.
Clark, Fla.	Griffin	Mansfield	Smithwick
Cole	Hamill	Mason	Snyder
Cooper	Hamilton	Mays	Stedman
Copley	Hardy, Tex.	Merritt	Steele
Costello	Harreld	Morin	Steenerson
Currie, Mich.	Hastings	Murphy	Stephens, Miss.
Curry, Calif.	Haugen	Nelson, Wis.	Stephens, Ohio
Dale	Hayden	Newton, Minn.	Stiness
Dempsey	Hernandez	Nicholls	Stoll
Dent	Hoey	Olney	Strong, Pa.
Dewalt	Holland	Osborne	Sullivan
Dickinson, Mo.	Houghton	Overstreet	Sweet
Dowell	Hulings	Paige	Taylor, Tenn.
Drane	Hull, Iowa	Parker	Tillman
Drewry	Igoe	Pou	Tinkham
Dunn	Ireland	Purnell	Upshaw
Dupré	Kahn	Ramseyer	Vare
Eagle	Kearns	Randall, Calif.	Vinson
Volstead	Weaver	Winslow	Young, N. Dak.
Walters	Webster	Wise	
Ward	Wilson, Ill.	Woodyard	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the joint resolution was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. NELSON of Wisconsin and Mr. RANDALL of Wisconsin (for) with Mr. CANTRILL (against).

General pairs until further notice:

Mr. LONGWORTH with Mr. FLOOD.
Mr. ANTHONY with Mr. UPSHAW.
Mr. HAUGEN with Mr. MAYS.
Mr. BUTLER with Mr. GARNER.
Mr. VOLSTEAD with Mr. WISE.
Mr. WINSLOW with Mr. BELL.
Mr. PAIGE with Mr. OLNEY.
Mr. OSBORNE with Mr. DREWRY.
Mr. MCPHERSON with Mr. IGOE.
Mr. TINKHAM with Mr. VINSON.
Mr. KAHN with Mr. DENT.
Mr. CURRIE of Michigan with Mr. HOLLAND.
Mr. SWEET with Mr. LINTHICUM.
Mr. STEPHENS of Ohio with Mr. GRIFFIN.
Mr. DEMPSEY with Mr. OVERSTREET.
Mr. HOUGHTON with Mr. WEAVER.
Mr. STINESS with Mr. ROBINSON of North Carolina.
Mr. FREAR with Mr. STEDMAN.
Mr. LAYTON with Mr. HAMILL.
Mr. STEENERSON with Mr. MANSFIELD.
Mr. REBER with Mr. LANKFORD.
Mr. GLYNN with Mr. GOLDFOGLE.
Mr. GOOD with Mr. EAGLE.
Mr. KLECZKA with Mr. HARDY of Texas.

Mr. GOLDFOGLE. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. GOLDFOGLE. No; I just came into the Hall.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. DOWELL for the remainder of the week.

To Mr. SWEET for the balance of the present week.

EXPORTATION OF PULP WOOD FROM CANADA TO UNITED STATES.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 152.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the resolution which the Clerk will reporrt.

The Clerk read as follows:

Joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I object.

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 152.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and pass the joint resolution, which the Clerk will report.

The Clerk began the reading of the resolution.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Under a motion to suspend the rules and pass the resolution is it in order to read the preamble? It is not part of the resolution.

The SPEAKER. The Chair would think so. The Chair would think whatever the gentleman from Pennsylvania moved to pass would be before the House.

The Clerk read as follows:

Joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

Whereas newsprint and other printing papers are commodities of universal use and are indispensable in the educational process of modern civilization, and the paramount importance of a sufficient production of such newsprint and other paper to supply the needs of the people of the United States is a self-evident proposition; and

Whereas practically the whole content of newsprint and other printing paper is composed of mechanical and chemical products of pulp wood, the supply of which in the eastern part of the United States is being rapidly exhausted by the growing demand and the price of which is being advanced to unprecedented level; and

Whereas the existing scarcity of pulp wood and its threatened total exhaustion in the United States have become a matter of such grave concern to the paper industry, the users and manufacturers of forest products, the Federal Government, and the general public that the Forest Service, the lumber and pulp and paper associations, and the forestry authorities of the country are now formulating a broad and comprehensive national forest conservation and reforestation plan for early adoption; and

Whereas the lieutenant governors of certain of the Provinces of Canada, in council, did issue orders prohibiting the exportation of pulp wood cut from Crown lands, the chief source of supply of pulp wood, unless manufactured into lumber, pulp, or paper, thereby tending to create a monopoly beyond our borders in the manufacture of paper, to the great detriment of the people of the United States: Now, therefore, be it

Resolved, etc., That the President of the United States be and he is hereby requested to appoint a commission of five persons and, by appropriate authority, to confer on this commission the power, on behalf of the administration and the Congress, to negotiate with said Dominion Government, or with said provincial governments, in respect to the cancellation of said restrictive orders in council, and as well any other restrictions on the exportation of pulp wood and newsprint and other printing paper composed of mechanical and chemical products of pulp and pulp wood, from the Dominion of Canada to the United States.

SEC. 2. That in the event the cancellation of said restrictive orders in council can not be agreed to by mutual arrangement of the Governments of the United States of America and the Dominion of Canada, that said commission shall investigate, consider, and report to the President on or before December 1, 1920, what action in its opinion should be taken by the Congress that will aid in securing the cancellation of said restrictive orders in council, so that they may not continue to militate against the interests of the people of the United States.

SEC. 3. That for the necessary expenses of said commission the sum of $50,000 be, and it is hereby, appropriated from the moneys in the Treasury of the United States not otherwise appropriated.

The SPEAKER. Is a second demanded?

Mr. SABATH. Mr. Speaker, I demand a second.

Mr. BLANTON. Mr. Speaker, I demand a second; I am against the bill.

The SPEAKER. Is the gentleman from Illinois against the bill?

Mr. SABATH. I am not against the bill.

The SPEAKER. The gentleman from Texas demands a second.

Mr. PORTER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the second is considered as ordered. The gentleman from Pennsylvania is entitled to 20 minutes and the gentleman from Texas to 20 minutes.

Mr. SNELL. Mr. Speaker, there is no question before this House of greater interest to the people of the whole country then the shortage of print paper and the causes for the same; for that reason I believe it of vital importance to pass the Underwood resolution dealing with this subject before we adjourn. While this may not produce any immediate result, it is certainly a step in the right direction and may go a long way toward stabilizing or even saving this most important industry, and manufacturers and users are equally interested in keeping this industry in this country and not being entirely dependent on Canada or some other foreign country. And to do this we must have some definite understanding in regard to raw material, for every thinking man in the business well knows that the scarcity of pulp wood is the basic cause of the present serious situation in the newsprint market of the United States. The demand for newsprint to-day is in excess of the production of the newsprint machines of the United States and the tonnage imported from Canada. The sudden increase in general and local advertising which started in the early part of 1919 created a demand on the part of publishers which the manufacturers were physically unable to satisfy.

It is impossible to state accurately the exact quantity of newsprint consumed in the United States during last year, over and above the total production of the United States mills and the tonnage imported from Canada. This is because the records of production include wall paper and side runs. The quantity of side runs and wall paper is variously estimated at from 5 to 10 per cent of the total production, and there are no records kept to determine the quantity with exactness.

It is true, however, that the total production of the United States mills of 1,375,000 tons and the 624,000 tons imported from Canada were used to satisfy the demand of the publishers in 1919. And besides this, mill inventories of the stocks of paper on hand and not yet shipped were decreased 10,000 tons, and the stocks of newsprint held in reserve by leading publishers of the United States, as reported to the Federal Trade Commission, decreased 53,000 tons during the year. The sum of these two figures, or 63,000 tons, can be accepted as the minimum by which production and importations fell below consumption.

These figures prove conclusively the need of greater production. But greater production can not be had and capital can not be found to construct new mills and install new paper machines unless an adequate supply of raw material can be assured.

The Underwood resolution, which provides for a commission to negotiate the removal of existing export restrictions on pulp wood cut on the Crown lands of Ontario, Quebec, and New Brunswick, is the only measure yet presented to Congress which contains any assurance of a sufficient quantity of pulp wood to perpetuate the present production of our paper mills, to justify the installation of new machines, and to save the great pulp and paper industry of the United States.

By the articles of confederation of the Dominion of Canada, known otherwise as the British North America act, full control and possession of all natural resources were reserved to the respective Provinces. This reservation included the Crown lands and the forests.

In the statutes of the three woodland Provinces of Ontario, Quebec, and New Brunswick it is provided that the Crown lands may be leased, and it is also provided that these Crown-land leases shall vest in the lessee all rights of property to the timber growing on the leased limits. These leases are sold at a bonus price per square mile now at public auctions and are drawn for one year; but it is provided that they may be renewed from year to year as long as the prescribed ground rent has been paid and the fees paid for whatever stumpage has been cut. Leases are transferable like fee titles and are conveyed for considerations as high as $6,000 a square mile, depending upon the quantity of timber and the accessibility of the limits. They are accepted as securities for loans by banks and underlie bond issues. No lease not in default has ever been canceled.

When the manufacture of paper from wood had gotten fully under way in the middle eighties many farseeing American manufacturers leased extensive Crown-land limits in Ontario, Quebec, and New Brunswick, with the clear understanding on the part of the respective provincial governments that the timber on the limits was to be cut and sent to the mills of Wisconsin, Ohio, and New York. Pulp wood was imported without restriction from Ontario until 1900, when the promoters of paper manufacturing at Ottawa and Hull were able to secure the passage of an order in council in 1900 prohibiting the exportation of pulp wood cut on Crown lands unless manufactured in Canada into lumber, pulp, or paper.

The paper manufacturers of New York and New England secured leases of extensive Crown-land limits from the Province of Quebec as early as 1890 at great expense, and exercised their rights of property in the timber on these limits vested in them by the statutes of the Province for 20 years, sending the wood freely to their mills and paying their ground rents and stumpage fees into the treasury of the Province. In the latter part of the first decade of the present century, paper-manufacturing interests in Quebec were able to influence prohibitive action by the Government, and in 1910 an order in council was issued without notice, prohibiting the exportation of wood cut from Crown lands unless manufactured in Canada into lumber, pulp, or paper. This order was issued on April 26, 1910, and became effective May 1, 1910.

American manufacturers had expended hundreds of thousands of dollars improving the rivers, building dams and piers, constructing taking-out and wood-preparing plants, and all this great investment was, in four days' time, made dormant and unproductive.

The story of the experience with New Brunswick is similar to that of the two other Provinces mentioned, the practice of New Brunswik regarding Crown lands differing from the other two Provinces only in the one feature of granting annually renewable licenses for 20-year terms instead of indefinitely.

Since 1910 the only pulp wood procurable from these three Provinces has been that cut from patented agricultural lands, from certain railroad subsidy lands, from small freehold properties, and from the old French seigniories usually fronting on the St. Lawrence and extending almost to Labrador. This wood has been sought by a small army of pulp-wood buyers, whose competition with each other has constantly increased the cost of raw material to the ultimate purchaser, until to-day pulp wood which 10 years ago could be bought for $6 or $7 a cord at the railroad track or river bank now commands a price of $25 a cord f. o. b. shipping point. To this is to be added the cost of freight and the handling charges before the pulp wood is at the mill ready to be made into pulp.

In 1911 the reciprocity act, which had been fostered and fathered by ex-President Taft, became a law. The reciprocity act, the provisions of which had been carefully worked out between the two countries, provided, among other things, for the removal of all tariff barriers against Canadian paper and for the importation into the United States, without restriction, of pulp wood from the Crown lands of the Provinces. Canada refused to accept the treaty, and the reciprocity law, then on our statute books, was operative only as regards the brief

section granting free entry to Canadian newsprint of a certain valuation per pound. But although reciprocity was rejected by Canada as a whole, Quebec enthusiastically accepted its full provisions, including unrestricted exportation of pulp wood from her Crown lands, for, in the general election in which the reciprocity treaty was the issue, it carried 60 out of the 64 boroughs of the Province.

Although the spruce forests of the United States east of the Rocky Mountains are fast disappearing, and outside of some large tracts owned by some old and large manufacturers in New York, Vermont, New Hampshire, and Maine, there is not a spruce woodland tract of sufficient size to justify the erection of even a 50-ton mill, you must forget the common charge that the paper makers are the ones who have exhausted the forest wealth of the country. Of the 91,000,000,000 feet of timber cut in the United States in 1919, the entire pulp and paper industry of the country is responsible for only 3 per cent.

The pulp and paper industry of the United States consumed last year 5,500,000 cords of pulp wood, of which 1,000,000 cords came from the freehold lands of the Canadian Provinces. During the same year there was used in the manufacture of wooden packing cases and containers 6,000,000,000 feet of various kinds of wood.

It can safely be assumed that one-half of this was softwood capable of making pulp. Three billion feet of lumber are equivalent to 6,000,000 cords of wood. As it takes about 1½ cords of wood to make a ton of paper, it is therefore plain that the wooden packing cases and containers made of softwood consumed enough material to manufacture 4,000,000 tons of paper, or, in round numbers, double the quantity manufactured by all the newsprint mills of Canada and the United States combined, the newsprint manufacturers of the United States using, in round numbers, 2,000,000 cords of wood for the 1,375,000 tons of paper produced.

The Crown lands of Ontario consist of 342,000 square miles, of which 116,900 square miles are licensed. The Crown lands of Quebec total 190,000 square miles, of which 70,000 square miles are under license. New Brunswick's Crown lands consist of 11,300 square miles, all of which, with the exception of 1,100 square miles, are licensed.

Premier Lomer Gouin, of Quebec, is authority for the statement that from four to five times as much timber could be cut from the present licensed lands of Quebec as is now cut without impairing the forest asset. The present cut of timber in Quebec is stated as 1,000,000,000 feet, board measure. This is the equivalent of 2,000,000 cords. Sir Lomer Gouin's statement, therefore, means that the forests of Quebec could yield annually from 8,000,000 to 10,000,000 cords of increment. This is borne out by the generally accepted estimate of an annual growth of 4 per cent of a scientifically lumbered forest. The 70,000 square miles of leased Crown lands in Quebec are equal to 44,800,000 acres. At an estimated stand of an average of 5 cords to the acre, this gives a total stand on these leased lands of 224,000,000 cords of wood. The estimated annual growth of 4 per cent, therefore, would give a yield of 8,960,000 cords, which confirms the statement of the premier. Using the same basis of computation, the 190,000 square miles of all Crown lands of Quebec contain 121,600,000 acres. This represents a total stand of timber of 608,000,000 cords. The annual growth of 4 per cent of this mammoth forest would yield 24,320,000 cords as merely the annual interest on the forest capital of the Province.

Since 1910 and the passage of the reciprocity act in this country in 1911 relations between the paper industry of the United States and that of Canada have been of the jug-handle variety, with the Canadians holding the handle. The opening of our enormous market to the free entry of their newsprint production, which immediately called for fully 85 per cent of that production, galvanized paper manufacturing in Canada into prodigious activity. Capital eagerly sought investment in Canadian paper enterprises, sure of large, growing, and lasting returns. And it was the big receptive market of the United States, opened freely to the production of the Canadian mills, that built up the industry in the Dominion beyond the most optimistic dreams of Canada's paper pioneers. The restrictive order in council of 1910 in Quebec did not aid one iota in the result achieved, but served only to hamper industry in the United States and to advance the cost of manufacture, which established the selling price for the Canadian product.

The growth of the industry in Canada has been enormous. In 1910 Canada manufactured 161,000 tons of paper and exported to the United States 25,000 tons. In 1919 Canada's newsprint production was 808,000 tons, a growth of over 500 per cent, while her exports to the United States were 624,000 tons, a growth of practically 2,500 per cent. In the meantime newsprint production in the United States, which reached its maximum in 1912 of 1,432,000 tons, has not succeeded in holding its own, and in 1919 the gross production was 1,375,000 tons, and this included the production of many small wrapping paper, wall paper, and specialty mills, ill adapted for manufacturing newsprint, but which have been lured for the time being into turning out a nondescript product for the publishers by the extravagant prices of the spot market.

Various estimates have been made of this bastard newsprint production, but a consensus of estimates places the figure at about 500 tons a day, or 150,000 tons a year. If this figure be true, then the normal newsprint production of the United States has decreased from 1,432,000 tons in 1912 to 1,225,000 tons in 1919.

Provided Senator UNDERWOOD's measure succeeeds, the woodland provinces of Quebec would benefit tremendously by a prompt concession of the claims and requests that will be proffered by the commission appointed to negotiate with them. Not only would there be an active market in leases, which would add wealth to the provincial treasuries, but the stumpage that would be cut under wise and modern lumbering regulations would add vast sums annually to the provincial receipts. Besides this, the improvement of the rivers, the building of camps, the constructing of taking-out and wood-preparing plants, and the recruiting and employment of lumbering crews would yield so great a harvest to labor that the Provinces would begin an era of unending prosperity. Moreover, the army of men that would be employed in the bush would provide at all times effective forces for fighting forest fires, which are a greater menace to standing forests than the axes of the lumbermen.

The owners of the Canadian paper mills can have no ground for complaint if the commission provided by the Underwood resolution succeeds in its labors, for they have already secured boundless limits of woodlands which provide not only for the indefinite supply of their mills at present capacity, but for as great an expansion as can be expected in the next generation. The Belgo-Canadian Pulp & Paper Co., of Shawinigan Falls, Quebec; J. R. Booth, of Hull, Quebec; the Brompton Pulp & Paper Co., of East Angus, Quebec; the Donnacona Paper Co., on the Jacques Cartier River; the great Laurentide Co., at Grand Mere, Quebec; Price Bros. & Co., of Kenogami, at the head of the Saguenay; and the St. Maurice Paper Co., at Three Rivers, hold, in the aggregate, 10,499,760 acres of limits secured years ago for bonus prices as low as $1.10 a square mile, with an estimated stand of 52,498,000 cords of pulp wood. According to the basis of computation used by Premier Gouin, the annual growth of these forests, or the yearly interest on the forest capital, will be 2,099,952 cords, or more than double the present capacity requirements of 995,000 cords a year in the aggregate of the mills of those companies.

The purpose of the Underwood resolution is not the ruthless exploitation of the forest wealth of our neighbors. It aims at equality of opportunity for the paper industry of the United States. It comprehends the only practical means of providing sufficient production of newsprint in the United States to insure the lives of the smaller newspapers. It proposes by amicable negotiations and friendly approach to reach agreements with the Provinces of Ontario, Quebec, and New Brunswick, which will be of mutual advantage and which will secure our fair "quid" for the "quo" which the Canadian manufacturers have enjoyed since the removal of the tariff on Canadian paper. Its purpose is to save a great industry of the United States and to provide that production of newsprint may be increased and that the price of newspriut to the consumer may be lowered and stabilized.

The SPEAKER. The question is, Will the House suspend the rules and pass the joint resolution?

The question was taken; and the Speaker announced that in the opinion of the Chair two-thirds had voted in favor thereof.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 217, noes 3.

So, two-thirds having voted in the affirmative, the rules were suspended and the resolution was passed.

INVESTIGATION OF PRICES OF LOOSE-LEAF TOBACCO.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 533, with certain committee amendments.

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

The Clerk read as follows:

House resolution 533.

Whereas the prices of tobacco in the loose-leaf markets of the country have declined since the harvesting of the 1919 crop to figures below the cost of production, and such decline in prices is not warranted by overproduction of tobacco or a decrease in the prices of the manufactured product: Therefore be it

Resolved, That the Federal Trade Commission is hereby requested to investigate the facts relating to violations of the antitrust acts by corporations with relation to the cause of the decline in the prices of loose-leaf tobacco and other unmanufactured tobaccos during the years 1919 and 1920, and especially since October, 1919; to ascertain the cause of such decline; to ascertain the prices of loose-leaf or unmanufactured tobacco on the one hand and the prices of the manufactured products on the other; and to report to the House of Representatives and the Department of Justice at the earliest practicable date the result of the investigation, together with such recommendations as the commission may deem advisable and proper.

Also the following committee amendments were read:

Page 1, line 3, after the word "corporations," insert the words "or individuals."

Page 2, line 1, after the word "date," insert "But not later than the first Monday of December, 1920."

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The resolution and the committee amendments were again reported.

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the resolution.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks on the resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my remarks on the Underwood resolution just passed.

Mr. TREADWAY. And I make the same request, Mr. Speaker.

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

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER, GEORGIA.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for present consideration the bill S. 4427.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Under the resolution just passed, is it necessary or proper to move to reconsider?

The SPEAKER. It is.

On motion of Mr. FIELDS, a motion to reconsider the vote by which House resolution 533 was agreed to was laid on the table.

Mr. HARRISON. Mr. Speaker, I ask leave to extend my remarks on the Underwood resolution.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks on the Underwood resolution. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill S. 4427.

The Clerk read as follows:

A bill (S. 4427) granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River.

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

Mr. GARD. Mr. Speaker, may we have the bill reported?

The SPEAKER. The clerk will report the bill in full.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Columbus, in the State of Georgia, and its successors and assigns, to construct or rebuild, maintain, and operate a bridge and approaches thereto across the Chattahoochee River at a point suitable to the interests of navigation at or near and between and connecting Fourteenth Street, in said city of Columbus, in the county of Muscogee, in said State of Georgia, and Broad Street, in the town of Phoenix, in the county of Lee and State of Alabama, and the town of Girard, in the county of Russell and State of Alabama, and being the same points between which said city of Columbus, Ga., now maintains a bridge, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was again read.

The SPEAKER. The question is on the third reading of the Senate bill.

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

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER NEAR WEST POINT, GA.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4402.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of the bill S. 4402, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4402) authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.

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

Mr. WALSH. I ask that the bill be reported.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby granted to Troup County, Ga., to construct, maintain, and operate a bridge and approaches thereto across the Chattahoochee River at a point suitable to the interests of navigation, at or near and between and connecting Montgomery and Ferry Streets in the city of West Point, in the county of Troup, in the State of Georgia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, I did not get the date of the act relating to the construction of bridges across navigable waters.

The SPEAKER. The date is March 23, 1906. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

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

Mr. WRIGHT. Mr. Speaker, there are two House bills similar to the Senate bills just passed. I move that they be laid on the table.

The SPEAKER. The gentleman from Georgia moves that the two House bills similar to the two Senate bills just passed be laid on the table. The question is on agreeing to the motion.

The motion was agreed to.

BRIDGE ACROSS THE DELAWARE RIVER.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4212.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4212) to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River, between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey.

Be it enacted, etc., That authority be, and is hereby, granted to the Central Railroad Co. of New Jersey, a corporation organized and existing under the laws of the State of New Jersey, its successors and assigns, to construct, maintain, and operate a bridge, and approaches thereto, across the Delaware River, between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey, at a point suitable to the interests of navigation and in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

Mr. GARD. Mr. Speaker, reserving the right to object, is this bill a proposition to build a bridge between Easton and Phillipsburg?

Mr. SANDERS of Indiana. Yes.

Mr. GARD. Is it intended to rebuild a bridge? Is there a bridge there now, or it is to be a new structure?

Mr. SANDERS of Indiana. There is a bridge there now.

Mr. GARD. So I thought. Is the bill couched in the proper language? As I heard it read, it calls for the construction of what one would think would be a new bridge, a new structure. If it is an attempt to replace an old structure with a new one, possibly the language should be changed. I do not object to the bill, but I submit it as a proper matter for information.

Mr. SANDERS of Indiana. I will say to the gentleman that this is a Senate bill. The intention is to construct and operate a bridge and approaches thereto. That would cover the gentleman's point just the same.

Mr. GARD. If there is already a bridge there, and they desire to put a new one in the same place, I do not think there would be any necessity for that condition. On the contrary, if it is a new bridge, I think it would be necessary to have the authorization,

Mr. SANDERS of Indiana. They think the authority is necessary.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

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

On motion of Mr. SANDERS of Indiana, a motion to reconsider the last vote was laid on the table.

AMERICAN MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts, by direction of the Committee of the Merchant Marine and Fisheries, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 140, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"'SEC. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"'The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appointments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"'Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"'The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"'The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"'The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify.'

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"'SEC. 4. That each member of the board shall receive a salary of $12,000 per annum.'"

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act

entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "*And provided further*, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; omit the proviso at the end of the matter proposed by the Senate amendment and insert in lieu thereof the following: "*Provided*, That if after such investigation the board shall be of the opinion that rates, fares, charges, classifications, regulations, or practices of common carriers by railroads subject to the interstate commerce act are detrimental to the object declared in this section, or that new rates, fares, charges, classifications, regulations, or practices, new or additional port terminal facilities, or action on the part of such common carriers by railroad are or any of them is necessary or desirable to promote such declared object, the board may file its application or complaint with the Interstate Commerce Commission praying for such relief and order as the commission may deem proper under the law then existing. In connection with such application or complaint the board may submit to the commission its findings, together with the record or records on which they are based, and the commission is hereby empowered to issue such order or orders relative thereto as it may deem proper without further investigation, but the commission may augment or supplement the record or records submitted to it by the board by such further investigation as the commission deems appropriate"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "$50,000,000" and insert in lieu thereof "$25,000,000"; in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regulation in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any

preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"'SEC. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"'First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"'Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"'Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"'Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"'Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $25,000 for each offense.'

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"'SEC. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"'(1) Has violated any provision of section 14, or

"'(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"'If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "*And provided further*, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: *Provided*, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 23. That the revenue act of 1918 is amended by inserting after section 206 a new section to read as follows:

"'SEC. 207. (a) That the owner of a vessel registered, enrolled or licensed under the laws of the United States and operated only in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the taxable year 1920, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the United States Shipping Board. Such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by such board in a fund (to be known as a "replacement fund") for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by such board, an amount to be determined by the commissioner, with the approval of the Secretary, and certified by him to such board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section; but at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

"'The "invested capital" of the taxpayer attributable to any vessel, the net income from which is exempt from the taxes imposed by Title III shall be regarded as an "inadmissible asset" in computing the taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

"'(b) After January 1, 1920, upon the sale of a vessel registered, enrolled or licensed under the laws of the United States and built prior to January 1, 1914, the vendor may upon application, under oath made in such form as the commissioner shall by regulation prescribe, establish a fund to be known as a "replacement fund." The vendor shall cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date. Such fund shall be used exclusively for the building by the vendor in shipyards in the United States of a new vessel of a type approved by the United States Shipping Board.

"'Upon the completion of the new vessel it shall not be valued in the accounts of the taxpayer at an amount in excess of that at which the vessel sold was carried in such account at the time of the sale, except and to the extent that the productive capacity of such new vessel is greater than that of such old vessel.

"'(c) Accounting for gain or loss upon the entire amount placed in the fund under the provision of paragraphs (a) or (b) may be deferred for a reasonable period of time to be determined in each case by the commissioner, with the approval of the Secretary. If the new vessel is built within the time so determined the moneys in the fund provided for (1) under

paragraph (a) shall not be subject to the taxes imposed by Title III, and (2) under paragraph (b) shall not be subject to the taxes imposed in Titles II and III.

"'(d) The taxpayer shall be required to furnish a bond with such security or surety as the commissioner with the approval of the Secretary shall require for an amount not less than the estimated income, war-profits, and excess-profits taxes not paid upon the income so covered into the replacement fund. In lieu of such bond the taxpayer may at his option deposit as security for such estimated amount of taxes, obligations of the United States to be held in trust as such security in a bank or trust company designated by the commissioner, with the approval of the Secretary.

"'(e) In case a new vessel is not built within the time determined under this section, the taxes imposed (1) by Title III for the taxable year upon the amount set aside in such year under the provisions of paragraph (a) and (2) by Titles II and III for the taxable year in which the vessel built prior to January 1, 1914, was sold, shall be immediately due and payable, but no penalty or interest shall be added with respect to the time which has elapsed between the time that such taxes would have been due but for the provisions of this section and the due date.

"'(f) The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are hereby authorized and directed to determine from time to time what shall be allowed for annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, in order that the owners of such vessels shall be put as nearly as may be on a parity for taxation purposes with the owners of vessels under the flag of our foreign competitors in the world's carrying trade, and such allowances shall be embraced in the deductions allowed by law in determining the net income subject to income taxes and war-profits and excess-profits taxes.'"

And the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: ": *Provided*, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

"DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of

their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien, prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of $1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

"PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive

officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

"FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstanding mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessaries for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessaries was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessaries, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessaries.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessaries,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 33. That the requirements provided in section 14 of the act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915, to be observed on the Great Lakes in the intervals from May 15 to September 15, inclusive, and from September 15 to May 15, inclusive, shall be required to be observed instead in the intervals from May 1 to October 15, inclusive, and from October 15 to May 1, inclusive, respectively."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "34"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "36"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "37"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 39. That section 2 of the shipping act, 1916, is amended to read as follows:

"'SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"'(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"'(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons.'"

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "40"; and the Senate agree to the same.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,

Managers on the part of the House.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the second conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes and agrees to the Senate amendment.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of $12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: The House recedes.

On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisement and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed $50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes with an amendment decreasing the amount of the construction fund to $25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: The amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment exempting from excess-profits and war-profits taxes the net income of a vessel documented under the laws of the United States and operated only in foreign trade, if the owner invests in new vessels, or places in a replacement fund for building a new vessel an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This exemption is limited to the first 10 taxable years beginning with the taxable year 1920. The limitation of the Senate amendment that at least two-thirds of the cost of any new vessel so constructed shall be paid for out of the ordinary funds of the person having such vessel constructed is retained. This amendment provides that the "invested capital" of any taxpayer attributable to any vessel, the net income of which is exempt from the taxes imposed by Title III of the revenue act of 1918, shall not be included in computing invested capital for the purpose of ascertaining taxes due under such title upon the remainder of the taxpayer's net income for the taxable year.

After January 1, 1920, in the case of a vessel documented under the laws of the United States and built prior to January 1, 1914, the vendor may upon application under regulations to be prescribed by the commissioner, establish a replacement fund and cover into such fund the entire amount received from the sale of such vessel in excess of its value on March 1, 1913, or its cost if acquired on or after that date, such fund to be used exclusively for the building of a new vessel by the vendor in shipyards of the United States.

Accounting for gain or loss upon the entire moneys placed in the replacement fund may be deferred for such period of time as may be determined by the Commissioner of Internal Revenue with the approval of the Secretary, and if the new vessel is built within the time so determined the moneys in the fund provided under paragraph (a) of this section shall not be subject to the excess profits and war profits taxes, and the moneys in

the fund provided in paragraph (b) of this section shall not be subject to the income, excess, and war profits taxes. In case the new vessel is not built within the time determined the aforementioned taxes shall be immediately due and payable.

The Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board, or a majority thereof, are authorized to determine the annual depreciation of vessels documented under the laws of the United States engaged in foreign trade and owned by persons citizens of the United States, on a basis that will place the owners of such vessels for taxation purposes as nearly as may be on a parity with owners of ships under the flags of foreign competitors in the world carrying trade.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by the Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all preexisting claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The House recedes with an amendment limiting the season of application of specified provisions of the seamen's act.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which

case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
W. B. BANKHEAD,
Managers on the part of the House.

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the gentleman from Illinois [Mr. MASON] in regard to the letter to him from Mr. Baruch, which was inserted in the RECORD last night; and if gentlemen will permit, I wish to say that the gentleman from Illinois was called out of the city and was unable to be here to-day to make the request for himself; therefore I make the request in his behalf.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

Mr. HUDSPETH. I object.

Mr. CRAMTON. If the gentleman will withhold his objection for a moment, the gentleman understands that this is simply a reply by a Member of this House to a letter addressed to him, and would complete the correspondence.

Mr. HUDSPETH. I want to state to the gentleman that Mr. Baruch in his letter to Mr. MASON called upon Mr. MASON to produce evidence to substantiate his charges.

Mr. CRAMTON. I do not care to discuss the merits of the matter.

Mr. HUDSPETH. Mr. MASON has failed to do this, and I absolutely object to any further controversy on this matter until Mr. MASON makes good his statement.

The SPEAKER. The gentleman from Texas is out of order. The gentleman objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had further insisted upon its amendments to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. PHIPPS, and Mr. SMITH of Maryland as the conferees on the part of the Senate.

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. 13587. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 14384. An act to amend the penal laws of the United States; and

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

BRIDGE ACROSS THE OHIO RIVER, PITTSBURGH, PA.

Mr. PORTER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13978) to amend an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania."

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a bill, the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. GARD. Let us have the bill reported.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years from the date of the approval of this act.

With a committee amendment striking out all after the enacting clause and inserting in lieu thereof the following:

That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Ohio River, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

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

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I think the gentleman ought to give us some statement explaining the necessity for this extension of time. This is the third or fourth bill from that State where they have had to extend the time. Have they been unable to get the material?

Mr. PORTER. There are three bridges there, one across the Allegheny at Sixteenth Street, one across the Allegheny at Millvale, and this one across the Ohio near McKees Rocks Borough. The delay has been caused by inability to procure material.

Mr. WALSH. What kind of a bridge is it?

Mr. PORTER. A highway bridge.

Mr. BLANTON. Will the gentleman yield?

Mr. PORTER. Certainly.

Mr. BLANTON. The House has been in session now for 12 hours and 10 minutes. Is the gentleman going to have a little compassion on us soon?

Mr. PORTER. "The gentleman from Pennsylvania" has no control over that.

Mr. BLANTON. He can move to adjourn at any time he wants to.

Mr. MONDELL. I will say to the gentleman from Texas that there are a few bills which are not controverted that ought to pass before Congress adjourns, and we hope to dispose of those few measures. We do not intend to run very much longer to-night.

Mr. BLANTON. I understand it will take the enrolling clerks from three to four hours on each one of these supply measures that are out yet.

Mr. MONDELL. Those matters have all been attended to, so that there is no difficulty about the enrolling. The enrolling is right up to date.

Mr. GARRETT. Would the gentleman object to informing us, if he can, what the probabilities are about to-morrow night?

Mr. MONDELL. I had hoped that it would not be necessary to run late to-morrow night, but these little matters take more time than we anticipate ordinarily. There are quite a number of bills that ought to be disposed of. They are not controverted particularly, but it may be necessary to run quite late to-morrow night.

Mr. CLARK of Missouri. There is no sense in running late to-morrow night. If the President does not sign these bills before Congress adjourns on Saturday at 4 o'clock, they will fail; and the President will have a tremendous job to sign all these bills, even if they are passed before 6 o'clock to-morrow afternoon.

Mr. MONDELL. I should think that the business ought to be disposed of by 6 o'clock, but there might be some further matter to be disposed of. It will be necessary to practically wind up the business to-morrow.

Mr. GARRETT. I realize that and I hope that the gentleman can give some assurance that if we remain late to-night we can get away early to-morrow.

Mr. MONDELL. If the public business moves along in the ordinary way without interruption.

Mr. GARRETT. I mean real public business; I do not mean chips and wetstones that anyone may bring up; I do not want to stay here to pass that.

Mr. IGOE. I would like to ask the gentleman if his program includes action on the Mason resolution relating to the independence of Ireland?

Mr. MONDELL. I have no personal program; there are important matters before the House, mainly Senate bills, that should be disposed of.

Mr. SISSON. I would like to ask the gentleman what he expects to do with reference to the District of Columbia bill?

Mr. MONDELL. I expect the conference report on the District bill will be reported to the House in a very few minutes.

Mr. SISSON. I was in hopes that we could get the supply bill out of the way for the reason that the enrolling clerk says that it will take quite a while to enroll it.

Mr. MONDELL. I did not anticipate taking up the District bill in the House to-night.

Mr. SISSON. I do not know which House acts first, but it does not matter which House agrees first to the conference report, the enrolling clerk can take the bill and do the actual work and it can be finished, because probably there will be no change in a conference report.

Mr. MONDELL. I understand the clerks are all at work on the conference report now.

Mr. OLIVER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. OLIVER. Can the gentleman give us any information as to an agreement on the river and harbor bill?

Mr. MONDELL. I have not heard from the conferees for some little time, and I do not know. I hope that there will be an agreement.

Mr. GARD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Pennsylvania if the bridge provided for in this bill is a municipal bridge or a railroad bridge?

Mr. PORTER. It is a county bridge, which is the same as a municipal bridge.

Mr. GARD. Does it carry steam railroad tracks or the cars of the city railroad?

Mr. PORTER. It carries street railways; light traffic.

Mr. GARD. Is it to be a toll bridge?

Mr. PORTER. No; we have no toll bridges in Allegheny County.

Mr. GARD. How many bridge bills has the gentleman? I think this is the second or third where an extension is made.

Mr. PORTER. There are three bills—one for the Sixteenth Street Bridge, on which the work has been started; one for the Millvale Bridge, for which I understand the plans are prepared and approved by the War Department; and the other for this bridge, where the plans have been approved.

Mr. GARD. How about the last one?

Mr. PORTER. The plans for the last have been approved by the Government engineers. Considerable delay has been had owing to a dispute between the engineers and the county as to the length of the span. The engineers thought it ought to be 1,300 feet, while the county engineers wanted it 1,100 feet, but that has been settled.

Mr. EAGAN. Reserving the right to object, many of us on this side of the House are very much interested to know when action will be had on the Mason resolution. I would like to ask the gentleman what the program is in regard to it.

Mr. PORTER. I have no program; I think it will be considered as soon as an opportunity offers.

Mr. EAGAN. Before we adjourn on Saturday?

Mr. PORTER. I hope so.

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

There was no objection.

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

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

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I present to the House the conference report on the District of Columbia appropriation bill for printing, under the rule.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations for the expenses of the Government for the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

Mr. DAVIS of Minnesota. Mr. Speaker, the statement which should accompany the conference report is now being prepared and will probably be ready in half an hour. I therefore ask unanimous consent that I may file the statement at any time between now and 12 o'clock.

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

Mr. JOHNSON of Kentucky. Reserving the right to object, I wish to make the parliamentary inquiry as to what time all points of order may be reserved?

The SPEAKER. Any time after the report is read.

Mr. JOHNSON of Kentucky. Inasmuch as the report is to be filed at any time before 12 o'clock——

The SPEAKER. Points may be reserved and made at any time after it is read, not after it is filed.

IMMIGRATION OF ALIENS.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3566) to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917, is hereby amended by adding at the end thereof the following:

"*Provided further*, That an alien who can not read may, if otherwise admissible, be admitted if, within five years after this act becomes law, a citizen of the United States who has served in the military or naval forces of the United States during the war with the Imperial German Government, requests that such alien be admitted, and with the approval of the Secretary of Labor, marries such alien at a United States immigration station."

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

Mr. GARD. Mr. Speaker, reserving the right to object, I do not understand the purpose of this bill unless it be that German soldiers may marry somebody.

Mr. SIEGEL. Oh, no; the purpose of the bill is to permit American soldiers in France and Italy to marry those who can not read and who have arrived at Ellis Island.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

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

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

By unanimous consent, the bill H. R. 11492, of similar tenor, was ordered to lie on the table.

STATISTICS CONCERNING HIDES, ETC.

Mr. KREIDER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10011) authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics monthly concerning—

(a) The quantities and classes of hides and skins, owned or stored, by packers, abattoirs, butchers, tanners, jobbers, dealers, wholesalers, importers, and exporters;

(b) The quantities and classes of hides and skins in the process of tanning or manufacture;

(c) The quantities and classes of leather owned or stored by tanners, jobbers, dealers, wholesalers, importers, exporters, and establishments cutting or consuming leather.

SEC. 2. That the information published by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is supplied. Any employee of the Bureau of Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than one year, or both.

SEC. 3. That it shall be the duty of every owner, president, or treasurer, secretary, director, or other officer or agent of any abattoir and of any packing, tanning, jobbing, dealing, wholesaling, importing, or exporting establishment where hides and skins are stored or sold, or leather is tanned, treated, finished, or stored or any establishment is engaged in the cutting of leather or in the production of boots and shoes, gloves, saddlery, harness, or other manufactures of leather goods, wherever leather is consumed, when requested by the Director of the Census or by any special agent or other employee of the Census Office acting under the instructions of said director to furnish completely and accurately to the best of his knowledge, all the information authorized to be collected by section 1 of this act. The demand of the Director of the Census for such information shall be made in writing or by a visiting representative and if made in writing shall be forwarded by registered mail and the registry receipt of the Post Office Department shall be accepted as prima facie evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of any establishment required to furnish information under the provisions of this act, who under the conditions hereinbefore stated shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000.

With the following committee amendments:

Page 1, line 7, after the word "stored," insert: "and the quantities and classes of such products disposed of during the preceding census month."

Page 2, line 2, after the word "manufacture," insert the words "the quantities and amount of finished products for the preceding month."

Page 2, after the word "stored," insert the words "and manufactured during the preceding census month."

Page 2, line 8, strike out the word "published," and insert the word "furnished."

Page 3, line 17, strike out the word "and" and insert the word "any."

The SPEAKER. Is there objection?

Mr. BEE. Mr. Speaker, reserving the right to object, will the gentleman inform me whether the amendments offered by the gentleman from Georgia in the committee have been included in the bill as written by him?

Mr. KREIDER. Yes; just exactly as pointed out.

The SPEAKER. Is there objection?

Mr. KREIDER. Mr. Speaker and Members of the House, while the Government is collecting and publishing statistics regarding nearly every commodity raised and produced in the United States, including products of the farm, live stock, the by-products such as beef, pork, lard, fish, poultry, eggs, butter, wool, cotton, and so forth, it seems there is no provision of law authorizing any department of the Government to collect and publish statistics regarding hides, skins, and leather, which form the basic raw material for one of the very largest industries in the United States.

I am seeking through this bill to furnish what I believe to be very important information to the public and the hide, leather, and shoe industry in general, and which will, I believe, have a tendency to stabilize the market and in the future do away with violent fluctuations and so-called runaway markets, such as have characterized this industry in the past.

To illustrate what I refer to by "runaway markets," I desire to direct your attention to conditions prevailing in the fall of 1916. At that time the European war had been in progress for two years and it became rather evident that the United States would sooner or later become involved. Newspapers and magazine writers began to dwell on the probability that there would not be enough hides and skins to supply the increased demand that would of necessity be made upon our stocks of raw materials, namely, hides and skins to furnish harness, saddles, and shoes for our armies and at the same time supply the civilian population with their requirements; as a result the public, believing this to be true, at once began the purchase of shoes beyond their immediate requirements; that is to say, they would purchase two or three pairs instead of one pair, which would have been their ordinary purchase.

The retailer in turn having this extraordinary demand, and also believing that higher prices would come later, placed his orders with the manufacturer in very large volume. As a consequence the manufacturer receiving this immense and unusual volume of business attempted to cover on his raw material, which consisted principally of upper leather and sole leather, and again, in turn, the tanners of both upper and sole leather tried to cover on their raw material, which are hides and skins. The result was that the tanners, in their efforts to cover, bid up the price of hides and skins in a comparatively short time—from six to eight weeks—from 50 per cent to 100 per cent, depending upon the grade and quality required. There were not then, as there are not now, any reliable statistics to be had showing the quantity of raw material available.

I want to state distinctly that in my judgment no one in particular can be blamed for this sudden and uncalled for and unprecedented advance in prices. The truth is that there was no shortage of raw materials. It was sufficient in quantity to permit the manufacturers of harness, saddles, and so forth, to be supplied with all the leather they needed; it was sufficient in quantity to supply the shoe manufacturers of the United States with all the upper leather and sole leather needed to meet the demand of the civilian trade and the demand of the Government for Army shoes. During the year 1917 more harness and saddles were made and more shoes were made than ever before in the history of the country, and at the end of the year the harness and shoe manufacturers had larger stocks of leather on hand than ever before.

Toward the end of the year 1917 the Government fixed the price on certain grades of hides and skins, as well as on certain classes, grades, and weights of sole and upper leather. After the signing of the armistice these restrictions were removed, and, in the beginning—that is, the first few months of 1919—the war being over, the general impression of the trade was that prices would gradually recede and the trend was toward lower price levels.

In the latter part of March or the beginning of April the English buyers began buying hides and skins in large quantities in the South American markets, and at the same time Sir Percy Daniels came to America and purchased such available supplies of leather as suited his requirements. The stocks were small, because, as I have stated, the general impression existed that prices would gradually decline, and tanners restricted their production to perhaps anywhere from 40 to 60 per cent of their normal production; this again resulted in a runaway market. Prices of hides, skins, and leather advanced from 75 to 100 per cent, reaching the highest point in August, when prices of certain hides reached 60 cents per pound, and in a few instances sales were made at 63 cents per pound, and forced the price of calfskins to $1 per pound, so that the value of a steer hide weighing 80 pounds was $48 and the value of a 10-pound calfskin was $10. It is not so long ago that $48 was a fair price for a steer and $10 was, indeed, considered a good price for a calf.

The price of leather advanced correspondingly, and of course in both of the instances to which I have directed your attention the merchandise manufactured from leather, such as harness, saddles and bags, shoes, and so forth, advanced proportionately. This second advance, like the first, was not due to an actual shortage but rather to a fear of shortage and competitive buying, which, in my judgment, might possibly have been avoided, at least to a certain extent, had reliable statistics regarding the quantities and classes of hides and skins and leather been available.

Let me repeat that I am not charging, and do not believe, that these advances were the result of a collusion on the part of anyone or any interests in an attempt to force higher prices, but rather were due to the fact that no one knew the quantity of raw materials available.

Mr. Speaker, it may be interesting to the Members of this House for me to state that the American tanning industry is by far the largest in the world. Before the war it consumed by weight over a third of the world's annual supply of raw stock and produced in value an even larger fraction of the world's output of leather. The German industry, less than two-thirds of the size of ours, was second. France and Great Britain were a poor third and fourth, respectively. In 1917 the United States probably consumed more raw stock and produced more leather than the rest of the world together, and I should state here that to maintain this output we are dependent on imports for nearly half of our hides, over half of our calfskins, nearly three-fourths of our sheepskins, and practically all of our goatskins. In fact, we import about two-thirds of the world's supply of goatskins, and I might also state that the shoe industry of the United States stands on a par with the tanning industry. It is acknowledged that the shoe manufacturers of the United States make more and better shoes than are made in any other country.

Mr. GARD. Reserving the right to object, does the gentleman's resolution of inquiry, directed to the supervisor of the census, include also the determination of the number of shoes available for use in the United States?

Mr. KREIDER. No. I wish to say to the gentleman that this is not a resolution. It is a bill authorizing the collecting and publishing of statistics regarding hides, skins, and leather.

Mr. GARD. Is it of benefit to anybody except shoe manufacturers?

Mr. KREIDER. It is of decided benefit to the people of the United States.

Mr. GARD. In what respect?

Mr. KREIDER. Because it will have a tendency to stabilize the market. It is a peculiar fact that the Government does not at the present time secure and publish statistics that are reliable regarding the quantities and classes of hides, skins, and leather in the United States.

Mr. GARD. Is there any information as to how much the census will cost?

Mr. KREIDER. Mr. Rogers, the Director of the Census, said that he coud do the work with his present employees, and he did not ask for any appropriation.

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

Mr. KREIDER. Yes.

Mr. WALSH. Reserving the right to object, has the gentleman any assurance that this will be passed by the coordinate branch of Congress?

Mr. KREIDER. I have no positive assurance.

Mr. WALSH. Of course, unless it is, it will have to go over until the next session.

Mr. KREIDER. I understand.

Mr. WALSH. Can the gentleman state whether any such census as this has been taken in other lines of industry? Have not we gotten certain information along other lines, such as cotton manufactures?

Mr. KREIDER. I wish to say to the gentleman that during the war the Department of Commerce, through the Bureau of the Census, at the request of the War Industries Board, collected statistics regarding the quantities and classes of hides, skins, leather, boots and shoes, and other manufactures of leather. They took a monthly census of all stocks of leather on hand and in transit in the United States and covered all manufacturing establishments cutting or using leather. These reports were continued until after the signing of the armistice,

when they were discontinued. Beginning with January, 1919, the Department of Agriculture, through the Bureau of Markets, has been publishing certain statistics regarding hides and skins, but have made no attempt to cover leather, nor have they attempted to cover the amount of hides and skins in the process of tanning. They have operated without any legislation compelling those from whom they have sought information to comply with their request. As a result their inquiries are replied to by varying numbers from month to month, and as a consequence the statistics they give are incomplete and frequently most misleading.

In December, 1918, schedules were mailed by the bureau. Out of 2,589 concerns they received replies to 1,430 of these inquiries; 321 concerns replied that they were out of business, 345 reported no stocks on hand, and 426 failed to report at all. This report, being as of date December 31, 1918, was not published until March 15, 1919, three and one-half months later. For the month as of date January 31, 1919, which was published on March 26, 1,309 concerns reported, schedules having been mailed to 2,172 concerns; 164 concerns replied that they did not handle raw stocks, or were out of business, and 177 reported no stocks on hand, leaving 524 concerns that did not report at all. In the report dated February 28, published April 8, 1,253 concerns reported. On schedule as of March 31, published April 24, 1,193 reported; on April 30, published May 26, 1,265 reported; on May 31, published June 30, 1,028 reported; on June 30, published July 26, 1,109 reported; on August 30, published September 26, 1,085 reported; and so on throughout the year various numbers reported. The last report issued is as of April 30, 1920, published June 2; 1,091 concerns have reported.

Mr. Speaker, I am simply referring to these reports to show that these replies, received from such a varying number of concerns, must of necessity be misleading, or, to say the least, can not be relied upon as accurate.

I want to state, however, clearly that it is not the fault of the Bureau of Markets that their reports are not accurate, but rather because concerns who receive their schedules do not reply to them, and they have no means to compel them to reply.

Perhaps the attitude of some of the concerns is expressed in the following letter:

428 NORTH THIRD STREET,
Philadelphia, Pa., April 18, 1920.

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF MARKETS,
Washington, D. C.

GENTLEMEN: We are in receipt of your favor of the 16th advising us that we have not submitted you statement on raw stocks of hides and skins for March 31. We have decided to discontinue submitting these reports.

Yours, very truly, JACOB STERN & SONS,
By L. KATZENBERG.

I hope this will make it clear in the mind of every Member of this House that if the public is to be supplied with actual data that is reliable it is necessary to pass this bill.

It has been stated that the tanners' council is gathering statistics such as we desire to obtain by this bill. I wish to say that this statement is correct. The Tanners' Council of the United States of America are an association of tanners of the United States, who maintain an office and gather statistics from their members and furnish the information gathered to the membership, but all of their reports are marked, "Confidential; not for publication." Therefore the information they secure is not available to the public, but is for the express benefit of their membership only, and rightly so, because this investigation is carried on at their own private expense. My object in introducing this bill and having its provisions written on the statute books is to secure the information by the Government for the benefit of the people——

Mr. KING. Will the gentleman yield?

Mr. KREIDER. Certainly.

Mr. KING. Will these statistics be available to the public under this bill?

Mr. KREIDER. Yes, sir.

Mr. GARD. Further reserving the right to object, is there any time in this bill when this information is given over to a long-suffering public?

Mr. KREIDER. I took the matter up with the Director of the Census and I asked him whether he could possibly publish these reports within 10 days after the date when the report shall be made——

Mr. GARD. What is the date?

Mr. KREIDER. They are monthly.

Mr. GARD. Every month, beginning when?

Mr. KREIDER. Well, immediately upon the passage of this act.

Mr. GARD. It is obvious that can not be done immediately. It will have to have some time for organization.

Mr. SIEGEL. If the gentleman will yield, I want to say to the gentleman from Ohio that the machinery is now in existence. [Cries of "Vote!"]

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question. After this information concerning the number of hides and the number of skins is given to the public will the gentleman then be in favor of stamping on the bottom of every shoe the cost of the manufacture of that shoe?

Mr. SIEGEL. Is the gentleman addressing that question to me?

Mr. KREIDER. That is a question altogether foreign to this bill.

Mr. BLANTON. Will the gentleman object——

Mr. KREIDER. As far as I am individually concerned, I will not object.

Mr. BLANTON. Would the gentleman object to an amendment to that effect being placed on this bill?

Mr. KREIDER. Well, this does not deal with shoes, I will say to the gentleman, but it deals with hides, skins, and leather.

Mr. BLANTON. Well, leather and skins produce shoes, do they not?

Mr. KREIDER. Certainly. But to be perfectly frank with the gentleman from Texas, I do not see why legislation should be passed compelling shoe manufacturers to stamp the wholesale price of shoes on the bottom of shoes any more than the wholesale price should be stamped on or attached to every article of merchandise that is sold, such as hats, shirts, furniture, rugs, hardware; in fact, everything that is sold. I know of nothing that has advanced more than lumber. According to the gentleman's reasoning he would have every lumberman attach to each foot of lumber the price he paid for it. The truth is that the proposition is so entirely ridiculous that I will not consume the time of the House in further referring to it; but I do want to say, so long as the gentleman has opened this subject, by which I infer he insinuates that the retailer is making an abnormal profit, that the great trouble is that the public has not any idea of what it costs retailers—not only of shoes but in all lines of trade—to do business. Every retailer, regardless of the line of merchandise he sells, has a much greater expense in conducting his business than the public generally supposes. It seems that the press has recently taken upon itself not to prosecute but persecute retailers of the country, and the shoe retailers in particular, and have been publishing articles the object of which is to brand the retailers of shoes as profiteers and poison the minds of the public.

If the press will devote half as much space drawing attention to the expenses of the retailer as they are now doing to what they call abnormal profits, it would be more to the point, for I contend that the propaganda in which they are now engaged will not bring results to the public, for it is a self-evident fact that the retailer of shoes must receive for his goods the original price paid plus the expense of doing business.

I hold in my hand a bulletin published by Harvard University, Cambridge, Mass., dated February, 1918, entitled "Bureau of business research, management problems in retail shoe stores."

On pages 38, 39, and 40 it gives the gross profit charged by retailers; also the expenses of doing business in detail, subdivided under various headings. I have grouped some of these expenses into general groups, and the cost of doing business in a medium-priced and high-grade shoe store, according to their estimate, is as follows:

	Medium priced.	High grade.
Total buying expense	$1.14	$1.48
Selling expense, salaries and advertising	10.52	13.27
Management expenses	1.95	3.80
Delivery expense	.30	2.60
Total fixed charges, rent, insurance, etc.	5.17	4.80
Miscellaneous expense	1.37	2.85
Interest	3.50	2.90
Total	23.95	31.70

Under the head of selling expense, which is the largest item, are included the salaries and wages of the sales force, advertising, wrapping, and so forth. The next largest item is fixed charges. In this item are included rent, heat, light, insurance, taxes, repairs, and so forth.

It should be remembered that this table was gotten out before the recent advances in rent and advances in salaries. It is a safe estimate that to-day the average expenses will certainly not be less than 30 per cent, based upon the figures quoted by Harvard University, which is absolutely impartial and covers several hundred stores taken at random.

If a retailer sells a shoe for, say, $12, for which he has paid, say, $8.50, and it was known, he would at once be branded as a profiteer, a scoundrel, and a robber of the public, yet the truth is if it costs him 30 per cent on his gross sales to conduct his business, as it undoubtedly does, as I have shown from an impartial source, the expense of doing business on this particular sale is $3.60 and must be added to the cost of $8.50, making $12, the result is not making, but losing 10 cents per pair.

I know from my own positive knowledge that retailers to-day are paying $3.50 and $3.60, and in some cases $3.75, for boys' and misses' shoes, and selling them for $5 if it costs them 30 per cent to do business; then the expense charge on each sale of a $5 shoe for doing business is $1.50; and if he has paid $3.50 for the pair of shoes he does not make a cent, and if he has paid $3.60 he is 10 cents short and does not get enough margin to cover expenses of doing business.

I dislike to go into these details here on the floor of the House, but it seems to me it is time for some one, somewhere, sometime, in some manner, to say a word in behalf of a class of merchants who are as honorable, as fair-minded, and honest business men as can be found anywhere, and against whom this propaganda in the main has been directed.

Recently, that is within the last six weeks, stories and interviews have been sent out in which my name has been mentioned, but entirely misrepresenting my position and opinion in this matter.

The first story appeared early in April. From where it came I do not know, but I sent a denial to every paper of which I had received clippings as having published it.

The latter part of April I gave an interview for the express purpose of refuting and denying the alleged profiteering on the part of the retailer; the report of this interview also misrepresented me. The published report was as follows:

WASHINGTON, *May 6.*

"No one should pay more than $8 for a pair of shoes; that will bring the price down," so says Congressman AARON S. KREIDER, who operates six big shoe factories. He is from Pennsylvania. Leather has recently dropped, but shoes have not.

"If people will stick to low prices they can buy shoes at those prices," says KREIDER.

He declares the dealer is getting most of the profit in shoes.

I immediately and promptly denied same; not only did I write to the Newspaper Enterprise Association, who circulated this story, but also to every newspaper to which my attention was directed as having published the account, of which there were hundreds scattered throughout the entire country.

To my utter surprise I received a letter from Mr. John H. Perry, Cleveland, Ohio, whose letterhead indicated that he is counsel for the Newspaper Enterprise Association. In this letter he stated that the reporter to whom I had given the interview was absolutely reliable, and so forth, and that he believed that the report of the interview was correct.

In an effort to convince him that I was entirely misrepresented I wrote him a letter, and with the permission of the House I will insert a copy of same in the RECORD. This letter goes into details and explains my position fully. The letter is as follows:

JUNE 2, 1920.

JOHN H. PERRY, Esq.,
Cleveland, Ohio.

MY DEAR SIR: Your letter of May 22, in reply to my letter of May 18, written to the Newspaper Enterprise Association, in which I stated that the news item carrying my photograph and quoting me as saying:

"No one should pay more than $8 for a pair of shoes, etc."

"was absolutely untrue and misrepresented my position entirely"—was received in due time, but, owing to the serious illness of Mrs. Kreider, I have been absent from Washington and have had no opportunity to reply to same until now.

I have read your letter carefully and particularly note your reference to Mr. Waters, and your further statement:

"Mr. Waters took copious notes of your interview, wrote them immediately thereafter, and you know as well as we know that there was not a malicious word or unkind motive in this article."

I wish to state in reply that it may be true that Mr. George B. Waters had no "unkind motive" in writing up the article, but the fact that the article as published is "absolutely untrue and misrepresents my position entirely" remains just the same.

Before going into the details of the interview I gave to Mr. Waters, and to establish my position and further refute your latest comment on this article, in which you state that the statement sent out by the National Enterprise Association was true, that "it was a clear case of a Congressman speaking as a public official in the public interest freely and fully to a reporter, and then denying the story as a shoe manufacturer a week or 10 days later," I want to direct your attention to my letters under date of April 15, 1920, published in all the shoe trade journals, and under separate cover I am sending you a copy of Shoe and Leather Facts for the month of May, and on page 53 you will note my letter, in which I said:

"A story is going the rounds of the daily press which states that I recently needed a pair of shoes in a hurry and went to a retail store in the city of Washington and attempted to purchase a pair of shoes of my own manufacture, for which the dealer quoted a price which I claimed was entirely too high, etc. These stories vary in the amounts named, but all are intended to convey the idea that, in my judgment, the retailer was making an abnormal profit.

"I wish to state that this story has no foundation in fact whatsoever. The truth is, I have not been in a retail shoe store in the city of Washington for more than a year. I have not priced shoes in the city of Washington for a number of years. There is absolutely no truth in the story from beginning to end.

"Instead of taking the position that the retailers are making an abnormal profit, I have, time and again, publicly and privately stated the fact that the average retailer is not making an abnormal profit, and have stated that I did not believe the profit of the average retailer exceeded 5 per cent—certainly not over 10 per cent.

"The great trouble is that the public has been led to believe that there is a 'nigger in the woodpile' somewhere, and they have been hunting him, but have been unable to find him, because there is none there; and, in their desperation, they are now making up stories, drawing upon their imagination, and publish stories which have no foundation whatsoever.

"I wish you would kindly, for the benefit of your subscribers and in justice to myself, deny these statements.

"Yours, truly, A. S. KREIDER."

Again, on March 31, in the hearings before the Committee on the Census on H. R. 10011, on pages 14 and 15 (copy of which I inclose), you will find I stated that shoes are sold by the retailers at a very close margin of profit; and, when Mr. BEE said it looked to him "like the retailer is making an exorbitant profit," I replied that "he is not" and directed his attention to the fact that "it costs him money for rent, for clerk hire, for advertising, etc.," and stated that "if you figure his profit, the cost of doing business must be taken into consideration."

These statements were made shortly before I gave the interview to Mr. Waters and very clearly indicate my position as to the profit the retailers are making. I might state that Mr. Waters tried to interview me a number of times and I finally granted the interview for the sole purpose of refuting the charge of profiteering in the shoe industry and on the part of the shoe retailer in particular and was extremely careful as to what I said and, as an extra precaution, had my secretary within hearing taking notes of all I did say. I felt that if I gave to him, and through him to the press and the public, the actual facts, which I did as carefully and conscientiously as I could, it would certainly exonerate the charges of profiteering on the part of the retailer, who the public is being led to believe are a set of scoundrels and are robbing the public, while the truth is that the shoe retailers of the United States, as a class, are as honest, as fair minded, as intelligent, and as honorable a class of citizens and merchants as exist anywhere, and I repeat are selling shoes at as close a margin as is consistent with safe and sane business methods.

It is true that shoes have advanced in price but so has every other commodity, and the shoe retailers are not in any way responsible for the advance. It is due entirely to causes beyond their control; constant abuse of them will not reduce the prices; they must get a price for their merchandise that will cover the original price paid plus the cost of doing business.

I have referred to these facts and refer to these public records, which bear date prior to the interview given to Mr. Waters, to show you and, if possible, to convince you of my position in this matter.

Now, as to the interview.

The interview was quite lengthy and covered in detail the advances and declines in the prices of hides, leather, and shoes from 1914 to date, together with wholesale and retail prices of all grades of footwear, including staple and so-called extreme styles, together with the manufacturers' and retailers' cost of doing business. If written out in full this interview would cover at least a dozen closely typewritten pages.

Unfortunately, in Mr. Waters's condensed report, covering only two pages, which I have read, he got things badly twisted in certain essential points, with the result that when the Cleveland office deducted a few sentences from his report they misrepresented what I said entirely.

The first published sentence reads:

"No one should pay more than $8 for a pair of shoes."

This statement is not correct; what I did say was that the public is not compelled to pay $16 or $18 for a pair of shoes unless they wanted to buy $16 or $18 shoes, and stated that shoes could be bought at less price, even as low as $8.

I stated that every retailer selling medium priced shoes would be glad to sell shoes at from $8 to $10 per pair, and explained that the public had a wide range of prices to choose from and were not compelled to buy the best grades unless they wanted to. Had the article read—

"No one need pay more than $8 for a pair of shoes"—

I would have been correctly quoted.

Neither did I say "that will bring the price down," but I did explain that the demand was largely for the better grades, and the retailer was buying what his trade called for or demanded, and as soon as the trade called for less expensive shoes they would be supplied with same by the retailer.

The next sentence, "leather has recently dropped, but shoes have not," is practically true, but, without the proper explanation, becomes extremely misleading. The truth is that hides reached the highest point in August, 1919, and leather soon thereafter, but, as shoe manufacturers had practically covered for their requirements, shoes were not advanced to the higher price levels which leather had reached, and as prices of hides and leather receded manufacturers were able to make and retailers to sell shoes without advancing shoes to the public to the high price level hides and leather had gone.

The most damaging part is the last sentence.

"He declares the dealer is getting most of the profit on shoes."

By the way, the written notes of Mr. Waters, covering the interview, as I recall, nowhere so state, but I presume the statement is a deduction from the figures I gave as the approximate prices usually paid by the retailer for his shoes and the prices he sells them for.

The prices which I quoted as retail prices were an advance of from 33 per cent to 40 per cent of the cost price. This margin seems large, but when I explained to him, as I did to the Committee on the Census, to which I have previously referred, that the average cost to the retailer of doing business is at least 28 per cent on the gross sales, it is plain that the net profit is extremely small; for instance, on a shoe costing the retailer $7 and selling for $10 must be added 28 per cent of the selling price to the original cost, making the actual cost to the retailer $9.80, netting a profit of 20 cents per pair to the retailer, so that, certainly, when you say—

"He declares the retailer is getting most of the profit on shoes"—it is clearly a "misrepresentation" and "absolutely untrue"; and, while I might have used milder phrases in denying the report to the newspapers that published this article to which you refer, it should be remembered that I naturally felt tremendously outraged, when I found that I was being quoted as saying the very things which I did not say, and felt I was fully justified in using the language I did.

I regret to write so long a letter, but I hope by doing so I have succeeded in convincing you and the National Enterprise Association (and I feel that any fair-minded person must be convinced) that I have been very grossly and entirely misrepresented in the article as published to which I have referred.

Yours, very truly,

A. S. KREIDER.

Again, about the middle of May, the United Press Association sent out a story which was variously headed by the press, "Get's a Profiteer"—"Shoe Manufacturer Finds Retailer More than Doubles Price"—"This Ought to Make the Public Feel Good," and various other headings. The article itself reads as follows:

WASHINGTON, *May 15.*

Here's a little incident that will make the profiteer-oppressed people happy. Representative KREIDER, Pennsylvania, a shoe manufacturer, strolled into a Washington store, where he noticed some shoes from his factory. He tried on a pair and asked the price.

"That shoe costs you $7.50," the clerk replied.

Noticing KREIDER'S surprise, the clerk added—"That shoe costs us $6.75."

But the clerk had made a poor guess as to the identity of his prospective customer.

"You're a liar," KREIDER said, "and your store will never buy another shoe from my factory. That shoe costs you $3.95."

To me the astonishing thing is that so many people believe this to be a true story. Regarding this story, I again wrote a letter to Mr. John H. Perry, whose letter indicated that he is also the attorney for the United Press Association. This letter reads as follows:

JUNE 1, 1920.

JOHN H. PERRY, Esq.,
Cleveland, Ohio.

MY DEAR SIR: As I notice by your letterhead you are also national counsel for the United Press Association, I herewith inclose a clipping which has been going the rounds of the press and has, apparently, been sent out by the United Press Association.

I not only deny the entire story as being false, but absolutely untrue in every word and sentence.

I assert that I have never priced a pair of shoes, either of my own make or the make of anyone else, in any shoe store in the city of Washington.

I have never tried on a pair of shoes of my own make or the make of any other manufacturer in the city of Washington.

I have never accused any retailer in the city of Washington or elsewhere of charging an abnormal profit.

I have never questioned or disputed with any clerk or retailer in the city of Washington or anywhere else as to the prices paid for shoes.

Further, I assert that I have not been in any shoe store in the city of Washington for more than a year, and I have not spoken to a shoe retailer in the city of Washington for more than a year, regarding either the wholesale or retail price of shoes.

Of course, the purpose of this story is to discredit the shoe retailer in the eyes of the public, and brand him as a profiteer, and, it seems to me, that in justice to the public, who are being deceived by this story, the United Press Association should, upon receipt of this letter, see to it that the proper correction is made.

I do not see that they can, in all fairness, do less.

It may be that the writer of this story had no unkind motive; indeed, he may have considered it more or less complimentary to myself. But the truth is that it is an entire misstatement of fact and a slander upon the integrity of the shoe retailers of the city of Washington, and I can not possibly allow the statement to stand, without emphatically denying the same, as no such thing ever happened.

I shall expect to hear from you as to what steps you are taking to correct this story.

Yours, very truly,

A. S. KREIDER.

No doubt the reporter who wrote this article, as I stated in my letter to Mr. Perry, intended no harm to myself. Indeed, he may have considered it complimentary rather than otherwise, but the fact is that he is branding the retailers not only in the city of Washington but of the entire country as "profiteers."

To illustrate the hardship and injustice that this story has inflicted upon a perfectly innocent party, I wish to state that Lytell Bros., in Clearfield, Pa., advertised a "special sale" of shoes at $7.95 per pair, among which were some of our make for which they paid $6.60 per pair.

To their surprise the same day the newspapers in Clearfield carried the story of my going into a Washington shoe store, and so forth, and so forth, which I have quoted. Customers that day came into their store with a clipping out of the paper and accused Lytell Bros. of profiteering, even in this special sale, and charged them with asking 45 cents per pair more for the shoes than the Washington "profiteer" had attempted, and told them that these shoes had cost them only $3.95.

In other words, the public was led to believe that Lytell Bros. were making a profit of over 100 per cent, when, as a matter of fact, they were selling their shoes at less than 17 per cent, which I am positive does not pay the average cost of doing business.

The facts are that Lytell Bros. not only suffered a financial loss, which is the least of the damage, but in the eyes of their customers, in the eyes of the public, in the eyes of their friends, they stand condemned as "profiteers." No damage is done to me; they will soon forget all about KREIDER, but they will remember Lytell Bros. as being profiteers, when the truth is that they were giving and offering to give exceptional values. The old saying, "You may forget the singer, but you will not forget the song," always applies in cases of this kind.

Mr. Speaker, there is no question but what profiteering should be stopped wherever it exists, but the circulation of untrue stories which have the effect of destroying the confidence of your friends, which assassinates your character and brands you among your friends as a scoundrel and a rascal, I submit is infinitely worse.

Mr. Speaker, I hold no brief for the shoe retailers of this country. I do not own or control any retail shoe stores and never have, but I do have some regard for truth, justice, and fair play, a sense of which impels me to make this statement in behalf of these men who have for so long been the helpless victims of this false, misleading propaganda.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The question is on the committee amendment.

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

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

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

Mr. BENSON. Mr. Speaker, I make the point of order there is no quorum present.

Mr. KREIDER. Mr. Speaker, I desire to submit a unanimous-consent request, if the gentleman will withhold that. I ask unanimous consent to be permitted——

The SPEAKER. But the gentleman has made the point of no quorum. The Chair will count.

Mr. BENSON. I withdraw the point.

Mr. KREIDER. I would like to ask unanimous consent to be permitted to extend my remarks on this bill.

Mr. LARSEN. Mr. Speaker, I make the same request.

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

Mr. CRAMTON. Is the gentleman's request in reference to this bill?

The SPEAKER. It is.

By unanimous consent, Mr. SIEGEL, Mr. KINKAID, and Mr. SUMMERS of Washington were granted leave to extend their remarks in the RECORD.

BOND ISSUE FOR PETERSBURG, ALASKA.

Mr. GRIGSBY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4286.

The SPEAKER. The gentleman from Alaska asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4286) to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building," approved September 29, 1919.

Be it enacted, etc., That section 1 of the act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light plant and power plant and for the construction of a public-school building," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the incorporated town of Petersburg, Alaska, is hereby authorized and empowered to issue bonds in any sum not exceeding $150,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building."

SEC. 2. That section 5 of the act mentioned in the preceding section is hereby amended to read as follows:

"SEC. 5. That no part of the funds arising from the sale of said bonds shall be used for any purpose other than specified in this act. Said bonds shall be sold only in such amounts as the common council shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the order and direction of said common council from time to time as the same may be required for said purposes: *Provided*, That not to exceed $115,000 of the proceeds of the sale of said bonds shall be expended for the construction and installation of the electric light and power plant, and not to exceed $35,000 thereof shall be expended for the construction of the public-school building."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

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

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

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow. Is there objection?

Mr. CANNON. Mr. Speaker——

Mr. MONDELL. If the gentleman will allow me just a moment. There are several appropriation bills yet to be disposed of. It is very important that they be disposed of early and gotten to the President at an early hour. The earlier we begin to-morrow the sooner we will adjourn to-morrow night.

Mr. BLANTON. Why not hold a continuous session?

Mr. MONDELL. I do not know but that would be all right.

Mr. CANNON. What appropriation bills?

Mr. MONDELL. The District bill is out——

Mr. CANNON. That will be passed in two minutes.

Mr. MONDELL. I am not so sure about that. The conference report on the shipping bill is still to be passed upon. There are amendments to the bill we passed this morning for the pay of postal employees.

Mr. BLANTON. Regular order, Mr. Speaker.

Mr. WALSH. I trust the gentleman will not insist on the regular order for just a moment.

Mr. BLANTON. I withdraw it.

Mr. MONDELL. I think it important that we meet early, and I hope we get through early. I hope it will not be necessary to have a late session to-morrow night. I agree entirely with the gentleman from Missouri [Mr. CLARK] in his view that we can scarcely expect the President to consider measures that do not reach him either to-morrow night or very bright and early Saturday morning, and, that being true, we can not expect to legislate at this late hour to-morrow, and we ought to dispose of the matters that are before us at as early an hour to-morrow as possible.

Mr. CANNON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CANNON. Is it anticipated that there will be any important legislation under suspension or from the Committee on Rules?

Mr. MONDELL. There are a number of bills on the Speaker's table, Senate bills of some little importance, not controversial, and bills that ought to be disposed of. They relate to matters that Members are interested in. There are quite a few matters that ought to be disposed of and that there is no objection to. It takes a little time. Gentlemen want to discuss them.

Mr. CANNON. The gentleman knows, or I think he knows, whether there is anything from the Committee on Rules, or he has reason to believe there is anything, of national importance, that will be called up for consideration under a rule or under suspension during the remaining short hours of the session?

Mr. MONDELL. Well, the bills I have referred to are of national importance.

Mr. CANNON. The gentleman knows what I mean. I mean bridge bills——

Mr. MONDELL. The bills that are to be disposed of may not be called of national importance, but they are bills that Members are interested in, and are important to them, and they should be disposed of.

Mr. CANNON. Well, there is a bill, as I understand, that proposes to turn the Interior Department into——

Mr. MONDELL. The bill the gentleman refers to is on the Speaker's table, and I think quite likely it will be considered.

Mr. CANNON. Then I object.

Mr. MONDELL. Mr. Speaker, then I ask unanimous consent that we may meet at 11 o'clock.

Mr. WALSH. Mr. Speaker, I do not think——

Mr. MONDELL. I want to say to the gentlemen they are taking a very great responsibility when they take the responsibility at this hour of this session to say that we shall not meet here at 11 o'clock.

Mr. WALSH. As far as I am concerned, I feel as much responsibility as the gentleman does.

Mr. MONDELL. As far as I am concerned, I am willing to bring in a resolution to rescind the adjournment resolution.

Mr. WALSH. The more time we legislate the more we will legislate upon stuff that ought not to be brought in.

Mr. JUUL. Yes; and some people have got to have a chance to make 40 speeches a day here, and other people have got to object, and to reserve the right to object, and again reserve the right to object. [Laughter.]

Mr. BLANTON. I ask unanimous consent, Mr. Speaker, that the gentleman from Chicago be allowed to proceed for two minutes to get rid of something in his system. [Laughter.]

Mr. MONDELL. Mr. Speaker, the gentleman from Massachusetts [Mr. WALSH] withdraws his objection to my request.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming that the House meet at 11 o'clock to-morrow?

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 43 minutes p. m.), the House adjourned, pursuant to the order, until to-morrow, Friday, June 4, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Milwaukee Harbor, Wis. (H. Doc. No. 804), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act, reported the same without amendment, accompanied by a report (No. 1095), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 14386) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act, reported the same without amendment, accompanied by a report (No. 1096), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 7737) to amend the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," reported the same without amendment, accompanied by a report (No. 1097), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of Nebraska, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14315) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, suffering from neuro-psychiatric and tubercular ailments and diseases, and for other purposes, reported the same with an amendment, accompanied by a report (No. 1098), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOORES of Indiana, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (S. Con. Res. 27) declining to grant to the Executive the power to accept a mandate over Armenia, reported the same without amendment, accompanied by a report (No. 1101), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MOONEY, from the Committee on War Claims, to which was referred the bill (H. R. 9197) for the relief of Frances Martin, reported the same with an amendment, accompanied by a report (No. 1099), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOREMUS: A bill (H. R. 14385) to prevent the shipment in interstate and foreign commerce of certain articles of food liable to cause botulism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PLATT: A bill (H. R. 14386) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. ANDERSON: A bill (H. R. 14387) to promote agriculture by regulating the distribution of live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

By Mr. WASON: A bill (H. R. 14388) authorizing the United States Court of Claims to hear, adjudicate, and determine any

claims of the eastern and emigrant and western Cherokee Indians and Creek and Seminole Indians of Indian Territory, now Oklahoma, for any moneys, lands, and interest found due said Indians; to the Committee on Indian Affairs.

By Mr. GREENE of Vermont: A bill (H. R. 14389) for the relief of contractors under supervision of the War Department for losses which have arisen under contracts entered into between April 6, 1917, and November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. ANDERSON: A bill (H. R. 14390) to amend the interstate commerce act, as amended by the transportation act, 1920, to require carriers to supply necessary warehouse facilities and extend the powers of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 14391) to make Newark, N. J., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

By Mr. BROWNE: A bill (H. R. 14409) to amend section 11 of chapter 517 of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, and to extend and enlarge the time for taking appeals and suing out writs of error in certain cases; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 14410) to allow credit for all supplies issued and funds disbursed by officers of the Army, under direction of the President, for relief of sufferers of the flood at Corpus Christi, Tex., in September, 1919; to the Committee on Military Affairs.

By Mr. MASON: Resolution (H. Res. 585) asking that the American Government make a friendly request of the British Parliament; to the Committee on Foreign Affairs.

By Mr. MEAD: Resolution (H. Res. 586) urging an early decision by the Labor Board on the adjustment of wages of railroad employees; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGAN: Resolution (H. Res. 587) urging an early decision by the Railroad Labor Board on the adjustment of wages of railroad employees; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 375) restricting the distribution among the several States of Federal appropriations for highways; to the Committee on Roads.

By Mr. HAMILL: Joint resolution (H. J. Res. 376) for the appointment of a special committee to investigate conditions in Ukrainian East Galicia, to the end that supplies of medicine, food, and clothing may be sent to relieve the intense distress; to the Committee on Foreign 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. 14392) granting a pension to George W. Grey; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 14393) granting a pension to Sarah Elizabeth Cottrell; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 14394) granting a pension to Josephine Olson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14395) granting an increase of pension to Ida M. and Junietta Dawson; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 14396) granting a pension to Eliza J. Elliott; to the Committee on Invalid Pensions.

By Mr. GARLAND: A bill (H. R. 14397) granting a pension to Elizabeth Corbly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14398) granting an increase of pension to Lizzie K. Thorpe; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 14399) for the relief of Matthew H. Moore; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14400) for the relief of Frank J. De Bolt; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14401) granting a pension to Eugene F. Rose; to the Committee on Pensions.

By Mr. LUHRING: A bill (H. R. 14402) granting a pension to John D. Gardner; to the Committee on Invalid Pensions.

By Mr. McLANE: A bill (H. R. 14403) for the relief of Anthony Murphy; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 14404) granting a pension to Rose Anne Jones; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 14405) granting a pension to Flora McMann; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14406) granting a pension to Elizabeth Borden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14407) granting a pension to Rhoda Meacham; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 14408) granting an increase of pension to Bruce E. Townsend; 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:

4078. By the SPEAKER (by request): Petition of sundry citizens of New York, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

4079. By Mr. CARSS: Petition of Flour City Lodge, No. 959, International Association of Machinists' helpers, Minneapolis, Minn., favoring amnesty for political prisoners; to the Committee on the Judiciary.

4080. Also, petition of International Association of Machinists, Local No. 647, Two Harbors, Minn., favoring a repeal of the war-time sedition law and amnesty for political prisoners; to the Committee on the Judiciary.

4081. By Mr. FULLER of Illinois: Petition of Merchants' Association of New York, favoring increased compensation for postal employees; to the Committee on the Post Office and Post Roads.

4082. By Mr. KELLEY of Michigan: Resolutions of the Ingham County (Mich.) Rural Carriers' Association, relative to increased compensation for rural carriers; to the Committee on the Post Office and Post Roads.

4083. By Mr. KELLY of Pennsylvania: Petition of Pennsylvania Federation of Labor, urging release of political prisoners; to the Committee on the Judiciary.

4084. By Mr. McGLENNON: Petition of Hat Finishers' Union, Local No. 14, of Newark, N. J., favoring increase in postal salaries; to the Committee on the Post Office and Post Roads.

4085. Also, petition of Rotary Club, of Bayonne, N. J., favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4086. By Mr. BAKER: Petition of George J. Hecht, editor of Better Times, New York City, urging adequate appropriations for Bureau of Naturalization; to the Committee on Appropriations.

4087. Also, petition of Llewelyn Iron Works, of Los Angeles, Calif., protesting against bonus for ex-service men; to the Committee on Ways and Means.

4088. Also, petition of Federal Employees' Union, of Mare Island Navy Yard, Calif., urging appropriation to keep correct records of Reclassification Commission; to the Committee on Reform in the Civil Service.

4089. Also, petition of Tobacco Merchants' Association of the United States protesting against proposed tax on tobacco; to the Committee on Ways and Means.

4090. Also, petition of John F. Armstrong, Chico Chamber of Commerce, W. C. Busse, California Branch, National League of Postmasters, and Harry A. Chapman, all of California, urging an increase in postal salaries; to the Committee on the Post Office and Post Roads.

4091. By Mr. TAGUE: Petition of Eugene R. Kelley, M. D., opposing the passage of House bill 13726; to the Committee on Interstate and Foreign Commerce.

4092. Also, petition of sundry citizens of Massachusetts favoring increased salaries for postal employees; to the Committee on the Post Office and Post Roads.

4093. By Mr. TREADWAY: Petition of American citizens of Ukrainian descent of Pittsfield, Mass., asking for a commission to investigate and relieve sufferings in East Galicia and Ukraine; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *June 4, 1920.*

(Legislative day of Wednesday, June 2, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

GOVERNMENT OF ITALY.

The VICE PRESIDENT. The Chair has received a communication from the Italian Ambassador at Washington, which will be inserted in the RECORD.

The communication is as follows:

ROYAL ITALIAN EMBASSY,
Washington, May 31, 1920.

MY DEAR MR. VICE PRESIDENT: I have been directed by Mr. Scialoja to express to you as President of the United States