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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Senate and beg you to convey to the Members of the Senate His Majesty's Government's sentiments of deep appreciation for the resolution commemorating the anniversary of Italy's entrance into the war, introduced by Senator KING, and agreed to by the Senate on the 24th instant.

Nothing could have been more welcome to the Italian people than this message of sympathy from the Senate of the Great American Nation, towards which every Italian has feelings of admiration and friendship.

Whilst taking pleasure in carrying out the instructions I have received, I avail myself of this opportunity to renew to you, my dear Mr. Vice President, the assurances of my highest consideration.

Yours, very sincerely, ROMANO AVEZZANA.

His Excellency the Hon. THOMAS R. MARSHALL,
President of the United States Senate,
Washington, D. C.

EMPLOYEES OF AGRICULTURAL DEPARTMENT.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Agriculture, transmitting in response to resolution of March 8, 1920, certain data relative to the number of employees of the Department of Agriculture and their classification as to employment, residence, and pay. The communication will be inserted in the RECORD and referred to the Committee on Agriculture and Forestry.

The communication is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, June 3, 1920.

SIR: In compliance with Senate resolution 327, dated March 8, 1920, I have the honor to transmit herewith statements showing the number of persons employed in the Department of Agriculture, together with a division of such employees into classes with the number employed in each class, which classification shows separately the number of persons employed as scientists and experts, the number of persons employed in the District of Columbia and in each of the several States, Territories, and possessions of the United States, the number of persons employed in the Department of Agriculture separately for each year for the 10 years last past, the total appropriations and deficiencies separately for each of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than for salaries, wages, traveling expenses, and office expenses, and the character of such expenditures.

Respectfully, E. T. MEREDITH, *Secretary.*

The PRESIDENT OF THE SENATE.

STATEMENT NO. 1.

1. Number of employees, by classes, on Mar. 1, 1920.

Executive and administrative	1,406
Clerical	3,103
Subclerical	1,958
Scientists and experts	12,237
Total	[1] 18,704

2. Number of employees (all classes), by States, on Mar. 1, 1920.

Alabama	221
Arizona	208
Arkansas	236
California	768
Colorado	472
Connecticut	64
Delaware	20
District of Columbia	4,465
Florida	294
Georgia	329
Idaho	313
Illinois	843
Indiana	292
Iowa	409
Kansas	439
Kentucky	141
Louisiana	331
Maine	54
Maryland	300
Massachusetts	348
Michigan	243
Minnesota	378
Mississippi	251
Missouri	360
Montana	469
Nebraska	358
Nevada	80
New Hampshire	55
New Jersey	171
New Mexico	298
New York	648
North Carolina	268
North Dakota	124
Ohio	368
Oklahoma	255
Oregon	423
Pennsylvania	301
Rhode Island	47
South Carolina	174
South Dakota	151
Tennessee	202
Texas	643
Utah	327
Vermont	75
Virginia	347
Washington	333
West Virginia	136
Wisconsin	411
Wyoming	148
Hawaii	28
Philippines	7
Porto Rico	25
Alaska	29
Guam	5
Virgin Islands	4
Canal Zone	1
Foreign	14
Total employees in department	[1] 18,704

[1] In addition there are a total of 1,800 river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States. These persons are not included in the total of 18,704 employees, because their employment is of an emergency or intermittent character.

STATEMENT NO. 2.—*The number of persons employed separately for each year for 10 years last past.*

July 1, 1910	12,480	July 1, 1915	16,223
July 1, 1911	12,704	July 1, 1916	17,167
July 1, 1912	13,858	July 1, 1917	18,751
July 1, 1913	14,478	July 1, 1918	25,239
July 1, 1914	16,061	July 1, 1919	[2] 22,967

[1] In addition there are a total of 1,800 river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States. These persons are not included in the total of 18,704 employees, because their employment is of an emergency or intermittent character.

[2] Includes temporary employees such as river and rainfall, storm-warning, cotton-region observers, and other emergency assistants in the Weather Bureau; forest guards, fire assistants, rodmen, chainmen, cooks, patrolmen, etc., in the Forest Service; and scouts, foremen, and laborers employed in connection with the eradication of the brown-tail and gypsy moth in the New England States, numbering about 1,800.

STATEMENT NO. 3.—*Showing total appropriations and deficiencies separately for each of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than salaries, wages, traveling expenses, and office expenses, and the character of such expenditures.*

	Total appropriations, exclusive of deficiency appropriations.	Deficiency appropriations.	Telegraph, telephone, and postage.	Freight, express, and drayage.	Furnishing heat, light, power, electricity, fuel.	Apparatus, instruments, laboratory and miscellaneous equipment.	Forage purchased in bulk.	Engineers', electricians', and mechanics' supplies.
1910	$16,626,736.00	$80,000.00	$208,692.15	$36,660.82	$10,757.01	$677,482.58	$84,176.70	$7,736.41
1911	17,242,636.00	923,192.00	216,670.87	44,080.78	10,032.28	906,410.83	150,603.97	5,477.96
1912	20,110,016.00	.....	231,452.13	70,118.63	11,824.03	743,472.39	164,918.78	4,925.24
1913	19,681,496.00	5,819.83	228,760.46	88,603.81	13,411.64	532,516.00	211,010.23	24,062.89
1914	21,746,945.00	.....	247,665.26	103,864.80	11,903.55	553,474.75	175,405.63	35,955.27
1915	23,345,832.00	.....	262,875.67	148,922.76	10,990.59	602,714.80	211,173.50	26,787.67
1916	27,051,782.00	2,884,243.00	281,271.17	113,700.54	9,880.95	506,274.20	193,640.76	27,900.70
1917	29,528,852.00	452,300.00	330,380.15	135,908.86	10,499.30	599,867.47	259,298.17	13,274.27
1918	[1] 46,355,513.00	775,000.00	491,082.88	209,193.56	13,789.52	759,480.32	302,920.80	15,389.02
1919	[2] 44,487,216.00	.....	530,881.61	213,997.58	17,071.43	863,185.40	336,179.46	12,908.34

[1] Includes emergency war appropriation of $15,346,400 for increasing food production.
[2] Includes emergency war appropriation of $11,031,863 for increasing food production; discontinued July 1, 1919.

STATEMENT NO. 3.—*Showing total appropriations and deficiencies separately for each month of the 10 fiscal years last past, the amount and percentage of such appropriations used for expenditures other than salaries, wages, traveling expenses, and office expenses, and the character of such expenditures*—Continued.

	Purchase of animals for experimental and control purposes.	Advertising and publication of notices.	Lands purchased.	Printing, engraving, lithographing, and binding.	Structures and other improvements of lands.	Miscellaneous supplies, services, etc.	Total.	Percentage.
1910	$38,356.09	$306.15	$26,300.00	$61,453.84	$35,591.53	$552,256.47	$1,739,769.75	10.41
1911	39,072.50	298.14	.....	72,996.64	89,778.57	591,248.72	2,126,671.26	11.71
1912	36,005.67	254.51	17,775.00	54,572.50	99,618.42	570,125.69	2,005,062.99	9.97
1913	30,322.49	270.01	11,873.70	100,746.17	76,928.78	349,163.73	1,667,669.91	8.47
1914	76,978.23	848.53	17,380.00	112,325.56	111,872.77	357,807.32	1,805,481.67	8.30
1915	2,690,439.27	1,082.40	31,500.00	103,664.28	114,390.96	639,097.18	4,843,639.08	20.74
1916	329,546.05	415.00	13,000.00	121,256.69	83,047.87	398,227.13	2,078,161.06	6.94
1917	61,566.02	1,376.11	1,709.15	155,652.24	114,149.15	522,700.48	2,206,381.37	7.35
1918	42,389.83	719.63	46,910.00	678,271.56	169,202.73	590,110.90	3,319,460.75	7.04
1919	123,777.66	629.46	.....	453,614.06	41,140.86	814,589.55	3,407,975.41	7.66

STATEMENT NO. 4.

[Memorandum.]

DEFINITION OF CLASSES.

Executive and administrative: Employees whose duties are mainly of a supervisory, executive, or administrative character, such as chiefs of divisions, chief clerks, executive assistants, officials in charge of large field stations, administrative assistants, and the like.

Clerical: Employees whose duties are mainly of a clerical character, such as clerks of classes 1, 2, 3, and 4, stenographers, typewriters, statistical clerks, bookkeepers, auditors, and the like.

Subclerical: Employees of the various grades below that of clerk, such as mechanics, messengers, messenger boys, laborers, charwomen, janitors, watchmen, and the like.

Scientists and experts: Employees engaged in scientific, research, professional, technical, and expert work of the department, such as meteorologists, forecasters, veterinary inspectors, animal husbandmen, botanists, plant pathologists, silviculturists, wood technologists, chemists, microanalysists, soil physicists, soil chemists, entomologists, apiculturists, biologists, experts in game conservation, statisticians, crop specialists, extension specialists, agriculturists, highway engineers, supervisors of road construction, grain supervisors, cotton specialists, insecticide and fungicide inspectors, plant quarantine inspectors, and the like.

EXPENDITURES.

It should be noted that in addition to the amounts turned back into the Treasury from the regular appropriations during the decade covered by this report, there were unexpended balances, also turned back into the Teasury, of about $10,400,000 in the emergency war appropriations for increasing food production during the fiscal years 1918 and 1919.

SPECIAL DELIVERY FEES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a letter from the Postmaster General, submitting deficiency estimates of appropriations in the sum of $166.56 required for the payment of special delivery fees for the fiscal years 1918 and 1919, which, with accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

INTERNATIONAL INSTITUTE OF AGRICULTURE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State, submitting a supplemental estimate of appropriation in the sum of $20,000 required by the Department of State to defray the expenses of American delegates to the General Assembly of the International Institute of Agriculture at Rome, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEENERSON, Mr. MADDEN, and Mr. MOON managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 14208. An act 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.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

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

H. R. 14384. An act to amend the penal laws of the United States.

HOUSE BILLS REFERRED.

H. R. 10011. An act authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather was read twice by its title and referred to the Committee on the Census.

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, was read twice by its title and referred to the Committee on Commerce.

H. R. 14208. An act 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, was read twice by its title and referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. LODGE presented memorials of the president, faculty, and students of Harvard University, Cambridge; of the faculty of Simmons College, Boston; and of the Empire Day Festival Association of Boston, all in the State of Massachusetts, remonstrating against the recognition of the Republic of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a memorial of the National Association of Cotton Manufacturers of Boston, Mass., remonstrating against the enactment of legislation to amend the patent laws, which was referred to the Committee on Patents.

He also presented resolutions adopted by the General Conference of the Methodist Episcopal Church, favoring the expulsion of the Turks from Europe and also for the protection of the Armenians, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Massachusetts, praying for the recognition of Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted at the annual convention of the Diocese of the Protestant Episcopal Church of New York, favoring nonaction by Congress in regard to Ireland tending to impair the good relations which exist between the United States and Great Britain, which were referred to the Committee on Foreign Relations.

Mr. CAPPER presented a petition of sundry citizens of Chanute, Kans., and a petition of the Thrasher and Tractor Club of Wichita, Kans., praying for an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation providing for the protection of maternity and infancy, which was ordered to lie on the table.

Mr. KNOX presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to prohibit interference with commerce, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Frank F. Sullivan Post No. 198, American Legion, of Delaware County, Pa., praying for the granting of a bonus for ex-service men, which was referred to the Committee on Finance.

He also presented a memorial of the Commercial Exchange of Philadelphia, Pa., remonstrating against the granting of a cash bonus to able-bodied soldiers and sailors and favoring ample provision for all wounded and disabled ex-service men; which was referred to the Committee on Finance.

Mr. WALSH of Massachusetts. I have received a large number of telegrams and communications from citizens of my State relative to the coal situation in New England, which I ask may be printed in the RECORD. Later in the day I shall endeavor to get an opportunity to call up the resolution offered by me on this subject.

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

MELROSE, MASS., *June 4, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.:

Coal situation very serious. Heartily approve of your effort for embargo as only protection for New England industries.

CHAS. H. ADAMS, *Mayor.*

—

MALDEN, MASS., *June 4, 1920.*

Hon. DAVID I. WALSH,
Washington, D. C.:

May I urge that you take some action to stop exporting of coal? Condition here in New England becoming serious on this account.

JOHN V. KIMBALL, *Mayor.*

—

BOSTON, MASS., *June 3, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington:

We are facing a very serious situation at our mill for want of coal to operate our plant. New England needs the coal that is being exported. Prices are prohibitive on the small supply left. Do something to help us.

STANDARD HORSESHOE CO.

—

LEE, MASS., *June 3, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR: We hope you are making progress with your bill to restrict the exportation of coal.

We operate limekilns at Lee, Mass., and Canaan, Conn., and are not able to buy coal from West Virginia, which quality of gas coal we need to burn our lime satisfactorily. During the Government control of coal prices we paid $2.60 per ton at the mines. Now we can not buy gas coal at $8.50 at the mines.

If the prosperity of this country is to be maintained, it will be necessary to adjust matters so that manufacturers can have sufficient fuel to operate their plants.

Very truly, yours, THE LEE LIME CO.,
By M. H. DEELY,

—

SOUTH GARDNER, MASS., *June 1, 1920.*

United States Senator DAVID I. WALSH,
Washington, D. C.

DEAR SIR: We are deeply interested in the stand that you have taken in trying to care for the requirements of New England, which is suffering a great deal at the present time for want of coal.

We use in connection with the waste from our woodworking plants 16 to 20 carloads of coal yearly. Most of the coal we use during the winter. This last fall we had five carloads in stock and have not been able to procure but a part of a car since that time. We have had a number of shipments made, but they were all taken over by the railroad companies in transit.

On account of not having coal enough, we have not been able to run our dry kilns to dry up stock enough to take care of anywhere near our normal business, which is the manufacturing of baby carriages, doll carriages, and children's chairs. We barely had coal enough to keep our heating apparatus going. We have only one-third of our normal help, on account of not having the dry stock.

We have orders in with four different coal jobbers, and we had a notice from one of them last week stating that he had been offered $8 per ton for coal at the mines.

The stand you have taken in the interest of New England we wish to thank you for and hope that you will succeed in making some arrangement to allow the manufacturers to procure their former share of this product.

Again wishing you success in your undertaking, we remain,

Very truly, yours,

L. B. RAMSDELL CO.,
By THOMAS E. CODY,
President.

—

BOSTON, MASS., *May 28, 1920.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: I wish to call your attention to the unfortunate situation in New England as regards coal supply and urge upon you the desirability of doing everything in your power to bring about an embargo on export coal.

When the Hon. James J. Storrow retired as fuel administrator for New England he stated that unless an export embargo was placed on coal New England would have to bid against the world for its fuel supply, and this is just what has happened, and we are being quoted prices of from $8 to $9 per ton f. o. b. mines on gas or steam coal.

Not only are we being asked these excessive prices but we are unable to get delivery, due to inadequate transportation facilities.

The coal-producing regions are filled with foreign buyers, who are bidding against the market for coal for foreign shipments, and the coal-carrying steamers which usually carry coal from tidewater to the New England coast are engaged in carrying coal to foreign ports.

It is impossible at this time to secure sufficient coal to keep New England's industries operating without interruptions, and if these conditions are allowed to continue it is bound to result in much suffering and unemployment in this section during the coming fall and winter.

I am purchasing agent for 21 gas and electric lighting companies in Massachusetts, and we are having extreme difficulty in keeping these plants in operation.

Our coal supply at several of the plants is dangerously low, and we are unable to feel assured of their continuous operation.

We have been dangerously near a shutdown several times during the past month and unless immediate relief is secured we can see no prospects of any improvement in the situation, as we are unable to obtain any stocks for next winter, without which we are faced with inevitable shutdown at that time. It is for this reason that I am asking for your help and assistance.

It is difficult to understand why exportation of thousands of tons of coal should be allowed while public utilities and industrial plants in our own country should be obliged to curtail or shut down because of their inability to secure the necessary fuel to operate their plants.

I trust that you will recognize the urgent necessity of doing everything in your power to relieve this situation.

Yours, very truly,

H. L. OGDEN, *Purchasing Agent.*

—

NEW ENGLAND PURCHASING AGENTS ASSOCIATION,
June 1, 1920.

Hon. DAVID I. WALSH,
United States Senator, Washington, D. C.

DEAR SIR: This association heartily approves of your recent action in urging the United States Senate to declare an embargo on exports of bituminous coal.

New England is particularly interested in this matter, and immediate action is necessary to forestall an impending industrial paralysis in this section, due to our inability to get proper supplies of coal.

The coal-producing regions are filled with foreign buyers who are bidding against the market for coal for shipments abroad, and the coal-carrying steamers which usually carry coal from tidewater to the New England coast are engaged in carrying coal to foreign ports.

It is impossible at this time to secure sufficient coal to keep New England's industries operating without interruptions, and if these conditions are allowed to continue it is bound to result in much suffering and unemployment in this section during the coming fall and winter.

It is difficult to understand why exportation of thousands of tons of coal should be allowed while public utilities and industrial plants in our own country should be obliged to curtail or

shut down because of their inability to secure the necessary fuel to operate their plants.

Yours, very truly, J. ARTHUR GIBSON, *President.*

—

INTERNATIONAL PAPER CO.,
New York, June 3, 1920.

Subject: Coal situation.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: I note in the public press reference to your anxiety regarding the coal situation. It is fully justified. The difficulty seems to lie mainly or wholly in the lack of transportation facilities.

This company is a large consumer of coal in manufacturing newsprint and other papers, burning about one-half million tons per year. We have already had interruption of our mills notwithstanding contracts for all the coal required. We are now being compelled to buy coal in the open market from retailers, paying as much as $4 per ton above our contract price. Our position is a desperate one as we furnish paper to more than 400 daily newspapers—large and small.

I venture to suggest that through some agency there should be a very active investigation as to the idle cars and the reason for their remaining idle. It came to my ears a day or two ago, through a channel which I pledged not to disclose, that 5,200 cars, many of them coal cars, were lying idle at Collingwood, Ohio, within a few days. I was told there were thousands of idle cars which had not been moved for weeks.

I assume that the railroad companies in their own interests are active, but the situation seems to suggest that very competent and very active men of experience in such matters should inquire to find these cars and do something toward setting them in motion.

Yours, very truly, P. T. DODGE.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment:

H. R. 7567. An act for the relief of G. T. and W. B. Hastings, partners trading as Hastings Bros.; and

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 4372) to encourage the establishment of farms and suburban homes by veterans of the World War, reported it with amendments and submitted a report (No. 659) thereon.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 203) authorizing the Secretary of War, in his discretion, to turn over to the county commissioners of Dickinson County, Kans., suitable pontoon equipment for temporary use across the Smoky Hill River at Chapman, Kans., reported it with an amendment.

Mr. HENDERSON, from the Committee on Claims, to which was referred the bill (S. 676) for the relief of Reuben R. Hunter, reported it with an amendment and submitted a report (No. 657) thereon.

Mr. NEW, from the Committee on Claims, to which was referred the bill (S. 4005) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co., reported it without amendment and submitted a report (No. 658) thereon.

BRIDGE BILLS.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13976) to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

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

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

Be it enacted, etc., That 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 Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, in the county of Allegheny, and Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

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

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

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13977) to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

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

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

Be it enacted, etc., That 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 Allegheny River, at or near the borough of Millvale, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

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

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

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13978) to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I ask unanimous consent for its present consideration.

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

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

Be it enacted, etc., That 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.

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

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

BILLS INTRODUCED.

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

By Mr. JONES of Washington:

A bill (S. 4502) creating the District of Columbia insurance fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by the United States Employees' Compensation Commission, and making an appropriation therefor; to the Committee on the District of Columbia.

By Mr. NUGENT:

A bill (S. 4503) to amend section 12 of the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. NEW (for Mr. FRELINGHUYSEN):

A bill (S. 4504) to authorize an issue of bonds to refund the national war debt; to the Committee on Finance.

By Mr. HARDING:

A bill (S. 4505) for the relief of the heirs of James Taylor, deceased; to the Committee on Claims.

WITHDRAWAL OF PAPERS—OTTO N. BURGE.

On motion of Mr. NEW, it was

Ordered, That the papers accompanying the bill (S. 4413), Sixty-sixth Congress, second session, granting an increase of pension to Otto N. Burge be withdrawn from the files of the Senate, no adverse report having been made thereon.

AMENDMENT OF THE RULES.

Mr. KNOX. I desire to give notice of a proposed amendment to the Rules of the Senate, which I send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will read.

The reading clerk read as follows:

I desire to give notice that it is my intention to move an amendment to the standing rules of the Senate, to wit, Rule XXV, to the extent and in the manner indicated by the notice:

There shall be appointed at once and hereafter at the commencement of each Congress a committee on revision of the laws, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Mr. KING. May I inquire of the Senator from Pennsylvania when he desires to call up the proposed amendment of the rules?

Mr. KNOX. To-morrow. Under the rule it has to lie over for a day.

NAVAL BASE ON SAN FRANCISCO BAY.

The VICE PRESIDENT. Acting under and by virtue of a paragraph in the naval appropriation act, creating a joint committee to be composed of five Members of the Senate to be appointed by the President of the Senate and five Members of the House of Representatives to be appointed by the Speaker of the

House, to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto, the Presiding Officer of this body was authorized to appoint five members from the Committee on Naval Affairs. In conformity with the authority thus invested in me, I appoint as members of the joint committee on the part of the Senate the Senator from Delaware [Mr. BALL], the Senator from Illinois [Mr. MCCORMICK], the Senator from New Hampshire [Mr. KEYES], the Senator from Nevada [Mr. PITTMAN], and the Senator from Montana [Mr. WALSH].

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE. I offer the resolution which I send to the desk, and I ask for its immediate consideration. It will take but a moment.

The VICE PRESIDENT. The resolution submitted by the Senator from Massachusetts will be read.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That a committee of two Senators be appointed by the Vice President, to join a similar committee appointed by the House of Representatives, to notify the President of the United States that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some other communication to make to them.

The VICE PRESIDENT appointed Mr. LODGE and Mr. UNDERWOOD the committee on the part of the Senate.

DFFICIENCY APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, accept the invitation of the House for a conference, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. CURTIS, and Mr. UNDERWOOD conferees on the part of the Senate.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. The conference report on House bill 10378, the merchant marine bill, is the unfinished business, and I ask that it may be proceeded with.

The Senate proceeded to consider 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. 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. NUGENT. Mr. President, I desire to record my protest against the acceptance of the conference report on the so-called shipping bill. I opposed the bill when it was considered by the Senate, and my opposition to it is as intense now as it was then.

I do not entertain the most remote doubt that if the bill becomes a law the fleet constructed by the Government at a cost of more than $3,000,000,000 will be disposed of at a loss of more than a thousand millions of the people's money to private shipping corporations that will parcel out among themselves the trade routes and the markets of the world.

Before entering upon a discussion of the bill I desire to call attention to certain facts in connection with shipping matters generally that may be of interest to Senators.

I quote from a pamphlet entitled "How to Make Seafaring a Permanently Attractive Calling," written by Mr. August Belmont, chairman of the board of trustees, the National Marine League:

> The growth of the American merchant marine in ships and men during the last three years has been phenomenal. For a period from 1850 and into the sixties the gross tonnage of the American merchant marine vied with that of Great Britain; but the discrepancy in tonnage in favor of Great Britain, and finally Germany, increased during the next few decades, until in the years preceding the World War the United States was third, and, compared with Great Britain, a poor third. Two-thirds of the present seagoing tonnage now under the American flag has been built since 1914, while two-thirds of the tonnage now under foreign flags was built prior to 1914. For the year ending June 30, 1915, the output of American shipyards amounted to only 225,122 gross tons, the smallest production in 17 years; and of this production only 23 were vessels of over 1,000 gross tons, aggregating 127,844 gross tons out of the total production; and on this date the American merchant marine included a total only of 601 ships of 1,000 gross tons or over. For the year ending June 30, 1919, Lloyd's Register reports shipbuilding in progress in the United States as being 994 vessels of 3,894,143 gross tons, against shipbuilding in the British Empire, including all of its dominions, of 991 ships of 2,860,493 gross tons, and the United States had risen to the second maritime power in the world. Lloyd's Register also shows that the gross tonnage of steam vessels of 100 tons or over of the United Kingdom and British dominions had decreased from 20,524,000 tons in June, 1914, to 18,208,000 tons in June, 1919; whereas the gross tonnage of the United States had increased from 2,027,000 in June, 1914, to 9,773,000 in June, 1919, with a total of 2,058 vessels of over 1,000 gross tons, of which 1,729 were ocean-going steamers, totaling 6,766,422 gross tons. Up to June 30, 1919, the United States Shipping Board had delivered completed 1,056 ships of 5,858,164 dead-weight tons; and after allowing for the suspension and cancellation of contracts for 784 ships, representing 3,823,125 tons, its program of net production called for a balance still to be delivered, in progress and to be contracted for, of 1,312 ships of 7,758,672 dead-weight tons, or an approximate gross tonnage of somewhat in excess of 5,000,000 tons. Thus, without including private enterprise, the operations of the United States Shipping Board (which organization on June 30, 1919, employed 289,594 ship men in shipbuilding yards) would bring the American merchant tonnage, including steel and wooden steamers, in the near future to a figure in excess of 15,000,000 gross tons.

You will observe that, according to Mr. Belmont, the total number of ships constructed, in course of construction, and to be contracted for by the Shipping Board is 2,327, but Judge John Barton Payne, as chairman of the board, testified at the hearing recently held by the Senate Committee on Commerce that the total number of ships so constructed will be 2,311, with a total dead-weight tonnage of 13,592,711. The number of ships as given by Judge Payne is 56 less than that given by Mr. Belmont.

According to a table appearing on page 13 of a pamphlet entitled "For an American Merchant Marine," issued by committee of American shipbuilders, 30 Church Street, New York, the total steam tonnage of 100 tons and upward, owned by the United Kingdom and British dominions, in June, 1914, was 20,524,000; by Germany, 5,135,000; and by the United States, 4,287,000, including both seagoing and Great Lakes.

When we entered the war the German submarine campaign was playing havoc with the world's shipping, and it was perfectly apparent that if the Allies were to win the war it was vitally necessary to put forth every effort not only to curb the submarine menace, but in the construction of ships, otherwise our associates in Europe would be obliged to make peace on Germany's terms because of their utter inability to provide themselves with food and other supplies in quantities sufficient to enable them to continue the prosecution of the war.

Our Government was fully alive to the seriousness of the situation, and embarked upon the most stupendous shipbuilding program ever undertaken by any nation, and it has not as yet been entirely carried out.

Without commenting upon the splendid part played by our ships in bringing the war to a successful conclusion, and without going into details relative to our ship-construction work, I will say that the Government expended about $170,000,000 in building shipyards, and I repeat that the ships now built, in course of construction, and contracted for represent an expenditure of more than $3,000,000,000 of the money of the taxpayers of the United States, and the vessels number 2,311 of all types and tonnage.

It is that magnificent fleet that, under the provisions of the shipping bill, will be disposed of to private interests at a loss, in my opinion, of more than one-third of the amount invested in it.

Judge Payne showed at the hearing before the Senate Committee on Commerce that the fleet under the control of the Shipping Board had been operated by the Government from the beginning to the close of the last fiscal year, June 30, 1919, at a profit of $166,493,161.65, after the payment of insurance in the sum of $31,149,007.29 and $29,490,463.77 for repairs.

The fleet is now being operated at a profit to the Government of tens of millions annually.

Mr. President, I appreciate the fact that it is not only desirable but necessary that we have a great merchant fleet in order that the products of our mines, fields, and factories may be transported to every quarter of the globe in American bottoms, and in order that, should the emergency arise, the ships may be used as auxiliaries to our Navy.

When the building program of the Shipping Board is completed we will have such a fleet constructed by the Government, with Government funds, not in the interest of the shipowners, or of any other class of our citizens, but in the interests of the whole people.

As I stated a few moments ago, the fleet is paying a splendid profit to the Government, and I am unalterably opposed to selling it to private corporations at a tremendous loss, as will certainly be done if the pending bill is enacted into law.

Practically the only reason advanced for the passage of the bill is that the Government should not be engaged in business; but, in order to take the Government out of business, we should not make a gift to the Shipping Trust of more than a billion dollars of the people's money. It will not be done with my consent.

It can not truthfully be said that the Government is in competition with private shipowners as the latter at no time in 50 years have had, have now, or, in all probability, will ever have a sufficient number of ships to transport our commerce, and it is a certainty that the Government will never cut rates.

A country-wide propaganda is being prosecuted by those interested in this measure to influence public opinion in its favor. Even in the intermountain country big advertisements in favor of the shipping bill appear in the newspapers. They are signed, "Committee of American Shipbuilders."

By such advertising, that committee is following the same tactics used by the railway executives when the railroad bill was pending and when they were desirous of inducing the people to believe that it was "a thing of beauty and a joy forever," notwithstanding it imposed upon them the payment of a 6 per cent return on the aggregate value of all railroad property in the country.

The same publicity campaign was conducted by the packers, who sought, by paid ads, to create the impression that there is no very considerable profit in their business, because the net return on each dollar of meat sold is but 2 cents. They neglected to say anything about their by-products, and so forth. The report issued a few days ago by the Federal Trade Commission shows that the profits of the packers have trebled and quadrupled during the past three or four years.

Speaking generally, the newspapers have not published anything relative to the facts connected with the pending legislation, and the people are uninformed as to the provisions of the bill.

Mr. President, I shall not take up the time of the Senate by analyzing the entire bill, but shall content myself with directing attention to those sections which appear to me to be particularly obnoxious.

The first section declares the purpose of the bill to be, among other things, to dispose of our great merchant fleet to private citizens and the other sections provide for the full accomplishment of that purpose.

Section 5 provides that the board is not only authorized but directed to sell the ships as soon as practicable, consistent with good business methods and the objects and purposes to be attained by the act, to citizens who shall pay the purchase price within 15 years. Also, that in fixing or accepting the sale price the board shall take into consideration the then existing market price, supply of vessels, cost of constructing the particular ship or ships, and so forth, which will cut no more figure, in my opinion, than will injunctions along the same general lines contained in the railroad bill for the ascertainment of the value of railroad property for rate-fixing purposes, which valuation, it now appears, must be fixed at, approximately, the "book value" of the various companies.

The only express limitation on the price at which the board may sell vessels is contained in the first proviso to section 5, which reads as follows:

Provided, That no sale shall be made at a less price than the cost at the time of making such sale of constructing vessels of similar types in private yards in the United States, after deducting the depreciation charge against the vessels sold generally allowed in shipping operations.

In other words, the board can not sell vessels for a lower price than similar vessels can be constructed for at the time of sale, and from that construction price must be deducted the allowance for depreciation.

As I stated during the former debate on this bill, it has been charged in Congress and elsewhere, and it is quite generally believed, that American shipbuilders robbed the Government by charging exorbitant prices for building ships during the war and, according to articles recently appearing in the newspapers, the Department of Justice is now endeavoring to recover some of the money of which the Treasury was looted by shipbuilding corporations.

It appears from the pamphlet "For an American Merchant Marine" that it costs nearly twice as much to build a ship in this country as in Great Britain, the cost here being about $130 per ton, while the cost in a British yard is $70 per ton.

I venture to predict that if the shipping bill becomes a law practically every vessel in the Government fleet will be sold under the proviso to section 5, which I read a few moments ago, in which event it will be found that vessels of the same types can be constructed in private American yards for at least one-third less than the Government was obliged to pay to the proprietors of those yards for building many of the vessels offered for sale.

In my opinion, the people will be compelled to pocket a loss of one-third, at the least calculation, of the total amount they were required to expend in the construction of the fleet, or $1,000,000,000.

Even that enormous sum does not represent the total loss, as the amount to be deducted for depreciation on each ship sold, under the proviso mentioned, must be determined.

I do not know what charges are allowed in the shipping business for depreciation, but the Senator from Washington [Mr. JONES] said, during the course of the debate on the bill, that the Shipping Board is allowing as high as 10 per cent per annum.

A few days since, the Shipping Board leased to the United States Mail Steamship Co. for five years for $20,655,000, 13 former German passenger ships, and, according to press reports, it was agreed that if at the expiration of the term the lessee so desired it could purchase the ships at the prices and on the terms and conditions to be fixed by the board, and that the amount to be charged off for depreciation of the vessels should be at the rate of 7½ per cent per annum.

Suppose that the Government ships are sold under the proviso mentioned, that they have been in commission for even one year prior to the time of sale, and that the allowance for depreciation is at the rate of 7½ per cent, the loss to the people would be about $150,000,000, in addition to the billion dollars heretofore stated, to say nothing of the tens of millions of profits now being realized annually because of the operation of the fleet by the Government.

When the pending measure was being considered by the Senate I offered the following amendment, which was agreed to, to section 5:

Provided further, That 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.

It was stricken from the bill by the conferees, and the purchasers of ships will pay such rate of interest on deferred payments as the board shall determine. It may be three or four or five or some other per cent per annum.

Within the past two weeks the Government was obliged to agree to pay interest at the rate of 5½ per cent in order to dispose of $100,000,000 of certificates of indebtedness. As the Government was compelled to pay that rate on money borrowed to conduct the business of the Nation, it appears to me that those who purchase ships under section 5, and who may have 15 years in which to pay the purchase price, should pay at least the same rate of interest.

I have observed that many of the strongest supporters of the shipping bill were among the most active and enthusiastic advocates of the railroad bill under which the people are required to pay interest at the rate of at least 5½ per cent per annum on the value of all railroad property in the country. I am utterly at a loss to understand what valid objection they can advance to the payment of the same rate of interest by those who purchase Government ships.

Section 7 of the bill, in substance and effect, authorizes and directs the Shipping Board to establish and operate at Government expense steamship lines in any quarter of the globe it may deem advisable and necessary, and that in the event a profitable trade is built up, and private interests desire to take it over, the people shall pocket the losses sustained in developing such trade, which may amount to millions, sell the ships under section 5, and retire from that particular field.

Section 7 also provides for payment by the Government for the carrying of the mails, which is, in effect, a subsidy.

Section 11 provides that the Shipping Board shall annually for five years set aside $50,000,000 to be used in the construction of and in aid of the construction of ships in private shipyards in the United States, which undoubtedly is one of the reasons for the great activity displayed by the shipbuilders in support of this measure. They are, quite naturally, exceedingly desirous of transferring $250,000,000 from the Public Treasury to their own.

Mr. SMITH of Georgia. Mr. President, would it trouble the Senator if I should interrupt him for a moment in order to ask for a little explanation?

Mr. NUGENT. Not at all.

Mr. SMITH of Georgia. Does the Senator mean that it is proposed that we shall abandon our own shipyards and pay to have this work done in private shipyards?

Mr. NUGENT. Precisely.

Mr. SMITH of Georgia. Why can we not use our own shipyards, for which we have spent so much?

Mr. NUGENT. Echo answers, why?

Mr. SMITH of Georgia. Is there not any explanation for that proposal?

Mr. NUGENT. The only explanation, I will say to the Senator, that I have heard is the desire to take the Government out of business; in other words, that the Government should not be

engaged either in the shipping business or in the shipbuilding business.

Mr. SMITH of Georgia. But, Mr. President, we have already gotten into it; and ought we not to use what we have and what we have spent the public money for?

Mr. NUGENT. That is my contention, I will say to the Senator, and I have made that contention at all times.

That section—11—further provides that vessels constructed for the Government with Government funds and, when built, to be operated by the Government shall be constructed in private yards. There is not, in my judgment, even a semblance of justification for that provision in view of the fact that the Government has expended about $170,000,000 in building shipyards, and it will be conceded that they are as complete in every respect as money can make them. The only excuse that can be offered for the provision referred to is the desire to divorce the Government from business. In fact, that is, as I have said, the principal reason advanced in support of this legislation, and yet the section under discussion places the Government in the money-lending business. It provides that when a citizen desires to build a ship he may borrow from the Government a sum not exceeding two-thirds of the cost of constructing the vessel. Many of the proponents of the bill voted in favor of a loan of hundreds of millions of the people's money to the railroads for 15 years. "Consistency, thou art a jewel."

Mr. SMITH of Georgia. Mr. President, will the Senator yield again?

Mr. NUGENT. Yes.

Mr. SMITH of Georgia. Does the Senator mean that the Government, with a large number of vessels on hand and already built, is to use the people's money to build now in private yards additional ships to compete with those we have already built, and possibly to interfere with the proper sale of those ships in the future?

Mr. NUGENT. That is precisely what the section to which I have referred provides.

Sections 22 and 23 provide, in effect, that the Government shall establish steamship lines from the United States to Alaska and in the Philippine Islands and operate them at Government expense so long as such operation is carried on at a loss, and that when such lines become profitable the Government shall retire in favor of private interests and the people shall assume all losses incurred.

The first paragraph of section 25 provides that the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, each year, for the period of 10 years, be exempt from the payment of excess and war profits taxes on the net earnings of the vessel, provided he annually invests in or sets aside in a trust fund for investment in the construction of ships in the United States a sum equal to the amount of such excess and war profits taxes.

I know of no good reason why the men engaged in coastwise shipping should be discriminated against, as it appears to me that they are entitled to the same consideration at the hands of Congress as are citizens engaged in foreign trade. Neither do I know of any valid reason why shipowners should be exempted from the payment of taxes which men engaged in all other lines of business must pay.

The second paragraph of section 25 provides that during the period of 10 years from the enactment of the act a citizen who sells a vessel documented under the laws of the United States shall be excused from the payment of all income taxes on the proceeds of the sale, provided such proceeds are invested in the construction of new ships in American shipyards, and so forth.

I am opposed to exempting a shipowner from the operation of the tax laws that men engaged in other pursuits are obliged to comply with, merely because he invests the money received from the sale of one ship in the building of another ship.

The farmer who sells one farm and expends the proceeds of the sale in the development of another farm, it may be from raw sagebrush land; the sheepman or cattleman who disposes of his flock or herd and later purchases another, frequently at a price per head in excess of what he sold for; the merchant who sells his store in one town and establishes himself in the mercantile business in a new town; and the miner who sells a mine and expends the sum paid him in opening up another mine, in which work he may lose his last dollar, are obliged to pay the taxes imposed by law. I am utterly opposed to granting to shipowners a tax-exemption privilege not enjoyed by other American citizens.

There are other provisions of the measure to which I object, but I shall not take the time to discuss them.

Last night the Senate voted to displace the minimum-wage bill, which means its defeat. It provides for the payment to the employees of the Government of a wage of at least $1,080 per annum. To those who believe that such wage is too high to be paid to men and women who work for their daily bread I again say what I believe to be the fact, that the enactment of the shipping bill means a gift to shipping interests of more than a thousand millions of the taxpayers' money.

Believing as I do that the bill is inimical to the best interests of the people, I shall vote against the adoption of the conference report.

Mr. JONES of Washington. I ask for the yeas and nays on the adoption of the conference report.

Mr. TRAMMELL. Mr. President, before the vote is taken I desire to make a few remarks. I heartily share the sentiment of the committee favorable to the maintenance of a great American merchant marine. I believe prior to the war that this was one of the crying needs of the Nation, and it was one of the misfortunes of our country that the merchant marine which we formerly had in the early days had from time to time passed into the hands of foreigners, and that on account of that fact there were very few vessels sailing under the Stars and Stripes and operating under American control.

As one of the fortunes of war our Nation acquired a very large fleet. This fleet, in my opinion, should be permanently maintained and the Nation should have such advantages as will accrue to it as the result of the maintenance of an efficient American merchant marine.

I believe, Mr. President, that in the anxiety of the committee and, possibly, of a majority of the Members of the Senate to transfer the ownership of these vessels to private owners and to discontinue Government operation we may possibly be a little too zealous in our advocacy and support of this policy.

We should guard well our decision or we may probably make a mistake which will result in the disintegration of the American merchant marine. The bill, as explained by the Senator from Idaho, shows plainly that the tendency running throughout the pending measure is to encourage the sale of the Government-owned ships. During the war the cry was "Ships, and more ships," and this was held out as one of the Nation's greatest needs if we were to achieve victory; but the intention of Congress, as voiced in the measure under consideration, seems to be to sell the ships, to sell the ships.

What I am particularly interested in is the question of the development of new trade routes, the matter of our country owning and controlling its own merchant marine. One of the safest and most secure ways in which to foster and preserve this policy to our Government and to retain this industry for the American people is unquestionably not to magnify the idea of disposing of the ships and placing them in the hands of individuals or of private corporations. I believe that instead of the announced policy of the Congress being to sell the ships, to get them into the hands of private ship-operating corporations, it should be primarily and first that we will have an American merchant marine second to that of no nation of the world, and that we will pursue a policy that will be in the interest of the establishment and development and maintenance of new trade routes and the increasing of our foreign commerce.

I can not quite understand why the Government, in its anxiety to maintain the merchant marine and in its desire to establish new trade routes, should undergo the initial cost, the losses, if any, and the expense of building up this trade, and of the maintenance of the fleet until it reaches a profitable basis, then transferring it to some private corporation that it may operate the business so developed for its own private gain; but that seems to be the declared policy and the idea which is embraced in this measure throughout.

I am just a little apprehensive, Mr. President, that if you allow the American fleet to pass into the hands of ship-operating corporations the policy which should be primary—that is, the maintaining of an American merchant marine, the policy of establishing and maintaining the necessary trade routes—will become secondary, and that these corporations in the operation of these ships will have as their primary purpose, as is always true, the object first of making money for the corporations themselves. If this should be the plan adopted by the corporations operating the ships—and no doubt it would be—I assert that in all probability some trade routes that have already been established would be abandoned for some other trade routes, regardless of the interests of the American people and regardless of a policy that should be maintained to try to relieve the transportation congestion which exists in certain centers within this country.

A system has developed centralizing very largely the shipping from the North Atlantic ports of our country. This tendency toward the centering of the shipping from the North Atlantic ports was emphasized during last year when it came to the

question of the Shipping Board allocating its vessels. I happen to have more or less intimate knowledge in connection with at least some of these transactions. When it became known, following soon after the conclusion of the war, that the board contemplated allocating these vessels to private concerns for operation there was a great clamor for them from interests that desired to operate them practically exclusively from the North Atlantic ports, and in the struggle of certain representatives from the South Atlantic and the Gulf ports to have vessels allocated that would operate out of those ports and take up the matter of inaugurating and establishing trade with the South American countries, we had to combat that selfish interest which desired to have, you may say, a monopoly upon these vessels for the purpose of operating them from New York and other North Atlantic ports—ports that already have more business than they can handle expeditiously.

In its wisdom and actuated by a spirit of fairness, however, the Shipping Board did provide for the use of certain ships from the South Atlantic and the Gulf ports. The board did approve of the idea of the establishment of certain trade routes from those southern ports to the countries to the south. The wisdom of the judgment of the board has been shown, in that most of these new trade routes have already demonstrated the fact that they are serving a good purpose, and the ships engaged are being operated at a profit.

We should not be interested first in trying to get the ships transferred to private corporations in order that they may operate them. We should be far more concerned in the primary purpose of the maintenance of an American merchant marine; and if that necessitates and requires the Government retaining control and ownership of these vessels, or a large majority of them, for a reasonable time, it should be done. We, too, are intensely interested in the development of the trade routes to the south, and they should be developed and operated in connection with the South Atlantic and the Gulf ports and not the North Atlantic ports. If there is one evil in this country from which the American people should be relieved, it is the bottling up of the freight from all over the country in the city of New York. There is scarcely a section of the country but that has suffered on account of the congestion which almost continuously exists, bottling up everything in this particular center. However, as far as private corporations and private interests are concerned, as a rule they do not look with favor upon trying to serve the various sections of the country, trying to relieve this condition which brings about disastrous results to various sections of the Nation, but they are actuated absolutely by the sole purpose of making money, and making money for themselves.

On account of my fear that the fleet will not be maintained in its entirety as an American merchant marine under the provisions of this bill, on account of my apprehension that new trade routes probably will be abandoned when the ships get into the hands of private owners, and that we will not develop certain trade which should be developed, I can not give my support to the conference report. I opposed the measure when it was before the Senate, and there have been no changes made which to me make it a bill more favorably looking to what I consider should be the main purposes and objects to be sought in dealing with the fleet at the present time in the hands of the United States Shipping Board.

The members of the Shipping Board, as far as I know them, are all very high-toned, honorable, capable business men; but it is the expressed policy of this measure to sell ships. While emphasis is placed upon maintaining an American merchant marine, an equal if not greater emphasis is placed upon the desire to sell the ships. This sentiment is in harmony with the sentiment which prevails among the membership of the Shipping Board; and if you pass this legislation, with it being evidently the determined purpose of the Shipping Board to dispose of the vessels and place them in the hands of private corporations, and then it also being the expressed and specifically declared purpose of Congress that they shall pass into private ownership, and that as expeditiously as possible, we may well realize that it will be only a short time until practically all of the vessels of any value now owned by the Government will be in the hands of private corporations and operated in that way.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. Certainly.

Mr. KING. Do I understand the Senator's position to be that the Federal Government should retain the title to these ships of which the Senator has been speaking and continue to operate them as a private individual would operate the ships, the same as it operated the railroads during the period of the war and after the war, with the distinction that in the latter case it did not have the title to the roads or the cars? In other words, is it the Senator's policy for the Federal Government to go into the shipping transportation business? And if that is his view, I am interested in knowing where the Senator finds authority in the Constitution of the United States for the Federal Government to become a carrier of passengers and a carrier of freight. If it may engage in the marine transportation business, may it not engage in land transportation? And if it engages in land transportation, may it not construct roads and highways, build railroads, operate them; and in order to make the roads profitable, may it not be compelled to own mines in order to find products to ship, build factories in order to find products to ship on its roads, engage in the agricultural business and the stock-raising business in order to produce those commodities which would pay for the operation of its roads? In other words, does not such a policy foreshadowed by the Senator, if I understand the matter correctly, mean that the Federal Government is to be one huge Prussian socialism—all power in the State, all power centered in Washington, all power here in officials and bureaucracies, which dominate and control and lay their paralyzing hand upon the activities and upon the industries of the United States?

Mr. TRAMMELL. Mr. President, answering the Senator from Utah, I will state that I did not take the position that the Government should permanently operate the ships, but I do take the position that the Government should make its primary purpose that of establishing these trade routes, and that of the maintenance of an American merchant marine, and if that can be best and most safely secured by the Government retaining the property which it already owns, by the Government retaining the business upon which it has already embarked, which it has developed, then I say, Mr. President, that the Government should retain these ships, and should continue to operate this business until it is beyond all question to the advantage of the American people that they should be placed in the hands of private owners. About $3,000,000,000 of the money of the people of the Nation has been invested in the Government fleet, and it should not be sacrificed now to private greed.

I do not think there is any analogy between the railroad question and that of the shipping proposition. The railroads had been developed, they had been built up, they had been maintained by private capital entirely, and the Government merely took them over during the emergency. The Government did not own them, and in a large measure, Mr. President, it was a matter of the Government coming to the rescue when the railroad interests of this country were crying for help. That had a great deal to do with stimulating and actuating the Government in taking over the railroads.

We have altogether a different situation as far as the question of dealing with these ships. I think that hindsight is always better than foresight, and if we are to consider the lessons of the past, as far as the building up a merchant marine in the hands of private corporations is concerned, we know what the policy of this Nation has been.

We know that as far as maintaining an American merchant marine heretofore through private capital and private ownership, it has proven an utter and a colossal failure. We know that instead of the general good, general welfare, of the American people being considered, selfish interests have been the controlling factors with those who have attempted to operate the shipping interest, and as a result the American flag had almost disappeared from the seas long before the Nation became involved in the recent war.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Utah?

Mr. TRAMMELL. Certainly.

Mr. KING. Does not the Senator appreciate the fact that prior to the Civil War the United States had a splendid merchant marine and that we carried in our own bottoms from 87 to 93 per cent of all of our foreign trade and commerce, but that because of the unjust, discriminatory, oppressive, and unwise legislation enacted by the dominant political party of the land the merchant marine was driven from the seas? Does not the Senator believe that with a wise and proper policy we can not only develop but continue an adequate merchant marine, one which will be sufficient for the needs of the country?

Mr. TRAMMELL. Mr. President, of course if we deal in glittering generalities I would necessarily reply in the affirmative; but the question is as to the details and the policies which are being adopted for the purpose of carrying out that very commendable purpose and object, and I do not think that when you adopt a policy which indicates as one of the very first

objects, the primary purpose, that of selling the ships, you are making quite as secure as I would like to see made the future of the American merchant marine and the establishment and the development of foreign trade and the assurance of new trade routes and their maintenance.

Mr. KING. Will the Senator pardon me?

Mr. TRAMMELL. Certainly.

Mr. KING. The Senator stated that the merchant marine in the hands of private parties has been a collossal failure. I merely invite the attention of the Senator to the fact that we did have in private hands one of the finest merchant marines that floated a flag upon the sea, and that if it had not been for unwise legislation on the part of Congress, following, in my humble opinion, an improper and impracticable economic policy, we would have had at the beginning of the war, and would still have, an adequate merchant marine.

If the Senator will pardon me, in my judgment you can build up a merchant marine by fair and just and sensible legislation, and if the Government attempts to engage in the carrying business it will lose hundreds of millions of dollars every year; and I make the prediction now to the Senator—of course it is a mere prediction, which may not be verified—that if the Government should retain these ships and attempt to operate them, the three billion and more dollars which we have put into the ships would be dissipated within 10 years. The losses would be hundreds of millions annually, instead of an alleged profit, as represented by some of the reports which have been submitted to us.

Mr. TRAMMELL. Mr. President, I agree with quite a good deal stated by the Senator from Utah, but what I am disturbed about is that if we lean too much toward the idea of placing these vessels in the hands of private ownership, we will have some more unwise legislation, we will have a further continuation of a policy which will not be in the interest of the maintenance of the merchant marine, and possibly as the outcome once again, to our regret and dismay, we will see Great Britain and other powers gradually, by direct or indirect methods, acquire over us an advantage and control of the world's shipping on the seas.

The Senator from Utah talks about the question of dissipating the billions of dollars in this transportation equipment and facilities. It seems that we may also consider the question of the millions upon millions which are to be dissipated and expended in developing trade routes and developing business for the purpose of turning it over to private interests when it once reaches a profitable basis. I can not quite discriminate between a policy which in its operation brings about the promotion of a business for the purpose of turning it over to some private interests after it becomes profitable and a policy of the Government, even when necessary, to continue that same operation in the interest of all the American people, instead of in the interest of the few who will be the recipients of the benefaction of the Government in developing a profitable business and turning it over to them.

Senators talk about the Government engaging in business. As a result of this war the Government has, you might say, become the benefactor of the railroad interests and many other interests in this country. The railroads were not quite satisfied with having $300,000,000 loaned to them for only five years; they knock at the door of Congress and say, "We would like to have the loan extended to 15 years." So the Congress, regardless of the expressed reluctancy of some to carrying on a banking business by the Government to assist the railroads, responds promptly to the appeal of the railroad interests of the country and passes a measure authorizing these loans to be made for 15 years.

This very measure itself places the Government in the money-lending business. This very measure itself places the Government in the insurance business by providing for an insurance fund.

I think if we are going to be consistent along the line of the Government being so very zealous in shunning even the appearance of evil in the matter of the Government engaging in business of this character, we had better start anew and abandon the action of Congress in regard to many other enterprises.

What I am apprehensive of is that the vessels will pass out of the hands of the Government into private ownership, and that they will pass into the hands of private ownership probably at a great sacrifice. Then when they are transferred from ownership by the Government into ownership of private capital, private capital will continue to be knocking at the doors of Congress for legislation that will promote its own financial interests, and the primary object of an American merchant marine, the primary object of the establishment and maintenance of new trade routes, and the object of relieving congestion in the North Atlantic and dividing the trade with ports to which it logically belongs, will probably, in a large measure at least, be abandoned. For this reason I do not feel that I can consistently support the conference report.

Mr. KING. Mr. President, I shall occupy the time of the Senate for only a moment. I voted against the bill when it was before the Senate, and I shall vote against the adoption of the conference report.

I am not satisfied with this measure, not for the reasons, however, assigned by my distinguished friends, the Senator from Idaho [Mr. NUGENT] and the Senator from Florida [Mr. TRAMMELL]. Lack of time prevents an analysis of the bill, and I content myself with a few generalizations. One objection to the bill arises because it seeks to perpetuate a socialistic policy in connection with the ownership and operation of the ships in this country. I believe that the economic policy founded upon a proper understanding has led to the prosperity and development of our country. Our industrial and economic system was influenced by the great teachings of Adam Smith and his philosophy and the philosophy of the great teachers following him. It became the basis of the economic system which has produced such marvelous development in this country. We have had a competitive system, freedom of opportunity, and an even show in the race of life. We have political freedom. There must be economic and industrial liberty.

There have been forces which have sought to destroy competition and to establish monopolies. Such forces must be overcome, and every man within the land must have an equal opportunity in the activities of life.

I am opposed to all forms of paternalism and the corroding socialism of the age that has laid its destructive hand upon the Government and is seeking its domination and the perversion of its functions and the destruction of the foundation upon which it rests. Extreme Carl Marxian socialism will not, in my opinion, prevail in this Republic. I believe the good sense of the American people will revolt against his heresies and the destructive and damning doctrines which are sapping the life and vigor of Russia. But there is a subtle, an alluring, and enticing form of socialism that is receiving support in many sections of our country and has sometimes met sympathetic support from officials in high places in the Government.

There is a movement on foot to compel the Government to repossess the railroads for the purpose of transferring them to those who may be employed upon the railroads. And there are those who seek to compel the Government to retain the ownership and to continue the operation of the merchant marine and all the ships which the Government has acquired. I believe the best interests of the people as well as the Government will be subserved by a sale, under proper restrictions and limitations, of the ships owned by the Government.

Mr. President, the Government can no more operate economically and efficiently ships and railroads than it can operate its own business. There is not a business man in the United States of any acumen who could not take possession of the governmental agencies and instrumentalities functioning in Washington and elsewhere and conduct the Government business in a more efficient manner than it is being conducted by the Government of the United States at a cost of 33 per cent of that now paid by the United States.

The Senator from Florida states that we should open up trade routes. Why, of course that should be done, and we can do so by imposing limitations upon the sale of the ships. The men who buy the ships should be required to open up certain trade routes to be designated by the board and for the purpose of extending our foreign trade, and in the sale of ships there should be imposed such limitations as will preserve the interests of the shippers and the interests of the people of the United States. If I believed that the interests of the American people would be served by a Government-owned merchant marine, much as I dislike socialism and the paternalism which it would involve, I might be induced to support the proposition; but everyone who knows what this socialistic policy means and what its consequences will be and the inefficiency of governmental control and governmental ownership and operation of matters that are purely private will reach the conclusion that a policy which perpetuates the Federal Government in the transportation business is one inimical to the interests of the people and hostile to the best interests of the Republic.

The Senator from Florida refers to the railroads. Mr. President, I was opposed to taking over the railroads. I think it was a great misfortune. If there had been a modification of the Sherman antitrust law in some of its provisions for the period of the war, permitting them to pool and use joint terminals and work along some of the lines of cooperation and coordination employed by the Government, there would have been no

necessity—if there was any necessity at all—of the Government taking by its strong hand the railroads out of the control of their owners. But this relief was refused by the Government, and it also monopolized the credit of the country. It took the money of the country in loans, importuning the people, appealing to their patriotism, to buy Government bonds, to loan their money to the Government. The banks were almost dragooned to yield up their resources to the Government, and those who possessed savings were appealed to to loan the same to the United States. Railroads, school districts, municipalities that desired to build, legitimate enterprises being carried on by individuals and corporations which required money, could not obtain the same, because the Government exclusively occupied the field of credit and absorbed not hundreds of millions but billions of dollars. The man who had a thousand or a hundred thousand dollars to loan invested it in Government bonds, loaned it to his Government rather than to private enterprise.

As a result the fountain of many enterprises was dried up; we denied the opportunity to railroads and to individuals, to municipalities and to States, to borrow money. Why, sirs, many of them were compelled to come to the boards of control in Washington and plead for permission to issue bonds or stock, hoping thereby to borrow money absolutely necessary to save their business from ruin. And school districts with half-completed schoolhouses came here and sought authority to float bonds in order to complete their buildings, in order that the children might not be turned into the streets. The Government acted as a sponge and sucked up the credit of the land and the money that was in circulation.

We can not with becoming grace condemn the railroads and other enterprises because they did not make fitting progress during the war and did not accomplish the work which they were desirous of performing.

I am opposed to the conference report. I am opposed to the bill. It is not a bill, as the Senator from Florida indicates, if I may be permitted to dissent from him, which accomplishes what he asserts will be accomplished. It is a bill which ought to gratify him. It is a bill which will keep the Government for many years to come in the transportation business, and the Senator from Florida, young and vigorous as he is, will not live long enough to see the omnipotent hand of the Federal Government removed from the merchant marine of this country. That is one of the reasons why I am opposing the bill and the conference report.

Mr. SHEPPARD. Mr. President, if I could have my way I would have the Government hold temporarily both the railroads and the ships until internal conditions and world conditions became more settled and until better opportunity existed for reaching a satisfactory solution. I would have a competent commission investigate the entire subject and report as to the best thing to be done under the circumstances. All systems of transportation—ocean, inland waterway, railway, and highway—are parts of one great problem.

The trouble is that in our haste to dispossess ourselves both of the railroads and the ships we may make inevitable Government ownership without having given the subject proper consideration, or Government interference on an almost intolerable scale. Inasmuch as the Congress seems determined upon the immediate resumption of the policy of private ownership, I shall offer no further opposition to the conference report, but shall content myself by voting against it.

Mr. JONES of Washington. Mr. President, on the adoption of the conference report I ask for the yeas and nays.

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

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I understand that if he were present he would vote "yea," and I am therefore at liberty to vote. I vote "yea."

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

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably detained to-day and is paired with the Senator from South Dakota [Mr. STERLING]. I ask that this announcement may stand for the day.

Mr. STERLING (when his name was called). As announced by the junior Senator from South Carolina [Mr. DIAL], I am paired with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Washington [Mr. POINDEXTER] and vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the Senator from Arizona [Mr. SMITH] and vote "nay."

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

The VICE PRESIDENT. He has not.

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

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. That Senator is not present. In his absence I can not vote and therefore withhold my vote.

The roll call was concluded.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. SPENCER. I have a pair with the junior Senator from New Mexico [Mr. JONES], but under an arrangement with him I feel free to vote, and I vote "yea."

Mr. LODGE (after having voted in the affirmative). I have a general pair with the senior Senator from Georgia [Mr. SMITH] and I do not observe him in his seat. I therefore transfer that pair to the Senator from Delaware [Mr. BALL] and allow my vote to stand.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the Senator from Florida [Mr. FLETCHER] and vote "yea."

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

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

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

The result was announced—yeas 45, nays 14, as follows:

YEAS—45.

Beckham	Hale	Nelson	Sterling
Brandegee	Harding	New	Sutherland
Calder	Henderson	Overman	Swanson
Chamberlain	Hitchcock	Page	Thomas
Comer	Jones, Wash.	Phelan	Townsend
Curtis	Kendrick	Pittman	Underwood
Dial	Keyes	Pomerene	Wadsworth
Dillingham	Knox	Ransdell	Walsh, Mont.
Fernald	Lodge	Simmons	Warren
Gay	McCumber	Smith, Md.	
Gerry	McKellar	Smoot	
Glass	McNary	Spencer	

NAYS—14.

Ashurst	Harris	Norris	Trammell
Borah	Harrison	Nugent	Walsh, Mass.
Capper	Kenyon	Reed	
Culberson	King	Sheppard	

NOT VOTING—37.

Ball	Gronna	Moses	Smith, Ariz.
Colt	Johnson, Calif.	Myers	Smith, Ga.
Cummins	Johnson, S. Dak.	Newberry	Smith, S. C.
Edge	Jones, N. Mex.	Owen	Stanley
Elkins	Kellogg	Penrose	Watson
Fall	Kirby	Phipps	Williams
Fletcher	La Follette	Poindexter	Wolcott
France	Lenroot	Robinson	
Frelinghuysen	McCormick	Sherman	
Gore	McLean	Shields	

So the report was agreed to.

Mr. JONES of Washington. Mr. President, I took no time in discussing the questions involved in this bill on the adoption of the conference report, which has just been agreed to, because I desire to get it over to the other House as soon as possible, and all these matters were discussed when the bill was before the Senate. I am going to take only a moment or two now. Some people, however, on the outside have raised the question as to the meaning of the words "controlling interest," which are found in the section relating to the ownership of stock in shipping corporations. The term is used just the same as it is used in the present shipping act, and I do not think there can be any question about the construction that should be given to it. I know that the committee understood it to mean actual bona fide American ownership of a majority of the stock of corporations doing business in the foreign trade and 75 per

cent in the coastwise trade. I am satisfied that that is the understanding that the Senate has with reference to that language and that provision. The language of the section will not permit a "dummy" corporation or a "dummy" holding of stock. The corporation must be a bona fide one and the ownership and holding of stock must be bona fide American.

Mr. President, the senior Senator from New Jersey [Mr. FRELINGHUYSEN], as well as the junior Senator from New Jersey [Mr. EDGE], was very greatly disappointed because the conferees left out of the bill one provision which had been inserted in it when it was passed by the Senate. I refer to the provision reimbursing the city of Hoboken for taxes of which it had been deprived by reason of the Government taking over certain docks. The conferees were all very sympathetic toward that item. We thought it was a very just proposition, but if adopted it would establish a precedent that would apply to a great many different sections of the country and involve the Government in great expense. This does not affect the justice of the Government taking care of such a situation, but we thought that should be cared for in a separate bill dealing with all similar cases. So the conferees thought that they could not leave it in this bill, but that it would have to be dealt with in a separate measure. The Senator from New Jersey [Mr. FRELINGHUYSEN] has introduced such a bill, to which I know the committees of the two Houses will give the most careful consideration. I will do my best to aid him in securing proper action. These Senators have certainly left nothing undone that could be done in this matter, but we could not take care of that in this bill.

The senior Senator from New Jersey left with me a letter from a gentleman in New Jersey, and his answer to it, in reference to the matter, which he asked me to have inserted in the RECORD. I therefore ask that the correspondence be printed in the RECORD as part of my remarks.

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

The correspondence referred to is as follows:

SUPREME COURT OF NEW JERSEY,
Chambers, May 17, 1920.

Hon. J. S. FRELINGHUYSEN.

MY DEAR SENATOR: In the effort "to make democracy safe for the world" this city has been driven to the verge of bankruptcy by the Government taking over our valuable pier property without compensation. This property constituted the most valuable asset we have, and yet we have been deprived of it for the benefit of the Nation at large without one dollar contribution to our people.

We are willing to suffer our share of the common misfortune, but we should not be asked to turn our property over to the Nation without recompense. No other section of the Nation that I know of has been subjected to such a sacrifice, and we should not (a small city 1 mile square, depending upon its taxable territorial area for its income) be asked to submit to it in common justice.

I am writing you as an old friend and brother Senator to interest yourself in our behalf, so that with your assistance and that of Senator EDGE this injustice may be speedily righted. Let me know when you come to town. I would like to show you through Hoboken. It won't take long, but there is much to be seen.

With best wishes, I am,
Very truly, yours, JAMES F. MINTURN.

—

MAY 26, 1920.

Hon. JAMES F. MINTURN,
Hoboken, N. J.

MY DEAR JUSTICE MINTURN: I have never forgotten the injustice done to the ctiy of Hoboken in the taking over of the property by the Government and the failure to provide for the relief of Hoboken by reason of the loss of taxes.

I inclose herewith my correspondence to the President and call attention to my protest and my effort to have an amendment put in the Alien Property Custodian act.

However, we have recently secured, in the merchant marine shipping bill, a provision which will enable the Shipping Board to pay the city of Hoboken the necessary taxes to reimburse them for last year and this year.

If this bill is accepted by the House, as I hope it will be, it will relieve the situation immediately.

Please return the correspondence inclosed for my files.

Very sincerely, yours,
JOS. S. FRELINGHUYSEN,
United States Senator.

Mr. JONES of Washington. Now, Mr. President, just a word further. I deem it just to say that the conferees from both sides of the Chamber and from both branches of Congress have worked upon this bill with the sole purpose of reporting to the Senate a bill that would build up the American merchant marine. The entire consideration of the bill has been wholly free from partisanship. There was no attempt on the part of the House Members to see how many Senate amendments they could get us to recede from, but every provision of the Senate bill as passed, which they thought was a good provision, they accepted gladly. This bill is the product of the united effort of Democratic and Republican Members of the House and Senate. It is not a perfect bill, but it is a bill which we believe will be the basis upon which we will build up and maintain a great American merchant marine. This bill will serve most, if not all, the great purposes that have been expressed by Senators who have spoken to-day; and I believe, Mr. President, that in the years to come the Greene bill, as it is and should be known, will prove its wisdom in the building up of a permanent American merchant marine worthy of our great power, wealth, and position in world affairs, and be a lasting monument to the unselfish and patriotic work of all those who aided in its preparation and passage.

Mr. President, there have been some errors made in the numbering of the sections. I ask that the unfinished business may be temporarily laid aside for a moment in order that there may be considered and passed a concurrent resolution authorizing the clerks to make the necessary changes.

The VICE PRESIDENT. Without objection, the unfinished business is temporarily laid aside.

Mr. JONES of Washington. I ask unanimous consent for the immediate consideration of the concurrent resolution which I send to the desk.

The concurrent resolution (S. Con. Res. 30) was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of 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, the Clerk be, and is hereby, authorized and directed to number the sections thereof in consecutive order.

PROPOSED SOLDIERS' BONUS.

Mr. UNDERWOOD. Mr. President, I hold in my hand a letter in reference to the bonus bill from a real soldier, who served with the Forty-second Division in France. I think it should appear in the RECORD, and I ask that it may be inserted in the RECORD as part of my remarks.

Mr. SMOOT. I will ask the Senator to have it read from the desk.

Mr. UNDERWOOD. Very well; I will ask that the letter be read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CHATHAM COURTS,
Washington, D. C., June 2, 1920.

SIR: I herewith urge you, as an officer of the United States Senate, to use your influence against the passage in that House of the World War adjusted compensation act.

The veterans who would receive a bonus as the result of this act do not wish to be so insulted, and both Congress and the people at large have already extended to the veterans of the World War their appreciation of the military service rendered.

Defeat the soldiers' bonus bill.

Respectfully, yours,
J. BENTLEY MULFORD,
Honorably Discharged Private,
Forty-second (Rainbow) Division,
American Expeditionary Forces.

Hon. THOMAS R. MARSHALL,
Wardman Park Hotel, Washington, D. C.

Mr. WADSWORTH. I ask unanimous consent to have inserted in the RECORD a letter which I have received but a short time ago from the representatives of one of the American Legion Posts. The letter has to do with the proposal for a bonus.

Mr. SMOOT. Will the Senator ask the Secretary to read the letter, just as he read the letter which the Senator from Alabama [Mr. UNDERWOOD] presented?

Mr. WADSWORTH. I present the letter. Permit me to say that I do so without prejudice as to the issue involved.

The Assistant Secretary read as follows:

THE CAPITOL,
Washington, D. C., June 4, 1920.

Senator WADSWORTH,
New York.

DEAR SIR: We, the undersigned, were delegated by the Federal Board Students Post, No. 750, American Legion, of New York University, to come to Washington to exert our efforts in behalf of the Darrow bill.

We have been in the gallery for some time and have listened to the Senator who read into the RECORD a letter "from a real soldier" in opposition to the bonus bill.

We desire to state that our post is composed of "real soldiers," every one of its 300 members disabled and the majority wounded. Many divisions are represented in our membership, among others the Forty-second, in which the Senator's "real soldier" served.

This post has twice gone on record unanimously in favor of the adjusted compensation bill not only for disabled men but for all ex-service men.

You are requested to read this into the RECORD in order to give these 300 "real soldiers" a chance to record their sentiments.

Yours, very truly,

E. B. HACKER,
President Post 750,
3141 Kingsbridge Terrace, New York City.

T. E. MCDONNELL,
Past President Post 750,
109 Flushing Avenue, Jamaica, Long Island.

FORCE AND SALARIES IN PATENT OFFICE.

During the delivery of the speech of Mr. JONES of Washington,

Mr. NORRIS. Mr. President, I recognize that Senators can not be prevented from talking, and I have no objection to their doing so, but, in order that we may proceed in parliamentary order, I ask that the bill which under the unanimous-consent agreement is in order may now be laid before the Senate, and the Senator from Washington can speak on that.

Mr. JONES of Washington. I have no objection to that being done.

Mr. NORRIS. Under the unanimous-consent agreement we were to consider House bill 11984 at the conclusion of the consideration of the conference report on the merchant marine bill, and I ask that the House bill referred to be now laid before the Senate.

The VICE PRESIDENT. The Chair lays the bill before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, which had been reported from the Committee on Patents with amendments.

Mr. NORRIS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for committee amendments.

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

Mr. KING. Mr. President, before that request is granted, does the Senator ask to have the reading of the bill dispensed with entirely?

Mr. NORRIS. No; merely that the formal reading of the bill be dispensed with, and that it be read first for committee amendments.

AMENDMENT OF TRADING-WITH-THE-ENEMY ACT.

Mr. NELSON. Mr. President——

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

Mr. NELSON. I ask unanimous consent that the business of the Senate may be temporarily laid aside while I make a report from the Judiciary Committee and ask for its present consideration; and in connection with it I will make a brief statement, not occupying over five minutes.

Mr. NORRIS. I assume that it will not lead to any extended debate. With that understanding, I have no objection.

The ASSISTANT SECRETARY. From the Committee on the Judiciary the Senator from Minnesota reports back favorably 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.

Mr. NELSON. Mr. President, this bill is unanimously reported by the Judiciary Committee, and I desire to make a brief statement in relation to it.

As Senators know, under the trading-with-the-enemy act the Alien Property Custodian took possession of millions of dollars worth of the property of aliens and allies of aliens. Since the war closed, and since the treaty of peace has been drawn up and has been ratified by all the belligerents except the United States and China, it has left conditions in this way: There are certain of these people who have transferred their allegiance under the treaty of peace who ought to be protected. The object of the bill is to give the people who belong to these new States, like Poland, Czechoslovakia, and Alsace-Lorraine, an opportunity to come before the President and obtain the release of their property that was seized by the Alien Property Custodian. Some of that property was converted into money, and some of it remains in the hands of the Alien Property Custodian in kind.

The bill provides that these people can recover their property—the Poles and the Czecho-Slovaks and the Alsatians and the Lorrainers. In addition to that, it covers some other cases. It covers the cases, first, of American women who before the war lost their citizenship by marrying neutrals. That is one class. Then it covers the cases of native-born American women who married Germans or Austrians, enemy aliens. It is to give those two classes of woman an opportunity to recover their property. Then it relates to another class of men, not very numerous. The Alien Property Custodian seized the property of consular representatives and diplomats, and it is to enable them to get back their property.

Mr. CURTIS. Mr. President——

Mr. NELSON. I yield to the Senator.

Mr. CURTIS. I should like to ask the Senator if the bill includes the class of American citizens who, unfortunately, were in the enemy's country at the time the war broke out, and whose property was taken, and they have been unable to return to the United States because of the state of war and the restrictions that were imposed, and their property is still held by the Alien Property Custodian?

Mr. NELSON. Yes; it includes them. I was about to remark that it also includes another class. Senators will remember that during the war quite a number of people were interned because of their officious activity in behalf of the Germans. Most of them, I think nearly all of them, have been discharged, and a large share of them have returned to their own country. This bill contains a provision that those interned men who have been discharged and who are living here at the time they make application for the return of their property and at the time the application is granted shall be in the same status as the other classes.

Those are the substantial provisions of the bill.

Mr. UNDERWOOD. Mr. President——

Mr. NELSON. I yield to the Senator from Alabama.

Mr. UNDERWOOD. I have no doubt the Senator has made the statement clearly, but I did not entirely grasp it, in reference to the German alien who was living in this country at the time of the declaration of war, and remained in this country during the war, but was interned by the order of the President, and his property was taken. This bill authorizes that man's property to be returned to him, does it?

Mr. NELSON. If he is living in this country, it does; but not if he leaves this country. It applies only to those who continue to live here, and are living here at the time of the application.

Mr. McCUMBER. Mr. President——

Mr. NELSON. I yield to the Senator from North Dakota.

Mr. McCUMBER. I desire to ask the Senator with reference to another class that he has mentioned. If I understand him rightly, while the German could not claim his property rights, the wife of the German, who is a German citizen, could claim such rights provided she at one time before her marriage was an American citizen.

Mr. NELSON. Yes. If she is a native-born American woman, and lost her citizenship either by marrying a neutral before the war or by marrying an alien enemy, such as a German, before the war, she is authorized to regain her property, not the property of her husband.

Mr. McCUMBER. It places it in a position where the alien, if he is a male, can not obtain his property; but if the alien is the wife of a foreigner she may obtain it, provided she was born in this country?

Mr. NELSON. The object is to give American women who have married these foreigners an opportunity to get back the property that they formerly had; that is, their own exclusively.

Mr. McCUMBER. I confess that I can not see any difference between granting them their property and granting their husbands their property.

Mr. PITTMAN. Mr. President——

Mr. NELSON. I yield to the Senator from Nevada.

Mr. PITTMAN. I have in mind a case which came to my attention, and I desire to know whether this bill covers it. An American woman married a German officer. They are both dead, but they left an heir. The property would go to that child. It was all originally the property of the American woman. Is the child protected under this bill?

Mr. NELSON. I do not think it is, in express terms. Is the child living in this country?

Mr. PITTMAN. The child, I think, is living in this country.

Mr. NELSON. Was it born in this country?

Mr. PITTMAN. I think not. I think it was born in a foreign country.

Mr. NELSON. Then I do not think this law would cover it. It only covers the cases of those native-born American women who married foreigners, either neutrals or alien enemies, before the war.

Mr. PITTMAN. Does not the Senator think the bill should extend to the heirs of the woman who would be entitled to a remedy under this bill?

Mr. NELSON. If the child's mother is of that class, I think the child would come in under it. I did not understand the

Senator's statement at first. If his mother belonged to that class, and this is property inherited from his mother, I think it would be construed that he would have a right to come in under the provisions of the bill.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator a question.

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

Mr. HITCHCOCK. I should like to understand whether this bill provides that any citizen of Alsace-Lorraine or any citizen of any subject people of Germany or Austria-Hungary which under the terms of the treaty has been taken away from Germany or Austria-Hungary is by that act and under the terms of this bill removed from the class of an alien enemy?

Mr. NELSON. Certainly. That is one of the main purposes of the bill—to allow the Alsatians and the Lorrainers and the citizens of the new Poland and Czechoslovakia to come in and have their property returned.

Mr. HITCHCOCK. It takes them out of the class of alien enemies, and authorizes the restoration of their property?

Mr. NELSON. Yes. That is the main purpose of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of this bill?

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

Mr. McCUMBER. Mr. President, I think the title of the bill ought to be changed so that it would read:

A bill for the relief of wealthy American women who have purchased titles of nobility prior to the war.

The Senator says that this is only one of the incidentals of the bill; that the main purpose of the bill is to assist Alsatians and people of these new countries that have been created and allow them to come in now and claim their property. So far as that is concerned I am in hearty accord with it, but I am not in accord with the idea of relieving any American woman who was willing to sell her American citizenship for a German title. I do not care whether it was before the war or after the war. She marries a title. She has the wealth. The German nobleman wants the money. The American woman who has the money wants the title, and she is willing for that title to become a German citizen. She does so. The war breaks out and her property in the country where the wealth was made, in the good old United States, is taken possession of because she is an alien. She says, "Inasmuch as I was born in this country, even though I sold every right that I had as an American citizen for a Dutch title, I now want to get back my money in the United States." I, for one, would give her less consideration than I would give to the good German frau who happened to have property in the United States.

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

Mr. McCUMBER. I yield.

Mr. KING. I would like to ask the Senator, and if he can not answer, the chairman of the committee, whether or not the bill, properly interpreted, would give to an American woman who married a German and who has taken up her residence and maintained it in Germany, the restoration of her property? My understanding of the bill was that she had to remain in the United States in order to have the property returned, but if she went across the sea and took up her permanent abode in Germany she would come in the same category as other German nationals and would not be permitted to have the property restored.

Mr. McCUMBER. I do not understand that she would regain American citizenship even.

Mr. KING. Then, if the Senator is right, I share the views of the Senator, and we ought to amend it in that respect.

Mr. KNOX. Mr. President, entertaining as I do the highest respect for the Senator from North Dakota [Mr. McCUMBER] and for his judgment, and his wisdom, and his consideration in matters of great importance, I must confess that I am perfectly astounded at the remarks that he has just made. Why should a woman be penalized, even though she is an American, if her affections have been attracted by a foreigner? Why should a woman whose fortune has been made by her ancestors in this country have taken away from her under what the Supreme Court of the United States, speaking through the great Chief Justice Marshall, pronounced to be an act of land piracy if you took from her her fortune because, by the mere act of marriage, she is technically an alien enemy?

Mr. President, I think one of the most shameless things the American Government has ever performed was the renunciation of what we have always contended to be the moral and the decent international thing, that is, to preserve the rights of aliens from conscription in the case of war, and when we passed the alien-property custodian act we did that. In my judgment, it is only because Germany has acquiesced, under the terms of the Versaille treaty, that property should remain in the custody of the United States for the discharge of the obligation which Germany owes to the United States, that it is defensible at all.

I have in my mind a case where a descendant of one of the earliest colonial families in my State did not marry a German title, as the Senator from North Dakota has suggested, but married a poor German professor in the University of Pennsylvania, and lost the fortune which her father and her grandfather and her great-grandfather had accumulated in Chester County, Pa., people whose names have been recorded in every phase of Pennsylvania history, and every phase of Pennsylvania activity, and every phase of Pennsylvania philosophy.

I am amazed, I am astounded—I will say no more—at the expressions of the Senator from North Dakota that this means the redeeming of the fortunes of American women who have married German titles.

Mr. McCUMBER. Mr. President, I am not at all amazed at the deep interest the Senator from Pennsylvania is taking in this measure, when I find that his mind centers around some case which has happened in Pennsylvania, where somebody married a poor German professor, and whose money and the money of her father and her grandfather, and so forth, is held by the Alien Property Custodian. I will join the Senator from Pennsylvania in the return of the property taken from all the German alien enemies when the proper time comes and we have peace with that country. But I am opposed to making a distinction between those who were alien enemies because they had always lived in the Fatherland and those who became alien enemies because, as I said, in those cases they have married German titles and are now penalized because they have done so.

I think the most of the cases which are covered and to which relief will be granted by this bill will be the character of cases I have mentioned.

Mr. LODGE. Mr. President, I think this matter of returning the money in cases which have been described by the Senator from Pennsylvania [Mr. KNOX] are entirely just, but they are not the main purpose of the bill. The main purpose of the bill, which has been very carefully prepared by the State Department and the Department of Justice, and to which the House has given a great deal of attention, and our Committee on the Judiciary, is to return money seized as of alien enemies to the people who are really not alien enemies, or technically so. Certainly if there are any people on the face of the earth to whom we ought to show every possible kindness, they are the people of Alsace-Lorraine, the people of Poland, whom we have recognized, the people of Czechoslovakia, and of the Slav Provinces of Austria, and also the people of what is called Italia Irridenta. There were probably no stronger friends of the cause against Germany than the people of the very territories I have described. It seems to me that this is a great act of justice, as well as kindness, and I sincerely hope that no objection will be made to the bill, but that it will be allowed to pass.

Mr. KING. Mr. President, in view of the observation which I submitted a moment ago, I wish to make a few remarks concerning this measure.

I did not approve the principle of the bill which authorized the seizure of the property of German nationals within the United States. There could be no objection, perhaps, to the mere taking of the property; but we actually confiscated it. The United States entered into a treaty with the Kingdom of Prussia more than a hundred years ago, and under its terms each nation was to respect, not only in peace but in war, the property of nationals residing therein, and ample opportunity was to be afforded the nationals of each belligerent to remove their property from the alien territory.

It looked to me, Mr. President, that in the passage of the Alien Property Custodian act, notwithstanding Germany was our bitter enemy and a foe to civilization, we were somewhat lowering the high standard of international morality which had always been maintained by this Republic and which should always characterize a great Christian Nation such as the United States. I fear that we set a precedent which in the years to come may seriously affect the American people. We are a creditor Nation, and will have investments in all lands. We would suffer materially if this precedent were followed by other nations with which we might be at war.

But, Mr. President, having passed that act under which the property of German and Austrian nationals in the United States was seized, I see no reason why there should be the discrimination—and I address myself now to the Senator from Pennsylvania [Mr. KNOX], so that he may not misunderstand my posi-

tion—between nationals born in Germany and those of American birth who have expatriated themselves. I see no reason why the property of Germans who were born in Germany and which we have seized should not be restored to them if we restore to women who were born in the United States, and who married Germans and who have expatriated themselves and taken up their residence in Germany, their property which was seized in the United States. That is my position. I do not think we ought to restore to a woman who married a German and went to Germany to reside, and is still residing there, the property which was seized here until we restore to other Germans the property of which we deprived them.

A law was enacted during the war which, as I recall, provided that American women who had married Germans but who resided in the United States and called this their home, and this was in fact their home, should be exempted from the operations of the Alien Property Custodian act. I was in favor of that; but I agree with the Senator from North Dakota [Mr. MCCUMBER] that if an American woman married a German and went to Germany prior to the war and made it her home, and she was there during the war, so long as we retain the property of German nationals seized in the United States we should hold such property until we return the property of German nationals, if we shall take that course, and then we should restore it to her. We ought not to discriminate. That is my position.

Mr. BRANDEGEE. Mr. President, the pending measure, authorizing the restitution by the President of property taken from those who were technically alien enemies during the war, has been most thoroughly considered by the Department of State, the Department of Justice, and the Alien Property Custodian. In the Committee on the Judiciary for the last two days we have heard Assistant Secretary Polk, we have heard agents of the Department of Justice, and we have heard the Alien Property Custodian. While I am perfectly free to admit that in dealing with this rather complicated question I would like to have had more time and more opportunity to examine into the details of the somewhat complicated provisions of the bill, still, in view of the fact that all three of these departments have given it special attention, and relying upon the statement of Secretary Polk that it is of the utmost importance to have the legislation now so that the people who are really entitled to a refund of their money and who are in extremis and have been for some time, instead of waiting until next December and then taking up the subject de novo, and in view of the fact that the bill has been passed by the House of Representatives, I have given the measure my support.

There are whole races of people whose nationals were caught in this country at the time we entered the war and who were then technically alien enemies, and citizens of all the new nations which have achieved their liberties in Europe and are now our friends. The great Republics of Czechoslovakia and Poland have been recognized by us as fellow republics, and we are entertaining ambassadors and ministers from those countries.

I do not doubt that if each Senator is to dissect the bill he can bring up some particular feature of it that he would like to have different. Indeed there were cases adduced in the committee hearings where I was not entirely satisfied that the terms of the bill could not be improved upon; but, as I said, as between the alternative of leaving the entire subject in its present condition, with so much injustice oustanding for months longer, and the possibility that some money may be paid to some one that may not be entirely justified—as between those two horns of the dilemma I believe in accepting the judgment of the departments of the Government which have given it so much consideration.

Indeed it is my own judgment that the races and the circumstances involving so many nationalities, situated so differently, can not all be taken care of with absolute justice and equity under the provisions of any bill that we could prepare. I very much hope that the bill may be allowed to pass. If there is anything wrong about it, the President will veto it. I do not see how we can, at least at this session, evolve anything better suited to the circumstances.

Mr. KING. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Utah.

Mr. KING. The Senator will remember that during the numerous sessions of the Committee on the Judiciary in 1917 and 1918 there was evidence before us, if not positive and direct evidence at least evidence of a hearsay and indirect nature, but of such character and authenticity that we accepted it as genuine, that many American women who had married Germans and were living in Germany were more hostile, if possible, to the United States than German women themselves; that their alliance with German husbands seemed to have destroyed all affection for the land of their nativity.

Now, does not the Senator think that women of that class, who have taken up their abode there, who lived there and who had nothing to do with this country, ought to be exempted from the operations of the bill, that they ought to abide in the same category as German nationals and get their property, if they get it at all, when German nationals get their property? Does not the Senator think we ought to amend the bill so as to make that clear?

Mr. BRANDEGEE. I do not think we ought to attempt to amend the bill, because I do not think we can possibly obtain any information which would correct such cases as the Senator has suggested, whether they exist or not.

Mr. MCCUMBER. May I ask the Senator from Connecticut a question?

Mr. BRANDEGEE. Certainly.

Mr. MCCUMBER. There was some discussion, I think, during the war concerning the Busch estate—the great brewery wealth that has accumulated in the United States—and where, if I remember rightly, the heir to that enormous fortune—a daughter—was married to one of the principal stockholders in the Krupp gun manufacturing establishment of Germany. Her husband's main interest was in the manufacture of implements of war to kill American soldiers and the soldiers of other nationalities against which Germany was waging war.

If that be true, I wish to ask the Senator if he does not really think that the German women who are not expatriated have just as much right to call for their husbands' estates over in the United States, if they had an interest, as the heir of both the Krupp interests and the Busch interests in the United States, after having expatriated herself as an American citizen, to now come and seek to obtain her property rights, as though she had never been a German citizen at all?

Mr. BRANDEGEE. I do not think the Senator from North Dakota is in a very judicial frame of mind when he mentions the subject of Germany. The war is over in fact, even if the conditions of the settlement have not been properly adjusted, but I am not disposed to confiscate the fortunes of women who fell in love with foreigners without my approval or consent. They suited themselves about it, and they were not considering it at the time as a matter of international law, or did not see quite what they were becoming involved in, possibly, even matrimonially or internationally. Perhaps that is not an uncommon condition.

But this Government is not waging war against women now at any rate. What is the use of talking? These American girls, for their own reason or lack of reason or for no reason at all, fell in love with some foreigners and married them. I do not suppose it entered the head of one in twenty of them to inquire whether they lost their citizenship or anything about it. Many of them have their properties in trust. After a while war breaks out with some foreign power, and if their husbands happen to be located within the boundaries of the country against which we declare war, we confiscate all their property in this country, turn it over to an Alien Property Custodian, sell all the property, possibly, and invest the proceeds in our Liberty bonds to wage war against the country to which they belong, and we classify them technically as alien enemies. They may or may not be enemies at all actually. They may be very sorry that they ever got married, but there they are and their property is taken from them.

How is it possible by an act of legislation or judicial inquiry, even if we had the time to make it, to ascertain whether any American girls who married men who were German nationals, so classified, felt more bitter toward this country than their husbands did, or whether their husbands felt more bitter toward this country simply because they were living here and not naturalized citizens, but may have been college professors, or rich or poor? I can not conceive how we can go into those details.

It is utterly impossible to ascertain the sentiments of the feminine heart and how they felt in 1917 when we entered the war. If a woman is married to a man, she has promised to give up all and follow him, and as between domestic infelicity and getting into trouble with some Alien Property Custodian or inspector, she will probably move along the lines of least resistance. I am not a sufficient psychoanalyst to ascertain the absolute truth about all these questions. But this is the best attempt that three great departments of the Government, concerned with this complicated matter, could make toward a solution. I wish they were more satisfactory, but it is this or nothing. That is the situation. We adjourn to-morrow. The

House has passed the bill. The Senate Committee on the Judiciary would probably have made some amendments to it if they had not been afraid they would imperil the whole bill. So we swallowed our objections to it, and think we had better do the best we can instead of failing in everything in struggling after the unattainable.

Mr. KING. Mr. President, the expert testimony of the Senator from Connecticut upon the sentiments of the female heart appeals to me very strongly, in the light of his long experience, and prompts me to abate my antagonism to the feature of the bill to which I referred.

Mr. BRANDEGEE. I was appealing to the gallantry of the Senator.

Mr. KING. I move to amend——

Mr. LODGE. That would simply kill the bill.

Mr. KING. May I inquire of the Senator whether this is a House bill?

Mr. BRANDEGEE. Oh, yes; it is a House bill.

Mr. NELSON. I trust the Senator will not attempt to amend the bill, because at this stage of the session, if we amend the bill and send it over to the House, it would undoubtedly lead to its defeat. I trust the Senator will not do that.

I wish to call the attention of the Senator in this connection to the following language:

> And that money or other property concerned was not acquired by such women, either directly or indirectly, from any subject or citizen of Germany or Austria-Hungary.

The same provision applies to the other class of women—those who married alien enemies. In view of those facts, which simply relate to the property of these American women, their own property, not the property that they acquired in any shape or manner from their husbands, I appeal to the generosity of the Senator not to make any effort to amend the bill at this stage. If it was earlier in the session and we had more time, it would not be of much consequence, because it could be easily settled in conference, but now, at this time, to put an amendment on the bill would simply imperil its enactment into law.

Mr. KING. I, of course, would dislike to prevent the passage of the bill. It has so much of merit that I feel that the bill ought to be enacted into law. The section that I have been discussing needs some amendment, and I regret very much that the situation may prevent it. I wish to suggest, however, to the Senator that I think it should be amended in line 21, after the words "Austria-Hungary," so as to read:

> And who since said marriage has continuously resided in the United States.

So that it would provide that American women who married Germans or Austro-Hungarians, but who resided in the United States, would obtain their property; but if they deliberately went overseas, cast their lot—and I am not complaining of them for so doing; it was, perhaps, their duty to do so—with their husbands in foreign lands, and lived there continuously, I see no reason why their property should be restored to them when we refuse to restore to other German nationals or Austro-Hungarian nationals their property. We are making a discrimination that is not warranted in morals and not warranted in law if we pass the bill unamended with the provision which came from the other House. I suggest that amendment to my distinguished friend from Minnesota and my friend from Connecticut and ask them to accept it.

Mr. NELSON. Mr. President, I can readily see that the Senator from Utah is actuated by the best of purposes and motives, and were conditions different I would gladly acquiesce in the amendment, and the matter might then be disposed of in conference; but at this late stage of the session to amend the bill in a material respect would imperil its passage. In view of the great good which can be accomplished by this bill for the people of Alsace-Lorraine, for the people of Bohemia, of Moravia, of Poland, and of Italia Irredenta, I trust the Senator from Utah will forego insisting on any amendment to it.

Mr. KING. Mr. President, I will yield to the appeals of the Senator from Minnesota and the Senator from Connecticut, but I want to tell them that they are supporting discriminatory legislation. This bill establishes a bad precedent, and they may live to regret it.

Mr. McCUMBER. Mr. President, let me suggest to the Senator from Utah, if he will allow me, that I think the statistics will show that at least 90 per cent of the property that is to be returned to foreigners will be to American women, and not to Alsatians, Poles, and others.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no amendment, the bill will be reported to the Senate.

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

RECLASSIFICATION OF POSTAL EMPLOYEES.

Mr. GAY. Mr. President, in the closing hours of the session last night the Senate passed the bill reclassifying and readjusting salaries and compensation of postmasters and employees of the Postal Service. The debate on this bill was very limited, due primarily on the part of Senators to the fact that there was little opposition and the general desire to place upon the statutes the necessary relief which this legislation provides.

As one of the members of the joint commission appointed under the provision of the act approved February 28, 1919, I do not want this opportunity to pass without a word of tribute to the guiding spirit who conceived the thought and instituted the plan the result of which has just been accomplished.

It was Senator Bankhead, of Alabama. Mr. President, who, as chairman of the Committee on Post Offices and Post Roads, knew the conditions of the service perhaps more intimately than anyone else and the distressing needs of those who have chosen for their life work that most important branch of the Government service, more intimately associated with the business weal and social welfare than any other.

The late Senator Bankhead believed in a substantial increase for the men who have been the poorest paid employees of the Government and who at all times have been faithful and patriotic. The work of the commission was delayed for a period by the last illness and death of its able and distinguished chairman, and each member of the commission felt a personal loss when the Hon. John H. Bankhead was called to his final reward.

Mr. President, legislation is seldom, if ever, perfect. It is largely the result of compromise, and certain it is that the bill readjusting the salaries in the Postal Service will meet with much adverse criticism and disappointment in some quarters, where hope and expectation had stimulated the belief that the report would be commensurate with the present high cost of living.

The commission, after conducting extensive hearings in many of the great postal centers of the United States where employees associated with every branch of the Postal Service were given an opportunity to be heard and after inspecting conditions and the nature and character of duties performed by the various groups of employees, feel that they have reached fair conclusions.

Some of the salaries and compensation are not as high or remunerative as some of us would have liked, but the commission felt that we were not legislating alone for present conditions and were anxious to secure immediate legislation to take effect and give relief at the beginning of the coming fiscal year on July 1.

I can not let this opportunity pass without mentioning the splendid and efficient work of the secretary of the commission, Mr. C. A. Beasley, who has been faithful at all times and to whom great credit is due.

It is to be hoped that the result of this legislation will mean greater efficiency in the Postal Service and give the necessary relief to those worthy employees of the Government who have patiently waited for justice and proper remuneration.

FORCE AND SALARIES IN PATENT OFFICE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

Mr. NORRIS obtained the floor.

Mr. McCUMBER. I suggest the absence of a quorum, as other Senators have informed me that they wish to know when the Senate resumes the consideration of a bill of the Senator from Nebraska.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Jones, Wash.	Nugent	Smoot
Brandegee	Kenyon	Page	Sutherland
Capper	Keyes	Phipps	Thomas
Comer	Knox	Pittman	Underwood
Curtis	Lodge	Pomerene	Walsh, Mass.
Gay	McCumber	Ransdell	Walsh, Mont.
Hale	McNary	Reed	Wolcott
Harding	Nelson	Sheppard	
Harrison	New	Simmons	
Henderson	Norris	Smith, Md.	

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Thirty-seven Senators have answered to their names. There is not a quorum present. The Secretary wil call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. PHELAN, Mr. SPENCER, Mr. STERLING, Mr. TOWNSEND, Mr. TRAMMELL, and Mr. WADSWORTH answered to their names when called.

Mr. BECKHAM, Mr. DIAL, Mr. HARRIS, Mr. FERNALD, Mr. KENDRICK, Mr. DILLINGHAM, Mr. FALL, Mr. OVERMAN, Mr. CALDER, Mr. WARREN, Mr. STANLEY, Mr. SMITH of Georgia, and Mr. ROBINSON entered the Chamber and answered to their names.

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

Mr. NORRIS. Mr. President, there are several committee amendments that are not printed. Since the first reading has been dispensed with, I should like to take up the committee amendments in their order. If the clerks at the desk will follow me, I will state the amendments.

The first amendment is on line 7, page 1 of the bill, where I move to strike out "$6,000" and insert "$5,000."

The amendment was agreed to.

Mr. NORRIS. On line 8, page 1, strike out "$5,500" and insert "$4,500."

The amendment was agreed to.

Mr. NORRIS. On line 10, strike out "$5,000" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On page 2, line 1, strike out "$5,000" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On line 7, page 2, strike out "$4,000" in both places where it appears in the line, and insert in each place in lieu thereof "$3,500."

The amendment was agreed to.

Mr. NORRIS. On line 8, page 2, strike out "$4,200" and insert "$4,000."

The amendment was agreed to.

Mr. NORRIS. On line 9, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 10, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 17, page 2, strike out "$3,900" and insert "$3,300."

The amendment was agreed to.

Mr. NORRIS. On line 18, after the word "at" where it first appears, strike out "$3,300" and insert "$3,000."

The amendment was agreed to.

Mr. NORRIS. In the same line, strike out "$3,100" and insert "$2,900."

The amendment was agreed to.

Mr. NORRIS. On line 19, strike out "$2,900" and insert "$2,800."

The amendment was agreed to.

Mr. NORRIS. On line 20, strike out "$2,800" and insert "$2,700."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$2,350" and insert "$2,200."

The amendment was agreed to.

Mr. NORRIS. On line 21, strike out "$2,200" and insert "$2,000."

The amendment was agreed to.

Mr. NORRIS. On line 22, strike out "$2,050" and insert "$1,925."

The amendment was agreed to.

Mr. NORRIS. On the same line, strike out "$1,925" and insert "$1,800."

The amendment was agreed to.

Mr. NORRIS. On line 23, strike out "$1,800" and insert "$1,700."

The amendment was agreed to.

Mr. NORRIS. On page 3, line 1, strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. On line 2, strike out "$2,700" and insert "$2,500."

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

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

Mr. POMERENE. These are substantial changes in the bill as it is now pending before the Senate. I should like to ask the Senator how the salaries as amended will compare with the salaries now being paid?

Mr. NORRIS. There will be an increase.

Mr. POMERENE. Of approximately how much?

Mr. NORRIS. It is difficult for me to tell the Senator that. I can give him the information by looking up the figures in regard to any one of them, or some of them.

Mr. SMOOT. Mr. President, I will say to the Senator that the increase will average about 25 per cent; some of them will be increased a little more than 25 per cent, and some of them over a third, or about a third, and some of them less than 25 per cent.

Mr. NORRIS. I will say to the Senator from Ohio that the committee agreed to these changes, not because they thought all the changes ought to be made, though some of them probably ought to be made, but there are some of the salaries in the bill as it passed the House that do not correspond to similar salaries in other bureaus and departments. Now, it will very likely be the object of the conferees to make these salaries correspond. If the amendments we are making here do not do it in all the cases, I presume the conferees will come to that kind of an agreement.

Mr. POMERENE. Mr. President, I simply want to make this observation: I happen to know something about the operations of the Patent Office as it existed some years ago, and I think there has been a general feeling among patent lawyers and those who are particularly interested in that department that the salaries paid to examiners and men of that type have been very much below what they ought to be.

Mr. NORRIS. There is not any doubt about it.

Mr. POMERENE. And as a result of these very low salaries, many of the best men who have been employed in this department have been attracted elsewhere by employers and inventors and by patent-law officers, and so forth.

Mr. NORRIS. That is true.

Mr. POMERENE. I think that if the Patent Office is to be administered as it should be, we ought to bear those facts in mind and take counsel of them.

Mr. NORRIS. I agree with every word that the Senator says; and what he has said about the facts as existing there I think is undisputed.

Mr. SMOOT. Mr. President, in that connection, if the Senator will yield for just a moment——

Mr. NORRIS. Yes; I yield to the Senator from Utah.

Mr. SMOOT. So that the Senator may have some idea as to the increases paid to the examiners, I wish to say that I am of the same opinion as the Senator from Ohio in relation to the past salaries paid to the examiners, and these are the increases as reported. The Senator will remember that in 1916 we passed a bill increasing the compensation of the employees of the Patent Office, and the figures I shall give the Senator here in regard to examiners are the salaries paid before 1916 and in the current appropriation and under this bill.

Take the principal examiners: Before 1916 they received $2,500. In the current appropriation they receive $2,700 and in the House bill $3,900, and the compromise is $3,500; or, in other words, that is an increase over what they had before 1916 of $1,000 a year.

The salaries of the first assistant examiners before 1916 were $1,800. The current law gives them $2,400 and the proposed increase runs from $2,900 to $3,300, and that was reduced to $2,700 to $3,000.

The second assistant examiners before 1916 received $1,600. In the current law they receive $2,100, and the proposed increases of the House were $2,350 to $2,800, and, of course, they have been compromised by a reduction of about $150 to $200.

Mr. KING. Two thousand seven hundred dollars?

Mr. SMOOT. About that.

I might continue, but for the other classes of examiners the increases are about the same percentage as those of which I have already spoken.

Mr. NORRIS. Mr. President, I do not remember whether we had voted on the amendment on line 2, page 3. The amendment is to strike out "$2,700" and insert "$2,500." Has that amendment been agreed to?

The PRESIDING OFFICER. It has not yet been agreed to. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KING. Mr. President, unfortunately I was called from the Chamber for a moment, and, if the Senator will pardon me, I should like to recur to the first item.

Mr. NORRIS. Certainly.

Mr. KING. What, if any, amendment was offered by the Senator dealing with the first item of $6,000?

Mr. NORRIS. It was reduced to $5,000.

Mr. KING. And the second item, $5,500?

Mr. NORRIS. It was reduced to $4,500.

Mr. KING. And the third item, $5,000?

Mr. NORRIS. It was reduced to $4,000.

Mr. KING. And the five examiners in chief, $5,000 each?

Mr. NORRIS. That is reduced to $4,000.

Mr. KING. That is an increase of substantially 30 per cent over existing law?

Mr. NORRIS. Yes. They are getting $3,500 now. That is an increase of $500.

Mr. KING. And the chief clerk—what reduction has been made by the Senator in his salary?

Mr. NORRIS. The "chief clerk—who shall be qualified to act as principal examiner"—was reduced from $4,000 to $3,500.

Mr. KING. And the six law examiners?

Mr. NORRIS. The same reduction.

Mr. KING. The examiner of classification?

Mr. NORRIS. From $4,200 to $4,000.

Mr. KING. Two examiners of interference, whatever that may be?

Mr. NORRIS. They are reduced from $3,900 to $3,300 each.

Mr. KING. Examiner of trade-marks and designs?

Mr. NORRIS. That is not changed.

Mr. SMOOT. It is not changed from the House provision, but it is increased over the current law.

Mr. NORRIS. I am speaking of the House provision. The figures I am giving the Senator are amendments to which the Senate has already agreed, while the Senator was out of the Chamber.

Mr. KING. So I have been advised. Does the Senator think that the amendments thus far agreed to, in view of the changes which have been made heretofore in their salaries, and the increase, as I understand, in 1916, which was very substantial, will comport with the other salaries paid in the various departments of the Government?

Mr. NORRIS. Since I, as representing the committee, compromised on the amendments which have been offered and agreed to, I have not had an opportunity to examine in order to determine how they will compare; but that is what the committee want to do. In other words, they want anyone in the Patent Office who is doing the same kind of work, and possesses the same kind of qualifications, as some one in the Post Office Department, to get the same salary.

Mr. KING. It occurs to me that a number of these amounts are very materially greater than those allowed in other departments for similar services.

Mr. NORRIS. There are some which ought to be greater. When there is a position which requires a particular scientific knowledge or technical training, which is not required of an ordinary clerk, the man who fills it ought to get, in my judgment, a larger salary than a man who has not spent the time and money to qualify himself for such a position.

Mr. KING. I agree with the Senator entirely.

Mr. NORRIS. There are a great many technical employees in the Patent Office, although they are designated as clerks.

Mr. KING. Does the bill increase the number of employees?

Mr. NORRIS. Yes; and that is absolutely essential. Let me say to the Senator, however, that the bill also increases the fees of the Patent Office, so that the increase in the salaries provided for in the bill, even if these reductions had not been made, would much more than be provided for in the increased income of the office.

Mr. KING. If the Senator will pardon me, that would not warrant any increase in the personnel if it was not imperatively demanded.

Mr. NORRIS. I admit that. I simply wanted the Senator and the Senate to know that although there are increases in salaries and increases in the number of employees, it is not going to cost the taxpayers of the country anything to bring that about. That would not be justified, of course, unless the conditions demanded it.

Mr. KING. Of course, the burden which will result from the increased compensation must rest upon somebody. It will be paid by those seeking patents.

Mr. NORRIS. Yes; it will.

Mr. KING. And they in turn will pass the increase along to the ultimate consumer, so that finally the ultimate consumer, the laboring man, or whoever the consumer is, will have to pay it.

Mr. NORRIS. A man who gets a patent and pays $20 for it instead of $15 will probably not be able to pass on that $5 to the people who buy the article which is patented. He will pass on the cost whether he pays that fee or not. It will not make any difference in what the ultimate consumer pays; but the change making the increase will bring in a very large sum of money.

Mr. KING. Mr. President, of course, without entering into a discussion of economics, whatever increase there is in any activity, somebody has to pay for it, and finally it will be distributed among the producers and consumers of the country. The wage earner and the consumer ultimately have to pay the increases, no matter in what segment of our society or social organism that increase may be manifest.

Mr. NORRIS. The Senator states an economic principle broadly, and states it well and truly; but, like all rules, it has some exceptions. I think this will be one. If the Senator paid $20 for his patent instead of $15 and manufactured a million of the patented articles, he would never think about what the patent cost him. It would be so small in computing his returns that it could not be put in figures. I was in favor of increasing the fee another $5, but the committee did not agree. It is not a hardship, and we ought to recognize the fact that everything has gone up in price. We have to pay larger salaries; we ought to pay them. We have to pay them, particularly in an office of this kind, or we can not get the work done. The man who buys a patent right has to pay more for it. Everything has gone up, and he ought to pay a little higher fee for getting it, I think, in recognition of the general rise in all kinds of values.

Mr. KING. Of course, I agree with the Senator in that, and yet, if the Senator will pardon an interruption, in many expenditures now, whether it be for salaries of employees of the Government or for any other purpose of the Government, we ought to take into account not alone existing high prices, but the low level of prices which inevitably will be reached in the near future. I think that it is unwise for us to predicate our appropriations and our economic anticipations upon the standard of prices to-day. Pretty soon we will have erected a scaffold upon which we will be standing alone, if I may be permitted the expression, and the tide of moving activity in business and social intercourse will be far below. I think there ought to be flexibility. If there are increases in any of the appropriations for salaries there ought to be flexibility now, so that there may be adjustments with the changes which will occur in our industrial, our financial, and our economic policies.

Let me ask the Senator whether there is any necessity for this increase of the personnel, and I make that inquiry in view of statements made to me by persons who claim to be familiar with the workings of this department? I have no knowledge whatever upon the subject, but they aver that there are sufficient employees, with reasonable diligence and zeal upon their part, to fully perform all of the work incident to the office.

Mr. NORRIS. I have no hesitancy, Mr. President, in informing the Senator that he has been misinformed. Of course, I have not been down and made a study personally of the Patent Office, and I do not know enough about the details of it to give much information if I had been there, but the Senate committee listened to a great deal of evidence, and so did the House committee. A great many figures and a great many facts were submitted to show that the Patent Office is really now in a deplorable condition. They are short now. They are unable to handle the business, and it is not up to date. We had called to our attention the necessity frequently of prompt action, and what was required in the examination of records in various sorts of cases, and in litigation that might come up, where it was a physical impossibility for the force at hand to conduct them within the time fixed, and they had to go to court and get extensions of time for taking depositions and all sorts of things of that kind.

Mr. POMERENE. Mr. President, the Senator has just stated that they were very short of help. May I ask the Senator if that has not been the condition in the Patent Office for many years?

Mr. NORRIS. Yes; but it is very acute now, because the business of the office has increased very rapidly.

I may call the attention of the Senate to one instance, which shows why they can not keep their employees: In the Patent Office under existing law they have only 10 clerks of class 4, 10 clerks of class 3, 19 clerks of class 2, and 137 clerks of class 1. There is not any way to promote, no matter how efficient they may become, from one grade to the other, because, as you see, the law only authorizes 10 clerks of class 4, and they have to have experts in those lines. Just compare that with some of the other bureaus. The Indian Office has 18 clerks of class 4, 8 more than the Patent Office. The Pension Office has 87, while this office has only 10. The Land Office has 37, the Internal-Revenue Bureau has 52, and so on.

Mr. President, the next amendment is, on page 3, line 3, to strike out "$2,500" and insert "$2,400."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on the same page, line 4, to strike out "$2,100" and insert "$2,000."

The amendment was agreed to.

Mr. NORRIS. In line 6, the same page, after the word "languages," I move to strike out "$2,400" and insert "$2,200."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on the same page, line 8, after the word "four," to strike out "at $1,800 each."

The amendment was agreed to.

Mr. NORRIS. The next amendment is on page 3, commencing with the last word on line 8 and ending with the word "each" on line 9, striking out the words "at $1,600 each."

The amendment was agreed to.

Mr. KING. Mr. President——

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

Mr. NORRIS. I yield.

Mr. KING. I would like to ask the Senator whether the clerks—and I use that term in a sort of generic sense—are not paid more in this executive division than in other executive divisions of the Government; and, if there is a discrimination, whether there is any justification for it?

Mr. NORRIS. I do not think there is any discrimination, if I understand the Senator's question. A clerk of class 4, for instance, gets the same salary everywhere as do clerks of class 3, of class 2, or of class 1, as the case may be, no matter what bureau or department they may be in, although in this office particularly a clerk may be required to have qualifications far superior to those of a clerk of the same class in another bureau.

Mr. KING. While I have the floor, may I ask the Senator, in view of the fact that we have a reclassification bill on the calendar, which is the result of months of laborious work upon the part of a joint commission, which work was aided by experts of standing and ability and integrity, does the Senator think we ought to ignore that report and take up the various parts of that report in a piecemeal way? If we deal with one branch of the Government service to-day and another to-morrow, it seems to me that it would entirely disarrange the plan which was formulated by the joint commission, and would lead to many injustices and compel the rearrangement and readjustment and recoordination, if I may be permitted the expression, of all the work which they have performed.

Mr. NORRIS. Mr. President, in one sense the Senator is right, but I would like to call his attention to two things: First, this legislation passed through the House and was considered by the Senate committee and reported to the Senate before the bill of which the Senator speaks was introduced. I have not had an opportunity or time to compare what is in this bill with what is in the other. The Senator would have been impressed, if he had been on the committee and had listened to the hearings, and he would recognize that more important than what he has said is the emergency which the committee felt exists in the Patent Office. It has been an emergency for some time, but it never was so acute as now. A good many of the best men have left; there are other good men remaining who have, many of them, had offers in private business, from various corporations and organizations, which like and have to have the employment of scientific men in their particular lines, at higher wages; and those men are still remaining. They are not getting enough to support themselves and their families in the city of Washington now. They can not always stand that. I was informed just a day or two ago by one of the principal officers of the Patent Office that on a careful investigation they had found quite a number of their employees who had said, "I can not permanently remain where I am at the salary which I am getting. If the Senate will even pass the bill so that it gets into conference I will have a hope that some time during the next session this increase will be given, and I am going to hang on and stay." They persuade these men to stay who are good, because the men realize that they are very much handicapped. There are a great many men, some of the best men in the Patent Office, who are in that position. They have a patriotic feeling, they like their work, they want to stay there, and they realize the damage it would be to the people and the country if they accepted these offers of higher salaries and left. So that there is a real emergency confronting us in this office.

The Senator knows what it means to have a comprehensive bill like the one which has been introduced, that applies to all the salaries of all the employees of the Government, and that it will probably be two or three years before it is enacted into law. In the meantime the Patent Office would be defunct. When that is enacted, if it ever occurs, any changes of present salaries as provided for in this legislation, of course, would take effect just the same as though we had not changed those salaries.

So I feel, and I feel very deeply. The Senator realizes that I have no interest whatever in the legislation except as a Member of this body and a citizen of the country. I have no interest in my State involved in it in any way, or any of my constituents, nor have any of the other members of the committee. We did pass last night, and we were careful to pass it so it became a law, a bill introduced long after this one was. It did not get on the calendar until long after this one. That applied to the Post Office Department, of course a larger department and covering more territory and having a lot of voters in it, while this has not. We saw to it that those salaries were increased, while all the distance we want to travel in this case is to get the bill in conference, assuming we get the bill through here before we adjourn.

Mr. KING. May I trespass for a moment upon the Senator's time? I agree, of course, with the Senator's general observation that conditions in the country have called for an increase in the compensation of employees, and I have in a number of instances, where I have been acquainted with manufacturers and the heads of corporations and persons who have been engaged in large business, communicated with them and urged that there be a liberal increase in the compensation allowed employees.

It has been apparent during this orgy of high prices that many employees of the Government, as well as hundreds of thousands in private business, have been inadequately compensated. They have suffered, they have been unable out of the wages received to live properly and to properly support and educate their children. This condition has been most unfortunate. A proper wage must be paid to all, and the human element should be the paramount consideration in all proper legislation as well as in the relations between individuals and communities.

I have felt with respect to Government employees that during this reign of high prices we ought to make liberal contributions in the shape of annual bonuses or allowances, whatever they may be denominated, that would measurably meet these high prices and the requirements of the employees. I have believed that it was unwise to fix a rigid system during the period of flux the same as it would be unwise for a manufacturer or a vendor of goods to fix a rigid price for the commodities sold to the public. There is a fluid condition, an unstable condition, in the economic and in the industrial world. I believe that it will prove to be the wiser and better policy and prove fairer to the employee and to the country if in dealing with the question of salaries and compensation those having to deal with the matter fix no inflexible policy now. There should be generous annual appropriations by way of bonuses or increased compensation until a condition of stability, or reasonable stability, is reached; then a general law may be enacted by the Government dealing in a just and liberal manner with all its employees.

I was in sympathy with the proposition to appoint a reclassification commission and believed that its work would be helpful and prove of real benefit to the country and to the employees.

Since their report has been submitted I have believed that it would be better not to consider separately branches of the Government service treated in the report, but if the question of salaries and classification was considered the entire report should be taken up. If we deal separately with certain employees there is danger of dislocating the proposed plan, of marring if not destroying the work of the commission. Eventually we would be compelled to readjust their entire work with a view to coordinating it with the work which the Congress had done in making changes in the various classes of employees of the Government.

I think the Senator by his confession has conceded that there is some danger of that. The Senator has said there is an exigency here which calls for this legislation. I should like to say to the Senator that in many business activities in the United States there is an exigency. The agriculturists of the United States are in an extremely dangerous situation. Their employees have flocked to the cities because the automobile establishments and manufacturing plants are paying large wages, and many individuals have left positions of permanent employment, positions which they have held for years and which promised them permanent employment for the future, enticed by the high wages, temporary in character, offered in some new line of employment.

I suggest to the Senator, by way of inquiry, whether it is opportune to enact permanent legislation dealing with wages when conditions are abnormal and violent mutations are of daily occurrence.

A year will produce profound changes in the industrial condition of the United States and of the world. Within a year or two many of those who have left the Government service and have left positions in private employment will be crowding back, asking for their old positions in the Government service as well as in private service.

It is obvious that when prices fall, when the price of manufactures and farm products come down, when the price of

living is reduced, wages will fall. I hope wages will never reach the low levels of the past. There must be a due regard for the laborer, for the farmer, for the producer of wealth. I confess I feel a greater interest in those who add by their labors and toil to the wealth and comfort and happiness of the world than in any other class of society.

Mr. NORRIS. The next amendment which I propose is, in line 10, page 3, to strike out the words "at $1,200 each."

Mr. SMOOT. I will say to the Senator that on line 9 the words "at $1,400 each" ought to be stricken out.

Mr. NORRIS. Yes; that ought to be done. I move that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 9, after the words "class 2," strike out the words "at $1,400 each."

Mr. KING. May I inquire of the Senator if the reason these figures are to be eliminated is found in the fact that the existing law covers the compensation?

Mr. NORRIS. Yes; the words are surplusage; they do not mean anything.

Mr. SMOOT. They are statutory positions.

The amendment was agreed to.

Mr. NORRIS. In line 10, page 3, I move to strike out the words "at $1,200 each."

The amendment was agreed to.

Mr. NORRIS. In line 11, page 3, I move to strike out "$1,800" and insert "$1,600."

The amendment was agreed to.

Mr. NORRIS. In line 12, page 3, I move to amend by striking out "$1,600" and inserting "$1,500."

The amendment was agreed to.

Mr. NORRIS. In line 12, page 3, I move to amend by striking out "$1,400" and inserting "$1,200."

The amendment was agreed to.

Mr. NORRIS. In line 13, page 3, I move to amend by striking out "$1,100" and inserting "$900."

The amendment was agreed to.

Mr. NORRIS. In line 14, page 3, I move to strike out "$1,080" in both places in the line and in each case insert "$840" in lieu thereof.

The amendment was agreed to.

Mr. NORRIS. In line 15, after the word "aids," I move to insert the words "at $720 each."

The amendment was agreed to.

Mr. NORRIS. In line 16, page 3, I move to amend by striking out "$720" and inserting in lieu thereof "$500."

The amendment was agreed to.

Mr. KING. Mr. President——

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

Mr. NORRIS. Certainly.

Mr. KING. May I inquire of the Senator, in view of the large clerical force provided above, whether there is any necessity for so large a force of copyists, messengers, and so on, as has just been provided for? For instance, I notice here 100 clerks of a certain class, 125 of another class, and 100 of another class. It seems to me, with so large a clerical force, it would not require the additional number of employees provided for other positions. It is sometimes possible to determine the number of clerks and the number who might be denominated as subclerks required with reference to the superior officers in the organization. It seems to me this bill is rather "top-heavy" in the "lower structure," if I may be permitted an "Irishism."

Mr. NORRIS. The committee, of course, does not want to get any more employees than are necessary to do the business, but we have to rely upon the evidence. I was going to give the Senator the exact figures. The members of the committee were impressed with the fact, from all our investigations, that this increase of employees is necessary to do the work. I confess I was dumbfounded when I learned from the evidence of the condition that the business is in at the Patent Office at the present time.

Mr. SMOOT. Mr. President, right there I wish to say——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah.

Mr. NORRIS. Yes.

Mr. SMOOT. I had no idea that there was to be such an increase in the number of employees in the Patent Office when the Senator and I were talking about compensation, but I see from the report there is a very great increase in the number of all of the employees.

Mr. NORRIS. No; there is a reduction as to one class.

Mr. SMOOT. I am taking them as a whole. Of course, the reduction comes about by reducing the number in the class receiving lower salaries and increasing their compensation.

Mr. NORRIS. Yes.

Mr. SMOOT. That is how the reduction comes about; but, on the whole, the number is increased.

I desire to say to the Senator from Nebraska that when the legislative appropriation bill was under consideration an estimate came from the Patent Office stating the number of clerks and the number of examiners and others of that class of employees which they desired by way of increase. The Senate allowed the number of employees estimated for through the Secretary of the Treasury, which was an increase in the number of employees provided for by the House. It is true that afterwards a supplemental estimate was submitted which asked for a few more employees, but that request was not granted by the Appropriations Committee of the Senate. However, we did give them the number originally estimated for through the Treasury Department. The increase in the number of employees is so great, as proposed in this bill, that I have wondered whether the Senator from Nebraska had made a careful study of the matter and whether he thinks the number asked for is really necessary.

Mr. NORRIS. Mr. President, I have to say to the Senator, as I did to his colleague, that I have no personal knowledge of those cases. For instance, let me call the attention of the Senate to some of the increases in the number of employees. At the present time, under existing law, there are only 10 clerks of class 4. The man who realizes what it means to be in a department where one can work until he is grayheaded without any opportunity or chance of being promoted can see at a glance what that means to a clerk in a lower class. There is no chance of promotion. Under the law to which the senior Senator from Utah refers, the number of employees was increased to 11; so that, under House bill 1251, the legislative appropriation bill, which I understand has been signed by the President, 11 clerks of class 4 are provided for.

Mr. SMOOT. But this bill proposes to provide for 22.

Mr. NORRIS. By this bill it is proposed to provide for 22 of class 4.

Mr. SMOOT. That is double the number.

Mr. NORRIS. They will have 11 when the legislative bill goes into effect. They only have 10 now; and they will also have 11 of class 3. The pending bill gives them 33.

Mr. SMOOT. Three times the present number?

Mr. NORRIS. Yes, sir; and there ought to be three times the present number, as I understand the situation.

Mr. SMOOT. I wish to say to the Senator that the Commissioner of Patents could not go to the Secretary of the Treasury and secure an estimate for such an increase in the number of employees, and the Commissioner of Patents knew that he could not do it.

Mr. NORRIS. Of course, I do not know whether or not he could do so now, but I have an idea that if the provision is in the law he will be able to get them.

Mr. SMOOT. If we pass this bill he will be able to do so, but what I mean to say is that the Commissioner of Patents could not go to the Secretary of the Treasury and get an estimate for submission to Congress and to the Appropriations Committee asking for that increased number of employees.

Now, I will say to the Senator that for the next fiscal year we gave the Patent Office in the legislative, executive, and judicial appropriation bill, which the President has signed, the increased number asked for in the original estimate which was sent to Congress by the Secretary of the Treasury. While, as I have said, subsequently there was an application for a few more employees, it did not include anything like the increased number now proposed.

Mr. NORRIS. Mr. President, there is one thing, particularly in an office like the Patent Office, that I think will be apparent to any fair-minded man who will give honest consideration to the matter, and that is that there ought to be a larger number of clerks of class 4 and of class 3 than in any other ordinary office of the Government, because they need experts in that office, men who are qualified and trained. Such men are much more valuable than the ordinary clerks, and the Patent Office ought to have them. Yet they must be designated under the law as clerks, and unless they may be promoted to the higher classes they can not be properly compensated, and the Patent Office can not retain their services.

Mr. SMOOT. The Senator is mistaken as to that. The clerk in the Patent Office is doing exactly the same work that the clerk in any other department of the Government is doing. The increase that is really needed is in the number of examiners.

They are the specialists; they are the ones who do the technical work; and in the appropriation bill to which I have referred, in accordance with the estimate, there has been provided an increase in the number of principal examiners from 45 to 47. Then there has been provided an increase in the number of first assistant examiners from 90 to 100, and in the number of second assistant examiners from 90 to 100.

Mr. NORRIS. From what line and page is the Senator from Utah reading?

Mr. SMOOT. I am now reading from the current appropriation.

Mr. NORRIS. I thought the Senator was reading from the pending bill.

Mr. SMOOT. No; I am reading from the current appropriation bill in connection with the appropriation bill for the next fiscal year and showing the number of increases in each class as named. In other words, Mr. President, the current law provides 90 first assistant examiners, 90 second assistant examiners, 90 third assistant examiners, and 90 fourth assistant examiners, and all four of those classes have been increased by 10 examiners each, making in the examining force of the Patent Office in those four classes of employees an increase of 40. I wish to say to the Senator that the Commissioner of Patents never would have come here and made such a request of the Appropriations Committee.

Mr. NORRIS. Now, Mr. President——

Mr. SMOOT. Just a moment. Yet, if we are going to increase the number of employees in the Patent Office, the increase ought to be in the force of examiners; I recognize that fact; but here is an increase of over 10 per cent in the number of employees. I am not now complaining of the increase that we have agreed upon in the compensation of the examiners, because they are technical men; they have to prepare themselves for this special work; but when it comes to a clerk of the fourth class or of the third class or of the second class or of the first class, they do exactly the same work and keep the books in the Patent Office just as similar clerks perform similar services in the Interior Department, in the office of the Commissioner of Indian Affairs, in the Bureau of the General Land Office, or any other bureau or department of the Government, and they are paid the same.

Mr. NORRIS. Let me say to the senior Senator from Utah and also to the junior Senator from Utah, both of whom are complaining about the number of the employees in the Patent Office, that I feel, and I think the committee feels, that we have not given them too many; but if it be true that the Secretary of the Treasury has refused to estimate for the larger number and that they can not use that number, then will the Senators agree to the amendment which I am about to suggest, with the explanation that the conferees will take that question up directly with the proper officials of the Government and ascertain, if they can, what increase will be sufficient? The amendment I have in mind will reduce the number of some of the clerks, and, if adopted, would go to conference with the understanding I have indicated.

Mr. SMOOT. I am perfectly willing that that shall be done, and I think that when the Senator makes the investigation—and I know that he will make it if he says he will—he will find that the increase in the number of employees as provided in this bill is altogether too great.

Mr. NORRIS. I am making this proposition because we have not changed the House text, and unless we do something of that kind it can not be changed in conference.

Mr. SMOOT. That is true; the Senator is correct.

Mr. NORRIS. Now, I will say that I am quite desirous for the reason which I have already stated to provide an increased number of clerks in certain classes. Everyone must concede that there ought to be a much larger number of clerks of class 3 and 4, because it takes away the initiative, it takes away the ambition of a clerk when he gets in an office to realize that no promotion is in his way, and that he has to depend upon a small number above him, 10, for instance, to resign or to die in order that he may be advanced.

I have known for years that the Patent Office is one of the poorest places in the Government service in which to secure promotion, and for that reason they are not able to keep the good clerks, for they try to get in some other office. That condition has arisen because of the fact that they are so few of the higher class of clerks, and it was hardly possible to secure promotion, no matter how efficient the employee might be.

Mr. SMOOT. There is another reason for that, namely, that the clerks in the Patent Office are provided for and enumerated in the law; in other words, they fall under the statutory roll; whereas in many of the other departments employees are paid from a lump-sum appropriation, and their compensation may be fixed at almost any rate the head of the division or bureau or department desires. Consequently other employees of the Government want to be transferred to the bureau or division or department the employees of which are paid from a lump-sum appropriation.

Mr. NORRIS. Mr. President, I am anxious to get along as rapidly as I can, and I will make this suggestion: So far as I am personally concerned, although I am not authorized to do so by the committee, I will make no objection to an amendment that will change "22" in class 4 to "18," "33" in class 3 to "25," and "100" in class 2 to "75."

Mr. SMOOT. Why not merely double the number of clerks provided for in the current law? I do not refer to the law which has passed to apply to the next fiscal year, but to the current law.

Mr. NORRIS. I understand what the Senator means, but there is one provision in the current law in this instance that should never apply to a well-organized office. There always ought to be more clerks in the lower class than in the higher, and as it stands now there are just the same number in the Patent Office in class 4 as there are in class 3. If we double the number in both cases the same condition will exist.

Mr. SMOOT. I am perfectly willing to double the number of class 3 clerks and make it 18, which will be a 100 per cent increase.

Mr. NORRIS. No.

Mr. SMOOT. In the current law there are nine provided for. We gave them one extra. Now, it is proposed to double the nine.

Mr. NORRIS. We gave them one extra, which makes a total of 11.

Mr. SMOOT. There are only 9 in the current law, I will say to the Senator, and there was 1 extra given in the law for the next fiscal year, which makes 10.

Mr. NORRIS. I think the Senator is wrong, but that is quite immaterial. The current law gives them 10, and the bill of which the Senator speaks gives them 11; but that is not material.

Mr. SMOOT. No; there is only a difference of one employee.

Mr. NORRIS. The point I am making is that we want this office to be properly organized, and in a properly organized office of this kind the number of clerks should decrease as the salary increases.

Mr. SMOOT. That is true.

Mr. NORRIS. I do not want to make the number of fourth-class clerks and the third-class clerks the same. The Senator gets the point I am making, I think.

Mr. SMOOT. Yes; but to-day they are exactly the same.

Mr. NORRIS. I know they are, but I want to change that, and this law changes it; but, according to the Senator's proposition, if I doubled them in each case, it would still leave the proportions in the various classes the same. I have not the place in the bill. Let me see where it is.

Mr. SMOOT. We can agree upon the number, and then put them in at the proper place.

Mr. NORRIS. We can get the amendment through right now.

Mr. SMOOT. They are on page 3, line 7.

Mr. NORRIS. Mr. President, on page 3, line 7, I move to strike out "22," at the end of the line, and insert "18."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, line 7, at the end of the line, it is proposed to strike out "22" and in lieu thereof to insert "18," so that it will read "18 of class 4."

The amendment was agreed to.

Mr. NORRIS. And, on line 8, I move to strike out "33" and insert "25."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 8, it is proposed to strike out "33," before the words "of class 3," and in lieu thereof to insert "25."

The amendment was agreed to.

Mr. NORRIS. On line 9, I move to strike out "100" and insert "75."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 9, it is proposed to strike out "100," before the words "of class 2," and in lieu thereof to insert "75."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

Mr. SMOOT. Mr. President, under current law there are only 17 of class 2. That number is increased from 17 to 100.

Mr. NORRIS. To 75.

Mr. SMOOT. But, I say, that is too much of an increase.

Mr. NORRIS. No; the Senator forgets now that in class 1, under the legislative act which we have been speaking of, there are 137, and under this bill we have only 125.

Mr. SMOOT. Yes.

Mr. NORRIS. Now, there is a reduction of 12.

Mr. SMOOT. And there is an increase of the other of 83.

Mr. NORRIS. Yes. It goes without saying, however, that we must have a large increase to do the work of this office; and if we put the number at 75—for instance, take the Pension Office, take the Indian Office, or almost any of those offices——

Mr. SMOOT. There is not any comparison as to the clerk hire in those offices.

Mr. NORRIS. I think so.

Mr. SMOOT. Oh, not when you take into consideration the number of employees, and that is what we always have to take into consideration when we are granting clerks. I do not want to cripple the Patent Office. I know the importance of it. I want to give them all the employees that are necessary to do the work and keep the work current; but because they think now that they can come in here and get what they want, I do not think they ought to be allowed to ask for whatever number they wish and put it through. I do not believe that is fair. All I want is to do the fair thing by the Patent Office, and I believe it is outrageous to increase the number of clerks from 17 to 100. I shall have no objection if the Senator will put it down say to 50—that is 300 per cent increase—and let it go to conference.

Mr. NORRIS. It is an increase from 17 to 75. All right; with the understanding that we will investigate it and see if we can do the work with that number, I have no objection.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 9, it is proposed to strike out "100," before the words "of class 2," and in lieu thereof to insert "50," so that it will read "50 of class 2."

The amendment was agreed to.

Mr. NORRIS. Mr. President, several of the other amendments, until we get over further, are printed, and the Secretary can state them from the bill.

Mr. KING. Mr. President, I should like to ask the Senator what disposition was made of the next item, "125 of class 1"?

Mr. SMOOT. I will say to the Senator that I am perfectly willing to increase that by 10 if the Senator wishes.

Mr. NORRIS. I do not think it ought to be increased, Mr. President.

Mr. KING. What is the present number?

Mr. NORRIS. One hundred and thirty-seven.

Mr. SMOOT. Of course, that is including the bill that is on the way now. I only have current law.

Mr. KING. May I inquire of the Senator with respect to the item on lines 10 and 11, "100 at $1,100 each"? What is the current law?

Mr. SMOOT. The current law provides for 91, and I think either one or two are added under the bill that we have just passed.

Mr. NORRIS. What page is that?

Mr. KING. Page 3, lines 10 and 11.

Mr. NORRIS. What is the Senator's question?

Mr. KING. What number of clerks come under that class in the existing law?

Mr. NORRIS. Does the Senator mean how many of class 1 and how many of the other class?

Mr. KING. Yes. I do not know the class. It says "100 at $1,100 each."

Mr. SMOOT. That is not class 1. Class 1 is $1,200 each, and its says "at $1,100," and we have got to leave that at $1,100, because the statutory roll only provides for clerks of class 4 at $1,800, clerks of class 3 at $1,600, clerks of class 2 at $1,400, and clerks of class 1 at $1,200.

Mr. KING. I am familiar with that; but——

Mr. NORRIS. Right there—the Senator has called my attention to the matter—I desire to ask whether we agreed to an amendment on line 11?

The ASSISTANT SECRETARY. One amendment on line 11 was agreed to, to strike out "$1,800" at the end of the line and in lieu thereof to insert "$1,600."

Mr. SMOOT. That is the item referring to draftsmen, not clerks.

The ASSISTANT SECRETARY. That is the only one.

Mr. KING. If the Senator will excuse me, I am referring to the words "100 at $1,100 each," found in lines 10 and 11.

Mr. SMOOT. I will say to the Senator that the current law provides for 91, and that number has been increased to 100. In the bill that is now on the way to the President it may be that that was increased by 2; and, if so, there are 93. I will say to the Senator that I have not the least objection to that increase. I think that is all right, and I would not ask a decrease in that number; and I will say also to the Senator from Nebraska that I think the next item, where 40 copyists are provided for, ought to be increased, because in the Patent Office that is exactly the work that ought to be and must be kept current. To-day we have 120 copyists, and in this bill they have been reduced to 40. Now, that is not altogether right.

Mr. NORRIS. What page is that?

Mr. SMOOT. That is page 3, line 13—"40 copyists, at $1,100 each."

Mr. NORRIS. Mr. President, I take the testimony for it. They do not want any more. They did not ask us to give them any more, and I assume that this is enough to do the work. I shall not object to an amendment if the Senator wants to offer it.

Mr. SMOOT. Mr. President, I will state why I offer it, and then I will let it go out if the Senator will take it into consideration. What they intend to do is to take those copyists that we are paying to-day as copyists and add them in the different grades as clerks. I want these increased so that if they decide upon the 50 clerks instead of 100 there will be a provision in the bill that is in conference so as to take care of the copyists.

Mr. NORRIS. If the Senator wants to increase the 40, I shall make no objection.

Mr. SMOOT. Yes; I move that the word "forty" be stricken out, and that "seventy-five" be inserted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 3, line 13, it is proposed to strike out "40," and in lieu thereof to insert "75."

The amendment was agreed to.

Mr. SMOOT. That will allow the Senator, when he gets into conference, to decide as to whether it shall be 40 or 75.

Mr. NORRIS. The amendments I have suggested are all except those that are printed and marked in the bill. I ask the Secretary to continue to state the amendments.

Mr. HENDERSON. Mr. President, I should like to ask the Senator from Nebraska just a question or two relative to this bill.

I notice, Mr. President, that on page 3, line 6, there is a provision for a translator of languages at $2,400. I should like to ask the Senator from Nebraska what the duties of the translator of languages are?

Mr. NORRIS. I think the name indicates pretty well the duties of the position. They have a great many foreign patents. The Patent Office exchanges patents with foreign Governments. There is in this bill a provision in the way of an amendment giving them statutory authority to do that. They have been doing it, however, for a great many years; and anybody can see that it is quite necessary that we should furnish copies of patents to other Governments, and in exchange get copies of their patents.

Mr. HENDERSON. That is quite true. Now, I should like to know, if the Senator knows, what the present salary is, and what is the difference between the salary they are receiving to-day and that provided for in the bill?

Mr. NORRIS. I have it here, but it may take me just a little while to find it.

Mr. SMOOT. I will tell the Senator in just a minute. The present salary is $1,800.

Mr. HENDERSON. One thousand eight hundred dollars?

Mr. SMOOT. That is the current law.

Mr. HENDERSON. I should also like to know if there are any other departments in the Government service employing translators of languages?

Mr. SMOOT. Oh, the State Department have many, many of them.

Mr. HENDERSON. And the Agricultural Department, and other departments?

Mr. SMOOT. Yes.

Mr. HENDERSON. Now, I want to bring this fact to the attention of the Senate: We are here legislating for one class in one department, when we have translators of languages in a great many departments. The report of the Reclassification Commission on page 832, Title 44, Translating Service, covers the entire Government service in Washington. It seems to me that when we come to the reclassification of the salaries of the Federal employees, we should do it as systematically as possible, and take up all of the services, all of the classes, and handle the matter so that there will be no inequalities and no injustices done to any branch of the service.

Mr. NORRIS. Mr. President, the Senator is right, and I said so a while ago, and discussed it, and gave the reasons I had as to why we should do this. We did it in the case of the Post Office Department, and I listened to the Senator last night—or perhaps it was this morning—when he discussed the very

point he is making as applied to the bill which was pending at that time, relating to the Post Office Department.

Mr. HENDERSON. It was last night.

Mr. NORRIS. The Senator's remarks were very apt, it is true; but, as I said, I think we are confronted with an emergency in this particular place, and I called attention to what the Senator alluded to. We have put the Post Office Department in a condition where that increase is going into effect. We have passed the bill, and it is going to become a law. This bill will not go any further than a conference committee until next December; but when we do legislate, as we ought to, on the bill which carries out the report which the Senator has mentioned, of course if it changes what we put in the law now—and the Post Office Department, which is already reorganized, will be under this law—if we make that change, when we come to a general reorganization, which I hope we will reach without delay, then that reorganization will be followed, of course.

Mr. HENDERSON. But I just wanted to tell the Senator that the Joint Reclassification Commission was excluded from reclassifying the salaries of the postal employees, as well as the employees of the navy yard. The bill creating our commission did not permit us to reclassify those salaries. That is why the other commission was appointed to reclassify the salaries of the postal employees, and a report was recently filed on that matter. Our work related solely to the Federal employees of the District of Columbia, exclusive of the Postal Service and navy yard.

Mr. NORRIS. Does not the Senator think it ought to include the post-office employees? Why should it not include them?

Mr. HENDERSON. There was another commission to do that work. I suppose that is the reason.

Mr. NORRIS. I understand that, but why should not the post-office employees be equalized with those of other departments, the same as was done with other branches or bureaus or departments?

Mr. HENDERSON. The work of the commission was for the purpose of reclassifying the salaries of the Postal Service. I will call the Senator's attention to the fact that that service covers not only the District but the entire country, while our work was confined to the District of Columbia.

Mr. NORRIS. Let me ask the Senator, if he has it there, what salary the Commission on Reclassification gave to translators?

Mr. HENDERSON. We have, of course, grouped the different classes, provided for their duties, their qualifications, and their line of promotion. For instance, take translator A. That is the first head. The salaries we recommend run from $1,320 to $1,500. Then we have junior translator, senior translator, and principal translator.

Mr. NORRIS. What does the principal translator get?

Mr. HENDERSON. For principal translators the first year salaries are $2,400. Then it goes in steps from $2,400. The first step is to $2,520, then to $2,640, then to $2,760.

Mr. NORRIS. That is the maximum?

Mr. HENDERSON. That is the maximum; $2,760.

Mr. NORRIS. I thank the Senator.

Mr. SMOOT. After $2,200 was tentatively agreed upon for translator of languages in the Patent Office, I took occasion to look at the appropriations which were made for translators in the other departments. In fact, when this bill was first printed, I had a number of translators of the State Department call on me, and a lady who I know is one of the very best translators in that department said, "If this bill becomes a law I want you to get me a transfer to the Patent Office just as quickly as you can. I have been a translator in the State Department, and I was promised $1,800 per annum for that work. I have been receiving only $1,600"; of course, with the bonus which she got. Every translator in the Government who is receiving fourteen, fifteen, sixteen, seventeen, or eighteen hundred dollars will wonder how it is that for the same work translators in the Patent Office receive compensation amounting to $400 more than the other departments are paying. But I am not going to question that at this time. I only wanted to say that after that was tentatively agreed upon at $2,200, I looked it up, and I found that salaries in the other departments are very much lower than those in this office.

Mr. KING. Mr. President, I want to inquire of the Senator from Nebraska, directing his attention to page 2, line 16, as to 47 principals at $3,900 each. The current law provides for how many, if the Senator will inform me?

Mr. SMOOT. Forty-five.

Mr. NORRIS. Principal examiners?

Mr. KING. Yes.

Mr. NORRIS. The law for the current year provides for 43; the appropriation act for the next fiscal year provides for 45; and this bill for 47.

Mr. KING. A bill was recently passed increasing the number of employees in the Patent Office. Was not that increase along all or most of the lines in the office, and was it not passed because of the congested condition and for the purpose of meeting the claimed needs of the service?

Mr. NORRIS. Of course, that was done by the Appropriations Committee, and I am not on that committee. There were some increases made in the appropriation bill. But they did not undertake, as I understand it, to go into the reorganization which the Committee on Patents did; they only touched it, in fact. Those increases were very slight.

Mr. KING. Mr. President, I confess that I look with some misgivings upon a bill which is presented for our consideration which shows such enormous increases in the personnel of any department. And it will be remembered that we increased the employees within the District of Columbia during the war nearly, if not quite, 100,000. Prior to the war there were about 32,000 employees of the Government in the District of Columbia. There has been no adequate reduction since then, and it seems impossible to secure any. Notwithstanding efforts made by Senators and Representatives to effectuate reforms and reductions, it has been impossible to get the bureaus and the heads of departments to consent to any substantial reduction. So now, nearly two years after peace, there are in Washington more than a hundred thousand employees as against 32,000 before the war. It seems to me that the Republican Party, charged as it is with the legislative work of the Government, ought to seek economy and ought to so legislate as to compel a reduction in the number of Federal employees. The number is too great, and everyone familiar with the situation knows it. I have had hundreds of employees of the Government communicate with me and complain about the superabundance of clerks and other employees in the District

There are thousands of officials here of the highest character. They desire efficient service and rebel against the retention of inefficient and unnecessary employees. We should order a dismissal of unnecessary employees and increase the compensation of the efficient and faithful ones.

Promotions should be made based on efficiency and every encouragement should be offered to those who whole-heartedly and sincerely serve the Government.

Mr. NORRIS. Mr. President, if the Senator will permit me, in a general way I agree with what he says about the reduction in the number of employees; but the Patent Office is really a business institution. Its activities have been continually increasing, and they will continue to increase. The war has resulted in giving a permanent increase to the business, in my judgment, in the Patent Office along certain lines, in chemistry and other sciences, so it is not like a bureau which was built up in a night, as was the War Risk Insurance Bureau and the other bureaus which it became necessary to create during the war. It is really a business institution, doing a very large business, which is increasing all the time.

Mr. KING. Mr. President, I can not quite understand how the Patent Office has been able to function and to do good work with the number of employees which it has had in the past if it is essential, for it to perform its work, that it must now have this enormous increase in the number of employees. As I have hastily glanced at the bill—I do not have before me the current law—it seems to me there must be an increase in the number of employees of nearly or quite 100 per cent. It appears to me that an increase of 10 to 25 per cent is all that should be required. I can not understand the necessity for this very great increase. The Senator from Nebraska knows that if Congress should listen to the appeals of the heads of executive departments there never would be any decrease in the number of employees. When we have added to some of these departments, or at least have permitted them to add large numbers of employees, the demand has usually been for still more.

I ask the Senator again if he regards it as necessary that there should be this enormous increase, and whether the Secretary of the Interior, not in a perfunctory way, but upon examination, has approved these demands, and whether the Secretary of the Treasury, who is charged under the law with the duty of submitting proper estimates to Congress bearing upon the question of employees, costs of departments, and so forth, approves of this great increase in the personnel of the Patent Office. I venture the assertion, receiving no response, that there has been no approval by the heads of these departments of this great increase.

The Senator from Nevada [Mr. HENDERSON] has just called attention to the fact that the Reclassification Commission ap-

pointed by Congress considered the personnel of the Patent Office and classified the employees therein. This commission also recommended the compensation to be paid the employees therein. They constitute a part of the 1,700 classes of employees into which the great army of employees has been divided in the report which has been submitted for our consideration. Notwithstanding the report is before us, and the bill recommended carrying this report into effect is before us, we take up in a piecemeal fashion particular branches of the Government, dealt with by this commission, and seek to change the compensation in those branches from existing law, and of course to change the compensation from the recommendations prescribed by the commission.

I want to call the attention of the Senate to the fact that if we take up in this fashion the Patent Office we shall be called upon to take up some other branches, and if we establish rates of compensation for the employees of the Patent Office at a different time from the consideration of this general bill, we are bound to make some changes in existing law, and when we consider other departments, the changes which we have made will be brought to our attention, and we will be asked to conform our legislation to such changes. The result will be that we will be proceeding in a sort of stepladder style with our legislation. There will be no uniformity, there will be no stability, there will be no security, and we will spend our time here from session to session adjusting and readjusting and adjusting again to meet the changing conditions which have resulted from this piecemeal method of dealing with the subject.

I think it is a mistake, notwithstanding this exigent condition to which the Senator refers, to proceed in this manner. I think it would be far wiser if we would take up a general bill and deal with the subject in a scientific, systematic, broad, and comprehensive manner. However, I have helped the Senator bring this bill to the attention of the Senate, because of the claims made that the service in the office was breaking down, and I was willing to join in avoiding a catastrophe if one threatened the service. But I am afraid that the need is not as great as has been represented by some interested parties, and that the Patent Office will continue to function in a fair way without this bill. I shall vote for the bill, with some amendments, because I shall rely upon the conference committee dealing in a just manner with the questions presented.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The READING CLERK. On page 7, beginning with line 20, to strike out the rest of that page, all of page 8, and through line 18, on page 9, as follows:

SEC. 7. That section 4921 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"SEC. 4921. The several courts vested with jurisdiction of cases arising under the patent laws shall have power to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a decree being rendered in any such case for an infringement the complainant shall be entitled to recover, in addition to the profits to be accounted for by the defendant, the damages the complainant has sustained thereby, and the court shall assess the same or cause the same to be assessed under its direction. If on the proofs it shall appear that the complainant has suffered damage from the infringement or that the defendant has realized profits therefrom to which the complainant is justly entitled, but that such damages and profits are not susceptible of exact calculation and determination, the court may, on evidence tending to establish the same, in its discretion, receive opinion or expert testimony, which is hereby declared to be competent and admissible, subject to the general rules of evidence applicable to this character of testimony; and upon such evidence and all other evidence in the record the court may adjudge and decree the payment by the defendant to the complainant of a reasonable sum as a royalty or general damages for the infringement. And the court shall have the same power to increase such damages, in its discretion, as is given to increase the damages found by verdicts in actions in the nature of actions of trespass upon the case; but in any suit or action brought for the infringement of any patent there shall be no recovery of profits or damages for any infringement committed more than six years before the filing of the bill of complaint or the issuing of the writ in such suit or action, and this provision shall apply to existing causes of action. And it shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the patent laws to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants, names of the inventors, and the designating number or numbers of the patent or patents upon which the action, suit, or proceeding has been brought, and it shall be the duty of the Commissioner of Patents on receipt of such notice forthwith to indorse the same upon the file wrapper of the said patent or patents and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance herewith a fee of 50 cents shall be taxed by the clerk as costs of suit."

The amendment was agreed to.

Mr. NORRIS. The next amendment is, on page 9, line 19, to renumber the section, striking out "8" and inserting "7."

The amendment was agreed to.

Mr. NORRIS. On page 10, after line 10, I move to insert the following:

For uncertified printed copies of specifications and drawings of patents, 10 cents per copy: *Provided*, That the Commissioner of Patents may supply public libraries with such copies as published for $50 per annum: *Provided further*, That the Commissioner of Patents may exchange copies of United States patents for those of foreign countries.

Mr. KING. May I inquire of the Senator whether or not there has been any prolongation of the period of time for which a patent would be in effect?

Mr. NORRIS. There has not.

Mr. KING. There has been no change in existing law with reference to what a patent does, the rights which it grants, and the protections and benefits accruing therefrom?

Mr. NORRIS. The only change, in my judgment, that might apply to the question which the Senator has asked is the one amendment that we have agreed to, which struck out section 7 in the bill, but reenacted section 4921 of the Revised Statutes.

The committee thought, after very interesting and rather exhaustive debate between some of the ablest patent lawyers in the United States on that subject, that we had better not change that law, and we struck out the section. With that exception, there is nothing in the bill that I recall that changes the time of patents, and the only new thing in the amendment that is pending is this language:

For uncertified printed copies of specifications and drawings of patents, 10 cents per copy.

I think that is the existing law now, or it is in a bill that will become a law, but the proviso is new:

Provided, That the Commissioner of Patents may supply public libraries with such copies as published, for $50 per annum: *Provided further*, That the Commissioner of Patents may exchange copies of United States patents for those of foreign countries.

He is doing that now and has been doing it for several years; but the commissioner himself stated that, as a matter of fact, he thought he had been doing it without authority, that there was no law authorizing it.

Mr. SMOOT. Mr. President, I am compelled to attend a committee meeting in a moment. There are two amendments which I desire to ask unanimous consent to have considered at this time. I am quite sure the Senator will not object.

Mr. NORRIS. I will not object, but let me inquire of the chair if the amendment on page 10 has been agreed to?

The PRESIDING OFFICER. Not yet.

Mr. NORRIS. There is no objection to that amendment?

Mr. SMOOT. I have no objection to it.

The amendment was agreed to.

Mr. NORRIS. What amendment does the Senator from Utah wish to take up?

Mr. SMOOT. On page 11, lines 24 and 25, and on page 12, line 1.

Mr. NORRIS. That is the next amendment, I will say to the Senator, with the exception of one. Let us dispose of the other one first. I ask that it be stated.

The PRESIDING OFFICER. The next amendment will be stated.

The READING CLERK. The next amendment is, on page 11, line 17, after the numerals "1920," to strike out the comma and the words—

with reference to the fee for issuing an original patent, and shall apply only to patents issued on applications filed after that date. The fees for issuing original patents on all other applications shall be as now provided by law.

Mr. NORRIS. I wish to strike out all of section 9. Section 10 provides that certain enactments shall go into effect July 1, and we know this bill can not become a law at that time.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 11 strike out lines 16 to 21, both inclusive.

The amendment was agreed to.

Mr. NORRIS. Now, the amendment to which the Senator from Utah desires to call attention is designated as section 10 but ought to be section 9. I ask that that change be made and the section inserted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. Insert a new section as follows:

SEC. 9. That the Federal Trade Commision be, and hereby is, authorized and empowered to accept assignment of, or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted, as these may from time to time be tendered it by employees of the various departments or other establishments of the Government, or by other individuals or agencies; and to cooperate, as necessity may arise, with scientific or other agencies of the Government in the discharge of the duties herein set out, and

the Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this section as may prove meritorious and of public benefit.

The Commissioner of Patents is hereby directed to grant all patents and record all assignment and licenses contemplated by this section without the payment of any fee.

Mr. NORRIS. With reference to this amendment the committee moves to amend the amendment by striking out on page 11 all of lines 24 and 25 and on page 12 all of line 1 to and including the word "administer," leaving only the word "on" in that line. That is the amendment the Senator from Utah means?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. In the committee amendment on page 11, lines 24 and 25, and on page 12, line 1, it is proposed to amend the committee amendment by striking out the words "or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer."

Mr. KING. So that it will read——

The READING CLERK. So that it will read:

That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted.

Mr. THOMAS. Mr. President, I think, in order to harmonize the rest of the section with the three lines excluded, the Senator will find it necessary to strike out everything after the word "out" in line 10, page 12. Everything in section 10 after the word "out" in line 10, page 12, refers to fees and royalties for licensing inventions, and so forth. With the excision of lines 24 and 25, page 11, and line 1 on page 12, everything after the word "out" in line 10, on page 12, must be excluded.

Mr. NORRIS. The Senator would destroy its usefulness entirely.

Mr. THOMAS. Then the Senator ought to reinsert the three lines he has moved to strike out. I will read the language, beginning on line 10:

The Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights, in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States—

That is, the fees and royalties.

I skip to line 22, which reads:

The Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this section without the payment of any fee.

If it is the Senator's purpose to deprive the Federal Trade Commission of the power to license, then, of course, all I have read should be eliminated.

Mr. NORRIS. My idea was that when we took out the language which the amendment to the amendment strikes out it would leave the power of the Federal Trade Commission to accept an assignment of an invention, a patent, or a patent right.

Mr. THOMAS. That is correct.

Mr. NORRIS. Then, farther on down, the Federal Trade Commission is given this power—

to collect fees and royalties for licensing said inventions, patents, etc.

Mr. THOMAS. The Senator deprives it in his first amendment of the power to license.

Mr. NORRIS. No; I do not think so. There has always been some doubt in my mind as to what that line really meant. Of course, I am proposing to strike it out to meet objections to it. The amendment is not made because I want to make it.

Mr. THOMAS. I understand that; but the section is meaningless if that be stricken out and the remainder to which I have called attention is left in.

Mr. NORRIS. I can not understand that. We give them power, in the first place, to accept an assignment.

Mr. THOMAS. That is perfectly all right.

Mr. NORRIS. Then we authorize them to license a corporation or individual to manufacture it and sell it.

Mr. THOMAS. But you strike that out.

Mr. NORRIS. Oh, no; that is not stricken out. Does it not follow from the language, "and the Federal Trade Commission is hereby authorized and empowered to collect fees and royalties for licensing said inventions," that they would have authority to license?

Mr. THOMAS. I think if the Senator strikes out the three lines the power to license is gone, but I will not argue it now, because the Senator from Utah [Mr. SMOOT] wishes to fill an engagement with a committee, and I will yield to him.

Mr. SMOOT. I will ask the Senator if in the line following the provision——

Mr. NORRIS. First let me say that the amendment to the amendment has not been agreed to. If there be no objection, let us agree to it. If the amendment is agreed to, I will offer the other amendment next.

Mr. THOMAS. I do not object to the Senator's amendment as he has offered it.

Mr. NORRIS. Then let us have a vote on the amendment offered to the committee amendment.

The amendment to the amendment was agreed to.

Mr. SMOOT. I understood the Senator wanted to perfect the amendment first. On line 7, page 12, after the word "Government," I move to strike out the words "or by other individuals or agencies."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. In the committee amendment, page 12, lines 7 and 8, strike out the words "or by other individuals or agencies."

Mr. SMOOT. Will the Senator accept that amendment to the amendment?

Mr. NORRIS. No; I can not accept it. I would very much dislike to see the Senate agree to that amendment.

Mr. SMOOT. I have a committee meeting that I must attend, but I wish to say to the Senator that by striking out those words it simply means that any invention, if it is made by any Government employee, can be transferred to the Federal Trade Commission. If we are going to allow other individuals and agencies to transfer to the Federal Trade Commission it will not be very long before the Federal Trade Commission is receiving and accepting these inventions and issuing licenses to everyone who undertakes to manufacture a patented article. I think there will be more harm than there could possibly be good come from it. That is my opinion.

Where the Government of the United States has employees working in any particular department, we will say the Navy Department or the War Department, where they are called by the Government to make all of the investigations asked for by any citizen of the United States, and upon these requests secure an idea that leads to a patented article or leads to some discovery on their part, it does seem to me that the Government of the United States ought to have some agency whereby they can accept that invention and grant licenses to anyone as provided for in the bill and collect royalties. That is well and good; but that is not what this language means. The words "or by other individuals or agencies" mean any individual or any agency in the United States. I think the result will be that the inventive genius of the country, the men who have studied all their lives and brought out the most remarkable inventions for public use and made the country renowned all over the world for its wonderful inventions, will be interfered with if the section becomes operative with those words in it. I can not see any objection to the words going out and to the other amendment that will prevent the Government of the United States from operating and going into the manufacture of any articles that may be made under patents issued by the Federal Trade Commission. I hoped that the Senator would accept the amendment. All I can say is that I hope we can have a vote on it, anyhow, if the Senator will allow the vote to be taken now.

Mr. NORRIS. I wish to answer the Senator's argument, and then I will be ready to take a vote. I do not think the Senator ought to take up the time in making an argument in favor of his amendment and then ask to have a vote before the other side can be heard.

Mr. SMOOT. Of course, I do not want to do that.

Mr. NORRIS. I am sorry the Senator can not remain.

Mr. SMOOT. I do not want the Senator to feel that I sought to make an argument and then asked that he should be cut off. I asked for a vote simply because I am compelled to leave the Chamber at this time. There is a committee waiting for me at this moment, and I must go.

Mr. THOMAS. Mr. President, I, of course, am aware that the amendment designated as section 10 embodies in the bill the provisions of a bill that had previously passed the Senate and has therefore the approval of a majority of this body.

The Senator from Nebraska [Mr. NORRIS] has given this bill very long and patient consideration and he has consequently informed himself on this subject much more minutely and completely than I have had time to do. It may be, therefore,

that the Senator can give to the Senate the best of reasons for incorporating this section into the proposed law, but from the little study I have been able to give it I regard it as highly objectionable legislation. It provides "that the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment" on behalf of the United States of patents, and so forth. Under these provisions the Federal Trade Commission, a body which was created for the purpose of discharging certain defined functions and duties, designed to prevent unfair competition in the industries of the United States, will be clothed with additional authority, to become the custodian of all such patents as may be assigned to it by the employees of the Government or by other individuals or agencies; and it is to administer those patents by a system of licenses or permits.

I may be mistaken, but my opinion is that under the operation of this proposed law the Federal Trade Commission will be transformed from a semijudicial body into an administrative bureau, and its time will be practically monopolized by its administration of a new patent system of which the Government is to be the owner.

The number of patents in the United States is at present enormous. That number increases, I am told, from year to year, evidencing the enterprise and inventive genius of the American people, and necessitating, in my judgment, the increase which this bill seems to require in the force under the Commissioner of Patents.

When this bill becomes a law, all patents and applications for patents which have been designed or discovered by employees of the Government can be assigned to the Federal Trade Commission on behalf of the United States, whereupon the patent becomes the property of the United States. What the employee can do any other patentee in the United States can do. Every man who takes out a patent believes, or else he would not go to the trouble, that he has invented something useful, something needful, something that will add to the sum total of human comfort or progress and which therefore should be utilized and utilized as soon as possible; yet experience tells us that, perhaps, one out of 400 or 500 patents is the proportion between the patents which are really practicable and useful and those which prove inoperative or ineffective.

The man, however, whose patent is not accepted by the public is discontented; he is unhappy; he believes that the merits of the invention are being ignored; possibly it is subject to obstruction; that, whatever the reason, it has not had a fair chance. Under this bill, therefore, he will rush to the Federal Trade Commission, representing the Government, to make an assignment of his patent and then insist upon the issuance of licenses, doubtless encouraging men to apply for such licenses, since the bill provides that he shall have a proportion, to be fixed by rules and regulations, of the income derived by the Government under the patent system. I imagine that that will keep the Federal Trade Commission pretty busy; I imagine that if it attends to this administrative duty which we are about to saddle upon it it will have little time to devote to the purposes for which it was originally created.

Some contend that the Federal Trade Commission is a very valuable body; others deny that it functions at all; but, whatever the fact may be, we can not escape the conclusion that the Federal Trade Commission was established as and has become a distinctive branch of administrative service to encounter and to overcome existing industrial abuses which are the result of unfair competition. By saddling this additional burden upon it we justify the contention, if the contention should be made in the future, that it is unable to function in the direction of preventing unfair competition because of the fact that its so-called patent duties monopolize all of its time and attention. I do not believe, Mr. President, that that is wise legislative policy.

If we create such a commission as a Federal Trade Commission or as a Tariff Commission by a law specifically defining its duties and its objects, we should insist that it shall perform those duties and purposes only; in any event, we should not by our own action even tend to make their performance of those obligations difficult, if not impossible.

That was one objection which I had to the so-called dyestuffs bill, that it converted the Tariff Commission into an administrative bureau, and the section of the bill to which I am now referring will do precisely that thing to the Federal Trade Commission. I do not think it should be done. Of course, if the legislation is desirable, it will be very easy by amendment to select some other body as the custodian of these patents, and clothe it with the authority to act as it is proposed here to clothe the Trade Commission with authority to act.

The Trade Commission, presumably, was selected because during the war, and perhaps since the war, it has had much to do with the German dye patents which were taken over by the Government; but that was one of the incidents of the struggle; that was a temporary affair. Here is a permanent arrangement, an arrangement which if crystallized into statute brings upon the Trade Commission an official authority that must constantly expand. Every patent assigned or taken over by it will to that extent add to the burden of its duties; and while we may contend that an efficient clerical service can be supplied by statute to enable it to perform the added duties, the fact remains that the commission itself is the body to be held responsible to the people under the law for the efficient discharge of the functions and the obligations sought to be imposed by this section.

Mr. President, I do not believe it is wise for the Government of the United States to go into the patent-rights business, and that is the fundamental objection which I entertain to this entire section.

I differ somewhat from my friend the Senator from Utah. I think that if an employee of the Government is sufficiently alive to his self-interest to take advantage of opportunities that come to him in whatever capacity and by the use of those opportunities develops an invention which is practical and valuable it should belong to him. I think it is proper, as the law now provides, that the Government should itself have the use of that invention free; but, so far as the public is concerned, that man is entitled to the fruit of his genius, subject to that limitation, to the same extent as though he had made the discovery as a private citizen.

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

Mr. THOMAS. I yield.

Mr. KING. I do not quite agree with the attitude of the Senator, if I understand the situation correctly. If he will pardon me, let me ascertain if I do draw the right conclusion. As I understand, there are a large number of experts working in the Patent Office—men of ability, men who are familiar with patents. The various inventions which are perfected throughout the country are presented to the Patent Office; those men have the opportunity to see them and examine them; they are in a fortunate position for the purpose of ascertaining what the inventions are; they are being paid a fair salary by the Government. Does the Senator think that they ought to take advantage of the information which they receive while they are in the employ of the Government, acting in a sort of a fiduciary capacity, and, profiting by the inventions which are made by others, make some other discovery or invention based upon the work or combination of work of a large number of men, perfect an invention and then profit by it?

Mr. THOMAS. So long as the Government has the benefit of the invention, I say, certainly; I do not object to that at all, though a great many do; but if there is such an employee in the expert service of the Patent Office sufficiently alive to the situation, and who honestly and without infringing upon the patent or pirating the patent which he is examining or the application for a patent which he is examining, discovers some principle that is useful and patentable, I say, yes, let him have it. I think the law as it now stands excepts that class of employees, however, from the operation of the statute; I am pretty sure that it does, but I am giving my abstract opinion.

It might be perfectly well, as a practical proposition, to require these assignments to be made to the Commissioner of Patents and let him deal with them, if we are to go into this business at all.

It would be far better for the Commissioner of Patents to handle them, in my judgment, than it would be to burden the trade commission or any other of these existing commissions with them. But fundamentally to me it is unwise to saddle thousands of patent rights upon the Government of the United States for which, as owners thereof, it is required to issue licenses or permits to those who desire to take advantage of them. It is a species of private business. We have gotten along pretty well up to this time without such an arrangement. The Government is a century and a quarter old or more. During all this period the inventive faculties of America have had full sway for development. The fruits of investigation and of discovery properly guaranteed to the fortunate individual who may have been able to secure some mechanical contrivance, bring practical advantage to the public and fortune to him. This would seem to me to be designed to help over the fellow whose invention will not help itself over, or whose position in life perhaps may make it difficult for him to overcome the rudimentary or preliminary obstacles presenting themself to the ultimate determination of the value of the thing which he has discovered.

So I believe that it is a bad policy for the country to embark upon. It will be followed in all probability by a similar provision regarding copyrights, and possibly patented formulæ for medicines designed to cure the rheumatism, make the hair grow,

or in some other way administer to the evils that affect the human system. It is but one step that we are taking, and I can see no difference between encouraging a man who patents a machine that will do something and encouraging a man who writes a book that will do something, or discovers some medical formula that will result in benefit to mankind. Once we embark upon the policy of governmental ownership of the things which are the fruit of the human mind, and upon the theory that if this fruit comes from the mind of the employee he is entitled to some special consideration, then very naturally the outsider will demand, as he has here demanded, that he be considered also; and the bars being let down and the gates thrown open the entering flood is inevitable.

Mr. President, I fully agree also with the view expressed by the senior Senator from Utah [Mr. SMOOT], who moved to strike out the words "or by other individuals or agencies." Under the objectionable clause every man, woman, and child, every partnership, corporation, or association in the United States or its dependencies, is given the privilege of assigning any patent for any invention to the Government, or to the Trade Commission for the Government, whereupon it becomes Government property, to be administered for the joint benefit of the United States and the patentee. I may be obtuse, but the objection to such a provision in a patent law seems to me self-evident. I can imagine its effect within the next 10 years in the added encouragement that it gives to the inventor—and about 50 per cent of the American people regard themselves as inventors—to the overwhelming development of the so-called patent system, and to the intrusion upon the Government of every conceivable device that genius or lunacy, or both, can produce within that period of time.

Some one has said that there is but a short step between genius and insanity, and there is a great deal in it; but everybody knows that the average patentee is a crank. The average patentee is a man thoroughly believing in himself—of which I do not complain—absolutely possessed by the conviction that his is the one invention that will redeem mankind from poverty and from inconvenience, and he certainly will take advantage of a law of this sort to impress himself and his invention upon the Government; and even though he may not make a practical success of his effort, think of the extent to which he enlarges the public business uselessly, but expensively!

There may be good reasons for encouraging the employee of the Government who makes an invention. There can be no good reason outside of the patent law itself—and that gives encouragement enough—for encouraging the outsider or for holding out to him the promise of a Government partnership—for that is what this virtually means—should he see fit to assign to the Government what he possesses.

I hope this section will be stricken out. The Senator having charge of the bill told me this morning that he would offer a very salutary proviso, which has not yet been reached, which would prohibit the Government from developing any patent scheme on its own account; which would prevent it, in other words, from going into business and using its patent rights, or any of them, as the basis. That is extremely desirable.

The Senator has offered an amendment, which has been accepted, eliminating from the section the last two lines on page 11, and all of the first line upon page 12 except the last word, which I will read:

or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer.

In consequence of which the Trade Commission is limited to the acceptance of assignments only of such patents and patent rights as may be offered to it. It will be noticed that the right to accept a license, and the right to issue or refuse to issue licenses thereunder, is now eliminated from the section; yet in other parts of the section as it now stands the Trade Commission is "authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct," and so forth. There seems to be some difference between the Senator having charge of the bill and myself regarding the relation between the three lines which have been eliminated from the section and that part of the section to which I refer. I do not believe the elimination of the three lines, without the further elimination of other parts of the section, does anything more than to make the section unworkable, because confusing.

That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, or license or other rights or powers under, to develop, to issue or refuse to issue licenses under—

And so forth. Now, if the power to issue or to refuse to issue licenses under any patent that may be assigned to the Government under this bill is wanting, how can provision be made for the disposition of the moneys to be received from such a license? In other words, if a man can not license he can not collect any fees for licensing; and the part of the section which is designed to make disposition of these license fees should be eliminated also, because it relates back to nothing that is substantial in the bill, the amendment having been accepted.

Mr. President, I do not care to say any more at this time. I think it is fair to the Senator having charge of the bill to say that after the amendment is perfected I shall ask to have it stricken from the bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3244. An act to authorize the Secretary of the Interior to issue patent to R. L. Credille, mayor of the village of Bonita, La., in trust, for certain purposes; and

S. 3852. An act for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 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.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau.

The message also announced that the House disagrees 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. 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, insists upon its disagreement to the amendments of the Senate to the bill, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY, and Mr. BANKHEAD managers at the further conference on the part of the House.

The message further announced that the House agrees to the concurrent resolution of the Senate numbered 26, authorizing the Speaker of the House to cancel his signature to the enrolled bills (S. 1005) for the relief of the owner of the steamship *Matoa* and (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*, and authorizing the enrollment of the bills each with an amendment in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution and they were thereupon signed by the Vice President:

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 1726. An act 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;

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes;

S. 3566. An act 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;

S. 4212. An act 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;

S. 4286. An act 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;

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau;

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;

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; and

S. J. Res. 152. Joint resolution 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 MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing 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. 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, and insisting upon its disagreement to the amendments of the Senate to the bill and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES of Washington. I move that the Senate further insist upon its amendments, agree to the further conference asked for by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JONES of Washington, Mr. CALDER, Mr. MCNARY, Mr. SIMMONS, and Mr. RANSDELL conferees at the further conference on the part of the Senate.

NATIONAL EXPENDITURES.

Mr. OVERMAN. Mr. President, practically all the supply bills have been enacted into law or are in conference. I think it is incumbent upon me to show, if I can, that the Republican Party, which promised economy and reduction of expenses and the lowering of taxes, has done neither.

I have taken account of all the appropriation bills passed at this session, and I think it is fair to compare these bills with the appropriation bills passed under the Democratic administration in 1916. I have taken up each appropriation bill passed in 1916, before the war. Since the war has been over now for about two years—it is about that length of time since the armistice—and we are in peace, I say, I think it fair and just to compare the appropriation bills for 1916 with the appropriation bills passed during this session.

Mr. SMOOT. Mr. President, in that comparison does the Senator show the sums that we have been compelled to appropriate for the expenses that were incurred during the war?

Mr. OVERMAN. The hang-over expenses?

Mr. SMOOT. Yes. They amount to billions of dollars.

Mr. OVERMAN. I am going to show those. Of course, the Army has been demobilized, and we do not have to pay the Army and meet the other war expenses. There is no appropriation for that.

Mr. SMOOT. I mean, Mr. President, the contracts which are still unsettled. They amount to billions of dollars.

Mr. OVERMAN. We have appropriated billions of dollars during this Congress. I am taking up the leading appropriation bills for the fiscal concerns of the Government without regard to the war. I have tried to eliminate war activities and those expenses which have grown out of the war.

Take the sundry civil bill. Mr. President, that bill this year carries $400,000,000, as against $125,000,000 in 1916. The reason for that is that it includes appropriations for the hospitals, which were necessary, and the War Risk Bureau. I have tried to be fair by eliminating those things, showing still that the sundry civil bill is more than it was in 1916.

Mr. President, in 1916 the Agricultural appropriation bill carried $22,000,000, and this year it carried $31,000,000, or an increase of $8,743,000.

The Army appropriation bill amounted to $101,974,000, as against $376,765,000 in 1916. But, in addition to that, we have the reorganization bill, which makes it over $600,000,000.

The Diplomatic and Consular bill in 1916 amounted to $4,061,280, and in 1921 it is $9,000,000, or an increase of $5,200,000.

The District of Columbia bill in 1916, under the Democratic administration, amounted to $11,859,000, and this year it is $18,305,000, or $6,000,000 more.

The fortifications bill in 1916 was $6,060,000. This year it is $18,000,000, or $12,000,000 more than it was two years before the war.

The Indian appropriation bill was $9,771,902.76 in 1916. This year it is $12,788,397, or an increase of over $3,000,000.

The legislative, executive, and judicial appropriation bill carried $36,000,000. This year it carries $104,000,000, or an increase of $67,000,000.

The Military Academy bill carried $1,000,000, in round numbers; for 1921 it is $2,000,000, or $1,072,000 more than it was in 1916.

The naval appropriation bill in 1916 was $149,661,000. This year it is $433,000,000.

The pension bill was $164,000,000 in 1916. This year it is $279,000,000, or an increase of $114,000,000.

The Post Office appropriation bill in 1916 carried $313,364,667. In 1921 it is $462,574,000, or an increase of $149,000,000.

The only decrease is in the river and harbor bill, which is not signed. In 1916 it was $30,000,000; in 1921 it is $12,000,000.

The sundry civil bill in 1916 was $126,922,000. This year it is $428,216,000, or an increase of $300,000,000.

That makes a grand total, Mr. President, for all appropriations in 13 great appropriation bills for 1916 of $978,722,857, and under this economic administration in 1921 these 13 supply bills carry $2,189,960,000, or an increase in these 13 bills over the appropriation bills of 1916 of $1,211,240,000.

Thus it will be noted that there was appropriated for pensions for military service rendered prior to the World War the sum of $279,000,000 for 1921, as compared with $164,100,000 for 1916; for the Postal Service, $462,574,546 for 1921, as compared with $313,364,667 for 1916; for the Indian Service, $12,788,397 for 1921, as compared with $9,771,902.75 for 1916; for Agriculture, $31,714,368 for 1921, as compared with $22,971,782 for 1916; for the Diplomatic and Consular Service, $9,253,537.91 for 1921, as compared with $4,061,280.01 for 1916; for fortifications, $18,833,442 for 1921, as compared with $6,060,216.90 for 1916; for the Military Academy, $2,142,212.70 for 1921, as compared with $1,069,813.37 for 1916; and for District of Columbia, $18,305,484.87 for 1921, as compared with $11,859,584.45 for 1916; an increase of $320,097,936.12 for 1921 over the amount appropriated in 1916 in these nine regular appropriation bills. And let me say again, that it can not be claimed that these increases have been brought about as the result of activities growing out of the war, or "war hangovers." And this does not take into consideration the increased drafts on the Treasury made by special acts passed at this and the extra session.

I make an exception of this great bill, known as the sundry civil bill, in which there was such a great increase because of the hospitals and the War Risk Bureau.

If you deduct from the appropriation in the sundry civil bill for 1921 the amounts carried for compensation, for hospital treatment, the training of soldiers, and other services growing out of the war, it will be found that it carried $145,000,000, as compared with $126,000,000 carried in 1916 for the same purposes. Thus, excepting the War Risk Bureau and the hospitals and all the war activities provided in that great bill, you still have an increase of $20,000,000.

Also laws have been passed increasing the pension of those who were in the military service prior to the late war. These laws will add at least $77,500,000 to the present pension appropriation, and as a result there has been appropriated for the next fiscal year the sum of $279,000,000, which is nearly $56,000,000 more than has ever been paid in any one year, and $123,564,708.97 more than was paid eight years ago.

Mr. President, there is another thing which we have not taken into consideration in these great appropriation bills. As the Senator from Utah [Mr. SMOOT] knows, the appropriations for unexpended balances are hard to ascertain. We have an appropriation before us, and without naming any amount in the appropriation bill at all we appropriate the unexpended balance, which is a bad system. That money ought to go back into the Treasury. We ought not to appropriate unexpended balances. It is indefinite. Senators can not see. We just say that we appropriate so much for an unexpended balance, and in some cases it has been nearly a billion dollars. Millions of dollars are appropriated that way. So I have not taken into account in these statements the unexpended balances which have been appropriated, which will amount to about $300,000,000.

It is impossible at this time to accurately determine the exact amount of these reappropriations, but it can be safely said that they will amount to between $325,000,000 and $350,000,000, and the very fact that one can not pick up an appropriation bill and quickly ascertain the full amount of appropriations carried is a strong and compelling argument against this method of making

appropriations. It has, however, no doubt served its purpose in that it has made possible an apparent reduction of the estimates in these sums and thus enabled gentlemen on the other side to boast of a reduction which appears on the surface, but which in reality does not exist. If the reductions made in the estimates for the Army, the Navy, and the Shipping Board are excluded, and the amount of reappropriations and expenditures authorized out of governmental receipts are taken into consideration, it will be observed that there have been very slight, if any, actual reductions made in the sum total of the estimates.

Some of our friends talk about the great reduction made in the estimates; that we have reduced millions and millions and millions of dollars in the estimates. That is true, Mr. President. But what does that amount to? Is that economy? Is there a reduction of expenses because the head of a department asks for $100,000 or $500,000 and we give him only half of it? What does that amount to? Yet it is claimed they have saved money by giving not what is estimated but half or a third of the estimates.

I remember in a Democratic administration we gave $500,000,000 less than the estimates. So they have in this administration given millions and millions of dollars less than the estimates. We do not have to give the estimates. We find what is necessary, and give whatever we think is just and proper.

Gentlemen on the majority side of the Chamber have referred to these reductions as savings and as showing great economy on the part of Congress. With all due respect, Mr. President, to those gentlemen who have made that claim, such an insistence is nothing short of ridiculous.

This is also exclusive of the permanent appropriations, amounting to $1,425,407,752, which item is not included in my statement. That is the permanent appropriations. I am glad the Senator from Utah has an amendment, which he proposes to offer, if he has not already offered it, to have reported to the Senate every year what the permanent appropriations are, so that the Congress may know what money is to be appropriated in these permanent appropriation bills. So I have attempted to find out what these permanent appropriations are, and find they amount to more than $1,447,000,000.

The reorganization bill which has just been adopted provides for an Army to be maintained in peace times of a maximum strength of 300,000 men and 18,000 officers, and which if enlisted to full strength will cost the Government $650,000,000 annually to maintain in times of peace.

So that is not included in this estimate.

Then, Mr. President, there are bills upon bills passed making great appropriations which are not included in these appropriation bills. Under the bill we passed last night we will have to appropriate $37,000,000. I do not know how much will be appropriated for this bill under consideration.

The Spanish-American War pension bill we passed called for $18,000,000. So we are passing bills to-day authorizing appropriations during this Congress, appropriation after appropriation, bill after bill, which are not included in these estimates. So when you come to estimate and take in these authorized appropriations which will have to be made, this Congress, in my judgment, has appropriated more than $2,000,000,000. The regular appropriation bills—the 13 supply bills—amount to over a billion, the permanent appropriations over a billion, and the Army bill over six hundred million.

Mr. President, when you add all these appropriations—anticipated, unauthorized, and the 13 supply bills—the amount will be over $4,000,000,000.

So, Mr. President, I thought I would bring this to the attention of the Senate and make this comparison which I believe is fair and just, taking 1916, two years before the war, and 1921, two years after the war.

Mr. SMOOT. Mr. President, I wish to take a few moments time in answer to what the Senator from North Carolina [Mr. OVERMAN] has just said. I think the statement just made by the Senator is a wonderful commendation of this Congress in the amount that has been appropriated as shown in the figures which the Senator has given. I think the Senator has been a little too shy in telling the country just what amount of money has been appropriated and what the expenses of the Government were, and I wish to call attention to some of them.

The estimated expenditures for the fiscal year ending June 30, 1920, were $6,480,506,249.44. The estimated receipts were $6,506,203,762. I wish to call attention to some of the items that had to be appropriated for this year that were never thought of in the year 1916, and we will see how quickly this billion dollars melts away, as the snows before a noonday sun, and adds a credit of an extra million or more dollars to the Congress making the appropriations for the coming fiscal year.

Why, Mr. President, the appropriations include the entire interest on the public debt for the year. That almost wipes out at once this billion dollars to which the Senator has called attention with so much apparent satisfaction. That interest must be paid, and this Congress had to appropriate the money to pay the same. There was no interest to be paid in 1916. There goes the billion dollars bragged of at once.

Then, again, we paid $415,000,000 in this fiscal year as a result of the passage of the Esch-Cummins railroad bill. Again, we advanced loans to our allies, and the money had to be paid out of this year's expenses, another $450,000,000.

Mr. OVERMAN. Does the Senator say these are included in the supply bills?

Mr. SMOOT. I say the interest is included, and I say also that the $415,000,000 for the railroads is included.

Mr. OVERMAN. In what bill?

Mr. SMOOT. The general appropriations covered it.

Mr. OVERMAN. That was the railroad bill. I did not speak of any railroad bill. I spoke of the billion-dollar increase in the regular supply bills and showed where it came.

Mr. SMOOT. The interest must be provided for, as the Senator knows, and not only that but I am calling attention to some of the items that this Congress had to meet that the Congress in 1916 never thought of, nor did anyone in the United States ever dream that such expense would be piled upon the taxpayers of this country. However, the obligations were made, and we had to meet them, no matter what party is in power. If the Democrats were in power they would have to pay the interest upon the obligations of the Government. We have to pay the expenses of the bills Congress passed during war time, leaving the hangover on this Congress to meet, and these are some of the things that this Congress has had to meet.

There has been appropriated this year over $100,000,000 for the hangover of the war obligations and contracts. We have appropriated that amount already, and we were compelled to do it. Not only that, but we have had to appropriate not only $100,000,000 for that, but before we get through with this class of claims there will be $200,000,000 more that we will have to appropriate. I do not know whether the appropriation will be made in the deficiency bill to be passed the next session of Congress, but I do know that we have to meet the obligation and we have to make the appropriation to cover it. That much I do know.

The Government has on hand of Victory and Liberty loan bonds $221,437,906.99, and certificates of indebtedness amounting to $150,000,000, for which appropriations have been made with a view of the Government sustaining if possible the price of its Liberty bonds. The Government of the United States has been the largest purchaser, and, perhaps I might say, virtually the only large purchaser to speak of for Liberty bonds. We have that amount of money invested in Liberty bonds, and it has taken money to buy those bonds, and if they had not been bought this year we would have had to buy them at some future time, and this Congress has had to furnish the money for that purpose.

I was in full sympathy with the legislation providing for the purchase of Liberty bonds. I thought it was a good thing, and if it had not been passed I say frankly now that the Liberty bonds would have fallen to the present low level months and months before it finally happened. I am aware that we can not keep appropriating money to buy all the Liberty bonds that will be offered, because if we did and there was a fair market price, the Government of the United States would have to purchase a great proportion of the bond issues.

I wish also to say that the sum mentioned included the $442,000,000 paid in cash to the Shipping Board and other items of extraordinary nature.

Why talk about a billion dollars? I want to predict now that never within the next quarter of a century will the running expenses of this Government be less than $3,000,000,000.

If the Senator had desired to make a just comparison between the last Democratic Congress and the present Republican Congress, he would have called attention to the items I have mentioned and then compared the estimates submitted by the Democratic heads of the different departments and the amounts actually appropriated by the Republican Congress. Such a comparison would show that this Democratic administration asked for $5,000,000,000 to run the Government for the coming fiscal year, and the appropriations granted to cover these estimates by the present Republican Congress saves to the taxpayers $1,500,000,000.

Until our obligations are paid we will have to pay interest on all the obligations of the Government, including Liberty bonds and the outstanding short-time certificates. Every American citizen must know that for years and years to come the interest obligation of our Government will amount to nearly $1,000,000,000 a year. That alone was more than all the ap-

propriations made by the Congress for the fiscal year 1916. All of the appropriations spoken of and as the Senator from North Carolina has read them did not amount to $1,000,000,000 for the year 1916, and now we are to be required to meet an interest charge for a decade or more of nearly a billion dollars annually.

I do not care whether the Democratic Party is in power or whether the Republican Party is in power, I say that the expenses of the Government will be enormous and it is the duty of every Congressman and every Senator to cut every appropriation to the bone.

Mr. President, I ask unanimous consent to place in the RECORD the amounts of the estimates for the appropriation bills referred to by the Senator from North Carolina [Mr. OVERMAN], as well as the total appropriations made as reported by the Senator.

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

The matter referred to is as follows:

Table comparing by bills estimates of regular annual appropriations for the fiscal year 1921 with the amounts appropriated for the fiscal year 1921 as shown in the statement of Senator Overman.

Title.	Estimates, 1921.	Appropriations, 1921.	Increase of estimates over appropriations.
Agriculture	$37,528,102.00	$31,714,368.00	$5,813,734.00
Army	982,800,020.00	376,765,824.00	606,034,196.00
Diplomatic and Consular	11,243,250.91	9,253,537.91	1,989,713.00
District of Columbia	19,179,716.03	18,305,484.87	874,231.16
Fortification	117,793,330.00	18,833,442.00	98,959,888.00
Indian	12,994,494.27	12,788,397.00	206,097.27
Legislative, etc	122,242,849.02	104,735,726.11	17,507,122.91
Military Academy	6,778,637.20	2,142,212.70	4,636,424.50
Navy	573,131,254.80	433,229,574.00	139,901,680.80
Pensions	[1]279,000,000.00	279,000,000.00	
Post Office	[2]467,497,573.00	462,574,546.00	4,923,027.00
River and harbor	42,841,565.00	12,400,000.00	30,441,565.00
Sundry civil	906,725,387.10	428,216,944.92	478,508,442.18
Total, regular appropriations	3,579,756,179.33	2,189,960,087.51	1,389,796,121.82

[1] This sum includes the regular estimate of $215,000,000 and $64,000,000 provided for in the Fuller bill.

[2] This sum includes the regular estimate of $391,713,673 and an estimate of $75,783,900 to continue the temporary increases in compensation provided for in the last annual appropriation bill and House joint resolution No. 151.

The deficiency appropriation bills are not included in the above.

Mr. THOMAS. Mr. President, I merely desire to say that in my judgment the record of each party upon the subject of extravagance is a record of shame.

Mr. OVERMAN. Mr. President, I want to say just a word. The Senator from Utah is a little bit unfair. I tried to be fair.

Mr. SMOOT. So did I.

Mr. OVERMAN. The Senator talks about appropriations in what are known as the deficiency bills. There are three of the great deficiency bills. I never mentioned those. I never put them in my statement.

Mr. SMOOT. That is why the Senator was unfair.

Mr. OVERMAN. There are 13 appropriation bills that I gave, and I stated specially that I did not mention the expenses incident to the war and the hangover. I showed that they had spent a billion dollars more money than we had in the usual supply bills.

Mr. SMOOT. The Senator knows, if he will refer to the appropriation bills, that these items have been appropriated for—not all of them, as I said, but the great bulk of them.

Mr. OVERMAN. We have to appropriate for interest, we have to appropriate for Liberty bonds and a great many other things growing out of the war, but most of those great appropriations occur in the deficiency bills, and I especially stated when I began my statement that I did not want to be unfair and charge the other side with extravagance on account of matters growing out of the war activities, and I specially excepted those.

Mr. SMOOT. The war activities appropriations are not over and we do not know when they will be. I should like to see repealed every law that was passed by Congress granting extraordinary powers to the Executive. I think it would be better for the country, and I am quite sure that it would be better for the Treasury of the United States.

THE MERCHANT MARINE.

Mr. DIAL. Mr. President, I wish to say just a few things about the merchant marine bill.

During the war all good, patriotic people did all they could to contribute all they could to help win the war. As a result of the war we now have on hand a large number of ships, something over 2,000. Personally I am opposed to the Government going into business and conducting any business that citizens of the United States can carry on as an ordinary proposition, but these are extraordinary times, and this is an extraordinary condition. We were forced into owning the ships.

I am a member of the Committee on Commerce, a new member, having been on the committee only a few months. I have a great deal of apprehension about the bill, although I desire to say that the committee worked most diligently on it and they have framed the best law they think can possibly be framed at this time. If I had been preparing the bill, this is not exactly as I would have had it. No doubt it is a good policy to sell useless ships and ships not suited to our purposes. I think that is about as far as I would have gone at the present time. I want to get the Government out of the shipping business as soon as practicable, and without loss, and for the interest of the whole country.

My fear is that these ships will be sacrificed and be allowed to fall into the hands of monopolists. The time has come when we need a merchant marine which will be commensurate with our demands and necessities. We wish to ship our goods to every market in the world. I am, therefore, strongly in favor of building up a great merchant marine.

Mr. President, I wish some such process as I am about to suggest might be adopted. I wish that the Shipping Board would make a calculation in order to ascertain how many ships each State would be entitled to, according to the population of the State. We are told here to-day that sufficient advertisement has not been made of the intended sales of these ships; and I am firmly of the opinion that that is true. Of course, I do not believe in the Government giving its ships away; and while I know that the States, as such, could not buy ships, I should like to have the ownership of the ships spread out all over the United States. I believe that the Shipping Board ought to encourage chambers of commerce, boards of trade, and different business institutions all over the country to look into the desirability of purchasing the ships; and if it could be so arranged that each State would be entitled to an option on the purchase of so many ships, perhaps the citizens of the States would get busy and form corporations and combine with other people and help buy the ships.

The plan proposed in the bill is to sell the ships at a very reasonable figure—perhaps it is left to the board as to what is a reasonable figure—on long time, with a very small cash payment, the interest, I believe, to be fixed by the board. I think, perhaps, the rate of interest should have been fixed by the bill; but I do not care to criticize what the committee has done.

It is very important, however, that the ownership of these ships shall be distributed all over the United States. During the recent World War there was a great congestion of goods for shipment in the northern ports, and there has been congestion since that time. It is said that there was a string of loaded cars from New York back to Cleveland and possibly farther west. I wish that the ports of this country could be opened clear around the water front of the United States. Formerly we had great shipping from my section of the country, and it was stated here recently that some ships had been allocated to that section and that the shipping business there has grown rapidly. A gentleman called to see me here last week, and he said he was considering the proposition of establishing a line of ships from Charleston or Savannah and that he would operate as many as a ship a day. It seems to me, Mr. President, that the citizens of every State will have something which they shall desire to ship, and they certainly will be interested in imports. I wish that the coal interests, the beef interests, the grain interests, the tobacco interests, the cotton-mill interests, the cotton-growing interests, and the farming interests generally all over this country would cooperate and buy these ships. If there is going to be any money made out of the operation, if these ships are to be sacrificed, I think the people all over the country ought to get some of the benefit of the transaction. I do not believe it is to the interest of our trade that the ownership of more vessels should be placed in the congested ports.

We read in the newspapers here within the last few days of the longshoremen's strike; that ships can not be loaded, but are tied up in New York; in fact, the people there admit that to be the situation. The conditions in those ports are such that they can not handle the freight, and many of the ships have been diverted to Philadelphia, Baltimore, and Norfolk. It is a sad day for the prosperity of our country when a few men, be they longshoremen or others, shall tie up the entire commerce of this country. It is impossible to get trains through here from the South; they, too, are tied up. I hope, by diversifying the ownership of the ships, that we shall open up the ports on the South Atlantic, on the Gulf, and on the Pacific coast; that we shall thereby get our goods rapidly to market; and that it will not be

within the power of any few men to tie up the commerce of the country.

Yesterday I received a long-distance message, over a distance of 500 miles, from a port where it was stated that the people there had a large quantity of goods; that they were anxious for more ships to be allocated there; that the business was rapidly developing.

Just recently five of the South Atlantic ports sent a very large delegation out West; they went to Detroit and, possibly, as far as Minneapolis. I think the distance from Charleston or Savannah to Chicago is practically the same as it is from there to New York. So if we should open up the South Atlantic and Gulf ports, instead of railroads being congested and not being able to handle our freight, the freight being shipped to those ports, we should get our goods to market more quickly and cheaply, and the whole country would thereby be benefited.

I was talking the other day to a supercargo, who said, "We were tied up in New York some three or four weeks; the expense of the crew was going on; we had to keep fires up and burn coal." Then they went to New Orleans and they were tied up there for some time and the same expense was incurred. Some kind of condition ought to be established whereby such a situation would be impossible. As a result of these tie-ups, during which time expenses continue, money is thrown away and no one receives the benefit of it, and by reason of such conduct the cost of living piles up and mounts higher and higher.

So I hope that there will be thoroughgoing advertisement by the Shipping Board. If I had my way, there would be no hurry to sell these ships, but the sales would be advertised thoroughly all over the United States, so as to allow every interest to come in and bid on the ships. Even inland cities would take pride in participating, if they understood the situation and the favorable terms upon which they could purchase the ships, and perhaps would form companies and help buy them, and thereby make possible a better price for the United States and insure some benefit to everybody. Not only that, but if our constituents in the various States owned stock in the shipping companies we would be more likely, perhaps, to pass laws to meet the conditions that might arise. So I believe that the board should not be in great haste, even if this law is passed, to dump the ships on the market at any prices they can get for them. I think there is quite a difference between the situation affecting ships and that affecting the railroads. We want to build up a merchant marine of which we will be proud; we want to carry and distribute a large proportion of our merchandise in our own vessels, as we did long ago, before the days of the Civil War.

FORCE AND SALARIES IN PATENT OFFICE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

Mr. NORRIS. Mr. President, after consultation with members of the committee and others, I am authorized, so far as we can, to accept the amendment that is now pending, offered by the Senator from Utah.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. NORRIS. Mr. President, I have two other amendments which I desire to offer to the committee amendments.

On page 12, line 11, I move to insert the words "license and," so as to read:

> And the Federal Trade Commission is hereby authorized and empowered to license and collect fees and royalties for licenses.

It is merely a grammatical correction.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. In the committee amendment, on page 12, in line 11, after the word "empowered," it is proposed to insert the words "license and."

The amendment to the amendment was agreed to.

Mr. NORRIS. On page 12, after line 21, I move to amend the committee amendment by inserting the proviso which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. In the committee amendment, on page 12, at the end of line 21, after the word "benefit," it is proposed to insert the following proviso:

> *Provided*, That nothing herein shall be construed to give to said commission or any other governmental agency any authority to engage in the manufacture of any such invention or patented article.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I call attention to page 2, where I desire to offer a number of amendments. On that page, in line 16, I move to strike out "forty-seven" and insert "thirty."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 16, after the word "examiners" it is proposed to strike out "forty-seven" and insert "thirty."

Mr. NORRIS. There is no objection to that amendment, so far as I know.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KING. In line 17, on the same page, before the words "first assistants," I move to strike out "one hundred" and insert "seventy-five."

Mr. NORRIS. There is no objection to that.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KING. In line 18, on the same page, I move to strike out "thirty" and insert the word "twenty."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 18, where the word "thirty" occurs in two places it is proposed to strike out "thirty" and insert "twenty."

The amendment was agreed to.

Mr. KING. On the same page, on line 19, I move to strike out "one hundred" before the words "second assistants," and insert "seventy-five."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 19, before the words "second assistants," it is proposed to strike out "one hundred" and insert "seventy-five."

The amendment was agreed to.

Mr. KING. On line 21 of the same page I move to strike out the words "one hundred," relating to the third assistants, and insert "seventy-five."

The amendment was agreed to.

Mr. KING. In lines 22 and 23 I move to strike out "one hundred" before the words "fourth assistants" and insert in lieu thereof "seventy-five."

The amendment was agreed to.

Mr. KING. Mr. President, I have suggested another amendment to the Senator from Nebraska, which he is not willing to accept. I shall not ask a vote upon it, but I call his attention to it, and I ask his serious consideration to the matter when the bill goes to conference. The amendment is on page 1, line 6, after the word "section," to insert the words "for the fiscal year 1921," so that it will read:

> The salaries of the officers mentioned in the preceding section for the fiscal year 1921 shall be as follows:

The Senator will not accept that amendment, and he has been so patient that I will not ask for a vote and permit the bill to be put upon its passage.

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

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

The bill was read the third time and passed.

The title was amended so as to read: "A bill to increase the force and salaries in the Patent Office and to authorize the Federal Trade Commission to accept and administer, for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes."

Mr. NORRIS. I move that the Senate ask for a conference with the House on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

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

CAMPAIGN EXPENDITURES.

Mr. POMERENE. On yesterday I presented Senate resolution 383, which I had hoped to have the consent of the Senate to take up and dispose of. An objection was made by the Senator from Massachusetts [Mr. LODGE]. Under the rules of the Senate I am not entirely clear as to whether the resolution should go to the Committee to Audit and Control the Contingent Expenses of the Senate. I find on investigation of the precedents that at times similar resolutions have been thus referred, and at other times they have not been. I am, however, going to move that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, with instructions to report on the convening of the Senate on the calendar day of Saturday, June 5.

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

The motion was agreed to.

BITUMINOUS COAL SITUATION.

Mr. LODGE. I promised several Senators that we should have an executive session.

Mr. KING. The Senator from Massachusetts [Mr. WALSH] has a resolution of inquiry. It will take only a moment, and I appeal to the Senator to allow it to be considered.

Mr. LODGE. Certainly, I yield to my colleague.

Mr. WALSH of Massachusetts. I move that the Senate take up and act upon Senate resolution 374, a resolution to get certain information from the Interstate Commerce Commission dealing with the coal question. I understand that there is no opposition to it. I have talked with the Senator from West Virginia [Mr. SUTHERLAND], and he now has no objection. He objected to it the other day.

Mr. SMOOT. I was going to say to the Senator that the Senator from West Virginia [Mr. SUTHERLAND] asked me, if the resolution came up, simply to notify him.

Mr. WALSH of Massachusetts. He told me yesterday to proceed in his absence.

Mr. SMOOT. If the Senator from West Virginia has told the Senator from Massachusetts he has no objection, I have none.

The resolution (S. Res. 374) submitted by Mr. WALSH of Massachusetts on May 28, 1920, was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Interstate Commerce Commission is authorized and directed to investigate and report to the Senate as soon as practicable—

(a) What amount of bituminous coal mined in the Pennsylvania and West Virginia fields during the months of March and April, 1920, was dumped over tidewater piers;

(b) What is the probable amount of the coal mined in these fields that will be shipped to tidewater in the next six months;

(c) What percentage of the coal dumped at tidewater during March and April was used for foreign bunkers and export cargo;

(d) From what ports were these exports made, and how much from each;

(e) What percentage of the coal dumped at tidewater in March and April moved coastwise;

(f) How many railway cars were used in these months to carry the coal which went offshore for foreign bunkers and cargoes;

(g) To what extent has the price of coal for locomotive use on American railroads been raised due to the upbidding of coal prices by foreign buyers;

(h) To what extent does the eastern coast section of the United States depend on shipments of bituminous coal by water; and

(i) What is the total tonnage of bituminous coal shipped by water in normal times to supply the necessary requirements of the eastern coast section.

EXAMINATION OF APPLICANTS FOR POSTMASTERSHIPS.

Mr. HARRIS. Mr. President, I offer a resolution and ask that it lie on the table until to-morrow.

The resolution (S. Res. 385) was read and ordered to lie on the table, as follows:

Whereas the United States Civil Service Commission is required under certain conditions by Executive order to certify to the Postmaster General the result of an open competitive examination to test the fitness of applicants for a vacancy in the position of postmaster of any office of the first, second, or third class; and

Whereas the commission is further required to give preference in such examinations and certifications to persons honorably discharged from the military, naval, or marine service of the United States; and

Whereas complaint has been made that such persons have not been accorded such preference in such examinations and certifications: Therefore, be it

Resolved, That the Committee on Civil Service and Retrenchment, by subcommittee or otherwise, is authorized and directed to investigate and report to the Senate as soon as practicable—

(a) The method and system of rating the examinations by the United States Civil Service Commission of applicants for a vacancy in the position of postmaster of any office of the first, second, or third class.

(b) Whether persons honorably discharged from the military, naval, or marine service of the United States are given preference in such examination ratings.

(c) Whether such persons are given preference in the certification made by the commission to the Postmaster General.

(d) Such additional matters relating to such preference for such vacancies as the committee may deem advisable.

Such committee is hereby authorized during the Sixty-sixth Congress to sit during the sessions or recesses of the Congress, at Washington or at any other place in the United States, to send for persons, books, and papers, to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be before such committee, such stenographer's service to be rendered at a cost not exceeding $1 per printed page, the expenses in carrying out the provisions of this resolution to be paid out of the contingent fund of the Senate.

INCOME AND PROFITS TAX RETURNS.

Mr. HARRIS. I give notice that to-morrow I shall ask that the Senate discharge the Finance Committee from the consideration of Senate joint resolution 146, directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918.

EXPORTATION OF SUGAR.

Mr. McNARY. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 4420, to prohibit the exportation of sugar, and for other purposes. It is a very important measure. I think its disposition will require only a brief time, and I ask unanimous consent for the consideration of the bill.

Mr. SMOOT. Mr. President, I understood that we were going to have an executive session at this time. It is impossible to consider the bill now.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Harding	Nugent	Smoot
Borah	Harris	Overman	Spencer
Brandegee	Henderson	Page	Stanley
Calder	Jones, Wash.	Phelan	Sterling
Capper	Kenyon	Phipps	Sutherland
Curtis	Keyes	Pomerene	Swanson
Dial	King	Ransdell	Thomas
Dillingham	Lodge	Reed	Townsend
Fernald	McCumber	Robinson	Trammell
Gay	McNary	Sheppard	Underwood
Gerry	Nelson	Simmons	Walsh, Mass.
Glass	New	Smith, Ariz.	Warren
Hale	Norris	Smith, Md.	Wolcott

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

Mr. McNARY. I move that the Senate take up for consideration Senate bill 4420, to prohibit the exportation of sugar, and for other purposes.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

EXPORTATION OF SUGAR.

Mr. McNARY. Mr. President, I ask unanimous consent to proceed to the consideration of the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes.

Mr. THOMAS. I should like to inquire of the Senator whether the bill will provoke long discussion.

Mr. McNARY. I can only say to the Senator from Colorado that I hope not.

Mr. SMOOT. I wish to ask the Senator from Oregon if it is a Senate bill or a House bill?

Mr. McNARY. It is a Senate bill.

Mr. SMOOT. Then, it is absolutely impossible to secure the consideration of it by the House. So why take up the little time we have left now in the discussion of such a bill?

Mr. McNARY. I will say to the Senator from Utah that I also have great hope in this respect, that the House will take it up for early consideration to-morrow if it passes the Senate this evening. It is a bill that I think possesses great merit and that the people of the country, who want sugar, will be happy to have written on the statute books. I imagine that there will not be much opposition on the floor of the Senate, and little, if any, in the House. It is proposed legislation that ought to be enacted before the expiration of the present session.

The VICE PRESIDENT. Is there objection?

Mr. GAY. I object.

Mr. McNARY. Mr. President, I move that the Senate take up for consideration the bill (S. 4420) to prohibit the exportation of sugar, and for other purposes.

Mr. SMITH of Georgia. Mr. President, I do not think it wise to take up the bill at this time. It is a very questionable bill, in my judgment, and it is very doubtful whether it would help in any way. The proposition is to put an embargo on the exportation of sugar from the United States when the sugar is not here, when we do not produce enough in our own country to meet our own needs. It must come in from other countries to furnish our people what they require.

If we put an embargo on sugar, we are likely to deter imports, we are likely to interfere and cause persons who desire to refine it and ship it out to hesitate about bringing it in. I can not see any reason why they should bring it in if we forbid them subsequently to ship it out should they wish to sell it abroad. I can not see any reasonable expectation that we will increase our supply of sugar by putting an embargo on its export, when it has not yet been imported.

Mr. McNARY. I will say to the Senator from Georgia that the bill contains a provision exempting from the operation of the provisions of the bill the sugar brought here on toll, owned by foreign nations or their nationals.

The purpose of this bill is this: When sugar is acquired by refiners or speculators or jobbers in this country and brought here and refined, the bill provides that it shall be kept here and

sold to American consumers, thereby adding to their supply. Anyone engaged in the sugar business ought to be satisfied with the profit they can make at prices which they charge the American public to-day and should not be permitted to sell it to the nationals of other countries. That is the purpose of the bill. It does not affect in any regard sugar brought here for refining. It only will keep here the sugar that is brought over, that ought to remain and be sold to the American public at a fair price.

Mr. HARRISON. Mr. President, the Senator has the figures there. May I inquire how much has been sent out of the United States within the last year?

Mr. McNARY. I will say to the Senator from Mississippi that the statistics supplied me by the Government show that 555,000,000 pounds, aggregating about 257,000 tons, have been exported.

A part of this sugar was brought in here and refined on toll, and the Government contends that much of it has been brought in by speculators and refiners and sold and taken out of the country at a higher price. It is that sugar that I want to retain in this country.

Mr. SMITH of Georgia. Mr. President, if the Senator will pardon me, did not the expert say that he could not tell what proportion was brought in for that purpose; that he did not know?

Mr. McNARY. He said it was a very large proportion; that he did not know the exact figures, but that it was a tremendous quantity.

Mr. REED. Mr. President, does the Senator from Oregon state to us that any of the sugar which was exported out of the country was primarily produced in this country?

Mr. McNARY. No; very little of such sugar was exported.

Mr. REED. All of it was brought in from abroad and refined here, so that our refineries had the work; then a part of it was sent abroad—the amount the Senator speaks of—but it was all foreign sugar, which was brought here and refined in bond.

Mr. McNARY. That is true, the simple fact being that the sugar that we consume, to a very large extent, comes from Cuba.

Mr. NORRIS. I think the Senator from Oregon misunderstood the latter part of the question of the Senator from Missouri. The sugar was not all refined in bond.

Mr. McNARY. No; I did not understand that part of the question of the Senator from Missouri.

Mr. REED. Then, they had to pay duty on it?

Mr. McNARY. They would pay the duty on the sugar brought here from abroad by refineries and refined and sold in this country; but that does not apply to the sugar which the Senator from Missouri has in mind, namely, the sugar which was brought over which was owned by foreigners and refined at our refineries and sold abroad.

Mr. POMERENE. Mr. President, will the Senator from Oregon yield for a question?

Mr. McNARY. Yes.

Mr. POMERENE. The Senator from Oregon has referred to the large amount of sugar that was exported. Probably a year ago, pursuant to an arrangement which the United States had made with our allies, we bought a certain amount of sugar, agreeing that a portion of it should be sent to our allies? Is not all that sugar included in the amount to which the Senator has just referred?

Mr. McNARY. I will state to the Senator from Ohio that probably some of it is included; but, from information I have obtained from many of the refiners, but little of the sugar that has been exported comes under that classification.

Mr. POMERENE. The only thought I had in mind was that if we had a contract of that kind which was not complied with, certainly we would all desire to keep good faith.

Mr. McNARY. That is quite true.

Mr. LODGE. Mr. President, I am thoroughly in sympathy with the bill the consideration of which is proposed by the Senator from Oregon [Mr. McNARY]; I should be very glad to have it passed; I should certainly vote for it, and I have no objection to offer to it; but there is a House joint resolution here which is ready to be reported from the Judiciary Committee, which I consider of very great importance. I refer to the joint resolution proposing to repeal the war legislation. That measure comes from the Judiciary Committee with a favorable report. I repeat that it is a House joint resolution, and if we pass it I hope it will become a law. So it seems to me that the Senator from Oregon might be willing, if the consideration of the measure to which I refer will not take too long, to give the Senator from South Dakota [Mr. STERLING] an opportunity to present it to the Senate for consideration.

The VICE PRESIDENT. Does the Senator from Oregon withdraw his motion?

Mr. McNARY. No; I had rather at this time have it finally decided what disposition the Senate desires to make of my proposal to bring the sugar bill before the body for consideration.

Mr. STERLING. Mr. President, I quite agree with the Senator from Massachusetts [Mr. LODGE] in the thought that it will not take very long to dispose of the measure to which he refers, and it is important, as the Senator from Massachusetts has indicated, to dispose of it. I hope, therefore, that the Senator from Oregon will yield for its consideration and disposition.

Mr. McNARY. I should like to do that; but it will take but a few moments to have some disposition made of my motion. Then, if the Senate shall vote to consider my bill, I shall yield to the Senator from South Dakota.

Mr. BRANDEGEE. Mr. President, would not the Senator from Oregon be satisfied if the Senate would grant him unanimous consent to proceed to the consideration of the sugar bill immediately upon the conclusion of the matter suggested by the Senator from South Dakota?

Mr. McNARY. I would.

Mr. BRANDEGEE. Then I will ask, if the Senator from Oregon is too modest to do it, that unanimous consent be granted to proceed to the consideration of the sugar bill as soon as the joint resolution repealing war legislation shall have been disposed of.

The VICE PRESIDENT. Is there objection?

Mr. GAY. Mr. President, reserving the right to object, my attention was diverted, and I did not hear the Senator's request——

Mr. BRANDEGEE. My request was that as soon as the Senator from South Dakota [Mr. STERLING] shall have had the joint resolution repealing war legislation disposed of the Senate will proceed to the consideration of the sugar bill.

Mr. GAY. That may be done only if a majority of the Senate is in favor of it.

The VICE PRESIDENT. That is an objection to the request for unanimous consent.

Mr. McNARY. I think that I shall insist on the motion which I have made.

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

Mr. SMITH of Georgia. What is the motion, Mr. President?

The VICE PRESIDENT. The motion is to proceed to the consideration of the sugar embargo bill.

Mr. SMITH of Georgia. I want to say a word or two further before that bill is taken up. How can anyone hope that we shall increase our supply of sugar by forbidding the exportation of sugar which has not yet been brought into the United States?

Mr. HARRISON. Will the Senator from Georgia yield to me?

Mr. SMITH of Georgia. Yes.

Mr. HARRISON. Might we not reduce the price of sugar to the consumers in the United States by preventing a part of the sugar which is now in the United States from being shipped out of the United States to some other country?

Mr. SMITH of Georgia. Yes; if we should limit such exportation to sugar that is now in the United States such a measure might possibly be of some value.

Mr. McNARY. Let me ask the Senator from Georgia a question.

Mr. SMITH of Georgia. I will let the Senator do so.

Mr. McNARY. In reading the provisions of the bill, does it not clearly appear that the bill does not apply to sugar that is brought here which may be refined and resold to the American public, and particularly exempts sugar which is brought here to be refined on toll? Therefore, the Senator's objection to the consideration of the bill falls because of the very provisions of the bill.

Mr. SMITH of Georgia. No. I think the Senator from Oregon takes an incorrect view of the measure. It broadly applies to all sugar that may at any time be in the United States except that which is brought here by foreign agencies to be refined and returned to them. It might deter the bringing of sugar into the United States. If the sugar produced in the United States was ample to meet our wants, and we put an embargo on exports, it might increase the volume of sugar retained for the use of the people of the United States; but when the sugar is not here and has to be brought here, when it is not pretended that the supply now in the United States is at all sufficient to meet the wants of the United States, to put an

embargo on the export of sugar is to discourage the bringing of sugar from Cuba here. The man who intends to refine sugar and send it away from here, the man who has a contract with the foreign market to furnish sugar, will not bring it here at all.

Mr. McNARY. Let me ask the Senator another question.

Mr. SMITH of Georgia. I will yield in a moment. Again, the man who is in doubt about whether he will sell sugar in the United States or sell it in the foreign market will hesitate to bring it into the United States. The only benefit would be to hold the sugar which comes here. We do not produce in the Philippines, Hawaii, and in continental United States anything like what we need, but depend upon foreign production for our supply. If we limit our sugar to the sugar produced in the United States, our supply would be less than a third of what we would consume. The sugar is not in the United States now to meet our wants for any considerable length of time; sugar must be imported into the United States to furnish our people what they need. Now, what possible help could an embargo on exports of sugar be to the supply in the United States when the sugar must be imported into the United States to give the supply? Possibly upon the theory that somebody will bring it in and we will grab it when it gets here; but an intelligent man will not bring it in if he wants to ship it somewhere else; he will shun bringing it to a place where the embargo cuts off a part of his market; and we are far more likely to lessen our supply than to increase it by this proposed legislation.

Mr. BRANDEGEE. Mr. President, will the Senator permit me to ask him a question?

The VICE PRESIDENT. Does the Senator yield to the Senator from Connecticut?

Mr. SMITH of Georgia. Yes.

Mr. BRANDEGEE. We are greatly pressed for time now, and, while I wish to hear the Senator's argument if we take the bill up, we have not decided as yet to take it up; and I think we would save time if we could vote now on the motion of the Senator from Oregon.

Mr. SMITH of Georgia. I wish to give the Senate an idea of the undesirability of taking up the bill, by showing that the bill will consume time if taken up, and do no good if passed.

Mr. BRANDEGEE. Very well; but I hope we will soon be able to have a vote.

Mr. SMITH of Georgia. I wanted to indicate to the Senate the fact that if this bill is taken up, it will involve a long and elaborate discussion. It is a most doubtful piece of economic legislation; it is a piece of legislation which can not in any sense furnish a guaranty of any help for our supply of sugar, but, on the contrary, some of us believe it will endanger our supply.

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

Mr. RANSDELL. I was about to suggest the absence of a quorum.

SEVERAL SENATORS. Do not do that now.

Mr. RANSDELL. We are going to vote on this matter, Senators; it is a very important matter affecting my State. I do not want it to be settled at this session and we can not settle it at this session. If it is attempted to settle it at this session, it will be necessary to have a quorum of the Senate to do it.

Mr. THOMAS. Some of us will vote "nay."

Mr. RANSDELL. If the Senate will vote down the motion, very well. I withdraw the point.

Mr. LODGE. Mr. President, it is obvious that this bill is going to require considerable debate.

Mr. RANSDELL. I am prepared to discuss it at considerable length.

Mr. LODGE. We have measures here, some of which are of the very first importance, such as the one in charge of the Senator from South Dakota [Mr. STERLING], which is a House measure. I hope the Senator from Oregon will be willing to allow us to take up the joint resolution to repeal the war legislation, for it is of very great moment.

Mr. McNARY. I will say to the Senator from Massachusetts that if the Senate will consent to the consideration of the sugar bill I will gladly yield to the Senator from South Dakota, and also to the Senator from Washington, for the two conference reports which he will soon have to present, and to any other more immediate impending legislation. That ought to satisfy the Senator.

Mr. SMITH of Georga. Those of us who are opposed to taking up this bill certainly do not want to make any such arrangement.

Mr. LODGE. Of course not.

Mr. SMITH of Georgia. We are entitled to begin our fight now on the motion to take up the bill, and we certainly can not consent to an arrangement of that kind. If the Senate takes up this bill, it will have to take it up with consciousness of what is ahead in the Senate.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon to take up the so-called sugar bill. [Putting the question.] By the sound the "noes" seem to have it.

Mr. HARRISON. I ask for a division.

On a division, the motion was rejected.

AMITY OF ENGLISH-SPEAKING PEOPLE.

Mr. THOMAS. Mr. President, I send to the desk a Senate resolution, which I ask to have read and go over under the rule.

The resolution (S. Res. 386) was read, as follows:

Resolved by the Senate of the United States, That the relations of amity and good will which the late war with Germany established among the English-speaking peoples constitute the best guaranty of the future peace of the world and the final refuge of institutions founded upon liberty and justice protected by law.

That any breach or serious disturbance of these relations would jeopardize the permanency of modern civilization.

We therefore deplore and denounce all indignities toward the official representatives or the flag of any foreign Government with which the United States is at peace, and call upon the properly constituted authorities to utilize all lawful means for preventing their recurrence.

The VICE PRESIDENT. The resolution will go over under the rule.

ADDRESS BY ASSISTANT SECRETARY LEFFINGWELL.

Mr. GLASS. Mr. President, I present a copy of an address delivered by Assistant Secretary Leffingwell before the Academy of Political Science in New York, with a view to its reference to the Committee on Printing, to the end of making it a public document.

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

REPEAL OF WAR-TIME LEGISLATION.

Mr. STERLING. From the Committee on the Judiciary, I report back favorably without amendment the 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. I ask unanimous consent for the present consideration of the joint resolution.

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

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 production, 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, the supplement to second Liberty bond act, and the Victory Liberty loan act; also the proclamations issued under the authority conferred by the acts herein excepted from the effect and operation of this resolution.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 2, line 14, after the word "act" and the semicolon, it is proposed to insert:

And the act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

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

The joint resolution was read the third time and passed.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, I desire to submit a further report on the merchant marine bill, making it conform to the point of order made in the House. I ask unanimous consent for the adoption of the report.

The VICE PRESIDENT. The report will be read.

The Assistant Secretary 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, 138, 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, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 143, and 148, and agree to the same.

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.

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.

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.

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.

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.

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.

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.

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"; and 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.

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 amend-

ment, after the word "rail," insert a comma and the word "water"; and the Senate agree to the same.

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 "$25,000,000";; and in line 4 of the Senate amendment, after "construction" insert "loan"; and in line 5 of the Senate amendment strike out "in the construction, or"; 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.

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.

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.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "10 hereof, and for the construction loan fund authorized in section 11 hereof"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "and construction loan funds"; and the Senate agree to the same.

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.

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.

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.

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.

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.

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 lief 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"; 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.

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: Strike out the last paragraph of the Senate amendment; and the Senate agree to the same.

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.

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; and in line 1 of the Senate amendment change the section number from "27" to "25"; 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.

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.

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.

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.

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.

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 mort-

gage 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 mortgage 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 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.

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.

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.

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 "33"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment change the section number from "37" to "34"; and the Senate agree to the same.

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: "35"; and the Senate agree to the same.

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.

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 "36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment at 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"; also change the section number in line 1 from "40" to "37"; and the Senate agree to the same.

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. 38. 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.

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: "39"; and the Senate agree to the same.

W. L. JONES,
WILLIAM M. CALDER,
CHAS. L. MCNARY,
JOS. E. RANSDELL,
F. M. SIMMONS,
Managers on the part of the Senate.
WILLIAM S. GREENE,
G. W. EDMONDS,
FREDERICK W. ROWE,
RUFUS HARDY,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

Mr. REED. Mr. President, I do not understand what we struck out. I can not get it in my mind.

Mr. JONES of Washington. I can state to the Senator what has been done.

We had in our bill a provision with reference to exemption from income taxes for the purpose of aiding in the construction of ships. When the conferees met we reached an agreement on that matter, and then the drafting experts suggested that it ought to be redrafted in conjunction with the Treasury experts. This was done, and we inserted a provision, as they drew it, embodying the idea that passed the Senate. It went to the House, and on account of some provision in the section as drafted by the experts a point of order was sustained to this provision. Now, it has come back to conference, and we have adopted the language of the Senate provision as it passed the Senate, so that that makes it conform to the action of the Senate.

Mr. NUGENT. Mr. President, will the Senator yield to me?

Mr. JONES of Washington. Yes.

Mr. NUGENT. Do I understand that the conference committee has cut out the two paragraphs of section 25 relieving shipowners from the operation of the tax laws?

Mr. JONES of Washington. Section 25, amendment numbered 128 as it was passed through the Senate, provided for the exemption for 10 years, as the Senator remembers, and so forth; and then the last paragraph also provided for the determination of depreciation. As I said, when we got into conference we agreed upon these three provisions with certain minor amendments, mere verbal amendments.

Then the drafting experts said that, while they had no objection to the idea, it should be put in a little different language, and they drew a provision embodying our idea. It went over to the House, and a point of order was made to it, on the ground that it was broader than the Senate provision, and that point of order was sustained. Now the bill has come back to conference, and we accept and they accept the first two paragraphs in the language of the Senate as the Senate passed it. We went further, however, and struck out the third paragraph of the Senate amendment entirely; so that we have taken two paragraphs of the Senate amendment as the Senate passed it, simply confirming the action of the Senate on those two paragraphs without change.

Mr. REED. Then, Mr. President, as I understand the Senator, there remains in the bill this language:

SEC. 25. That the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the first taxable year ending after the enactment of this act, 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 of the revenue act of 1918, 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 board: *Provided, however*—

And so forth. So that, as I understand the provision—and the Senator will correct me if I am wrong—that exempts the earnings of these vessels from the taxation which the rest of the people of the United States have to pay.

Mr. JONES of Washington. It does this: It exempts those sums as tax payments, provided they invest that money in new ships of the type required by the board and to be approved by the board; and I will say to the Senator that that has passed the Senate twice.

Mr. REED. Yes.

Mr. JONES of Washington. It was in the last conference report in a different wording. Now, we assumed, of course, that this provision having been adopted by the Senate, and the House receding and agreeing to the provision of the Senate, there would be no controversy even on the part of those who might be opposed to the proposition.

Mr. REED. Mr. President, some of us have been too busy working on committees, performing work which was imperative, to give to this bill the attention which its importance demanded.

Mr. JONES of Washington. I appreciate that.

Mr. REED. So far as I am concerned, I am utterly opposed on principle to exempting any class of citizens from taxation or any class of investments from taxation, unless it be those citizens who have very small incomes or those investments which are of an educational, a charitable, or religious character. I can not understand the justification for exempting from taxation the corporate owner of a ship. It does not have any income taxes to pay unless it has a net income. Unless it makes profits it does not have to pay taxes. If it does make profits it ought to pay taxes, like other people.

The proposition that it shall invest the amount in other ships is exactly the equivalent of a proposition to a steel manufacturing corporation that it shall be exempt from taxation on its profits provided it will build another steel mill, or to a farmer that he shall be exempt from taxation provided he will buy another farm, or to a banker that he shall be exempt from taxation provided he will establish another bank, or to a bond dealer that he shall be exempt from taxation provided he will take his profits and buy more bonds. Why, this artifice is as old as human cupidity and as crooked as dishonesty has been from the first. It has been tried out 10,000 times on 10,000 different things.

The commonest device of the gentleman wanting to locate a factory is to say that he will establish it provided he is exempted from taxation. In many of the States of this Union that custom of exempting such industries at one time prevailed, and in many instances the courts declared the laws exempting these institutions from taxation to be unconstitutional.

Now, we drag out of the closet of the past this old, discredited specter of fraud, of fraud against the Government and the people and of discrimination in favor of the rich. We attach it here to a bill that proposes to give to those who want to engage in carrying upon the seas more privileges and more advantages than have ever been granted by this Government in any bill that has been passed in recent years.

What is this proposition, stripped naked?

We want to build up a merchant marine. That is a most laudable purpose. The Government, at the expense of billions of money, in time of war, forced on by necessity, built a great number of vessels and established a great number of shipyards. It is now proposed to sell or charter these ships to private parties. That they will be sold to private parties under advantageous conditions goes without saying. We have already had some evidence that contracts were made for the disposal of certain of the vessels which we had either acquired in the war or had built under circumstances so grossly fraudulent, so infamously wrong and wicked that the courts, at the suit of a private citizen—Mr. Hearst—enjoined the transaction. The particular gentleman responsible for that policy was promoted to a higher position, which he now holds. I do not know how far the personnel of the board remains the same, but I do know that the old policy, the old theory, the old impelling motives which have always led the average man to regard the Federal Government as a great goose, existing only for the purpose of having its feathers regularly plucked, those same motives and policies will exist in the future. I do know that every time Uncle Sam engages in a business deal his pockets are picked in broad daylight.

We have had some experience with the difference between the patriotism of the soldier on the field of battle and the Army contractor. In the height of the war, when we were massing our troops upon the front, when the sky above them was literally obscured by the enemy airplanes, not only spying upon their movements and indicating their location to the German artillery, but raining upon them deadly missiles from the heavens, we beheld the spectacle of a billion and a quarter of our money squandered by the dollar-a-year patriots in constructing aircraft which were described by the men who had to use them as "flying coffins." Even when Uncle Sam stood with his bared breast in front of the blazing German cannon, these men did not hesitate to profiteer. That is the difference between money patriotism and human patriotism.

So I say, when you undertake to put somebody here to guard the interests of this Government in the sale of these ships to private parties, you will find out in the long run that the private corporations, working by day and by night, working through the silent influences they employ, will get these vessels on very favorable terms. It is proposed, in addition to that, to exempt them, and them alone of all the capitalists in the United States,

from taxation, a taxation, mark you, upon profits, for they have no taxes to pay unless they make profits. If their profits are low their taxes will be low, and it is only when their profits are high that their taxes will be high.

Mr. President, we had better wait a long time and rewrite a bill of this sort. We can much better afford to wait until next December and rewrite this bill than to pass it now and fasten it upon the American people.

I want to see a merchant marine established. We have a merchant marine. We built it out of the people's money. All that is necessary to do to put the American flag on the ocean and to have it waving in the breezes of every harbor of every sea is for the United States to employ plain business common sense and create a board to operate the ships, and, if desirable, charter them, in whole or in part, to private companies.

There is to be exemption from taxation for ship-owning capitalists upon the profits they have garnered and the gold they have gotten, while the hand of the taxgatherer is laid upon the meager salary of a woman who earns above $1,000 a year; upon the laborer who earns above $1,000; that is the exemption limit.

Mr. SIMMONS. A thousand dollars for a single person.

Mr. REED. Yes; a thousand for a single person and two thousand for a married person—a salary which will not support two people in a city, let alone support a man with a wife and three or four or five children.

We lay our hand upon his income, and we tax him; but it is proposed that the big ship company, with a capital running into the millions of dollars, shall not pay a tax on its profits, and we are practically to finance them to start with by furnishing the ships on favorable terms.

We levy a tax on the salary of the minister, on the salary of the school-teacher, upon the little income of the widow, upon the patrimony of the orphan, upon the farmer, upon the truck gardener, upon everybody. They have not asked exemption. Only this thing called the shipping patriot asks it. It has been asking at the doors of Congress for many years. All that time it has been standing here demanding a ship subsidy. We have had coastwise laws passed which enable those in the coastwise trade to build up a monopoly and to charge extortionate rates. This bill, in addition to the proposition I am now discussing, extends those laws, and carries the monopoly across 6,000 miles of the Pacific Ocean and attaches it to the Philippines.

Mr. President, a bill like this ought to be rewritten. As far as I am concerned, I do not intend to stand here and talk until 4 o'clock to-morrow to defeat it, for there are other measures which must be considered; but against its acceptance I protest with every sentiment of my heart and with every energy I possess. I venture the prediction that when the American people understand that great shipping companies, which have already been trying to rob this country, and been convicted of it in the courts of the land, and the convictions solemnly entered on record as a permanent injunction—there will be an answer, sir, which will be heard throughout the country.

Mr. President, I apologize for taking so much time at this late hour of the session. I ask for the yeas and nays on the adoption of the conference report.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on agreeing to the conference report, on which the yeas and nays are requested.

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

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

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

The roll call was concluded.

Mr. GAY. I transfer my pair with the Senator from New Hampshire [Mr. MOSES] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HENDERSON. Notwithstanding my pair, I am at liberty to vote on this question. I vote "yea."

Mr. UNDERWOOD (after having voted in the affirmative). I have a general pair with the junior Senator from Ohio [Mr. HARDING], who is absent at this time, but he would vote as I have voted, and I therefore let my vote stand.

Mr. SPENCER (after having voted in the affirmative). I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I will allow my vote to stand.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], but I am informed that he would vote as I have voted, and I will let my vote stand.

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and let my vote stand.

The result was announced—yeas 34, nays 11, as follows:

YEAS—34.

Brandegee	Henderson	Page	Smoot
Calder	Jones, Wash.	Phelan	Spencer
Chamberlain	Kendrick	Phipps	Sutherland
Curtis	Keyes	Pittman	Thomas
Dial	Lodge	Pomerene	Townsend
Dillingham	McKellar	Ransdell	Underwood
Fernald	McNary	Robinson	Warren
Gay	Nelson	Simmons	
Gerry	New	Smith, Md.	

NAYS—11.

Borah	Harrison	Norris	Sheppard
Capper	Kenyon	Nugent	Walsh, Mass.
Harris	King	Reed	

NOT VOTING—51.

Ashurst	Glass	Lenroot	Smith, Ariz.
Ball	Gore	McCormick	Smith, Ga.
Beckham	Gronna	McCumber	Smith, S. C.
Colt	Hale	McLean	Stanley
Comer	Harding	Moses	Sterling
Culberson	Hitchcock	Myers	Swanson
Cummins	Johnson, Calif.	Newberry	Trammell
Edge	Johnson, S. Dak.	Overman	Wadsworth
Elkins	Jones, N. Mex.	Owen	Walsh, Mont.
Fall	Kellogg	Penrose	Watson
Fletcher	King	Poindexter	Williams
France	Knox	Sherman	Wolcott
Frelinghuysen	La Follette	Shields	

The PRESIDING OFFICER. There is not a quorum present.

Mr. REED. Mr. President, it is perfectly manifest that it will take an hour or two hours to get Senators here, because they have gone to dinner. I suggest the propriety of either a recess or an adjournment until 8 o'clock.

Mr. JONES of Washington. May I suggest to the Senator that it is very important that the conference report should go over to the House to-night? I do not think it will take long to get a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Borah	Harris	New	Smith, Md.
Brandegee	Harrison	Norris	Spencer
Calder	Henderson	Nugent	Sterling
Capper	Jones, Wash.	Page	Sutherland
Chamberlain	Kendrick	Phipps	Thomas
Curtis	Kenyon	Pittman	Townsend
Dial	Keyes	Pomerene	Underwood
Dillingham	King	Ransdell	Walsh, Mass.
Fernald	Lodge	Reed	Warren
Gay	McKellar	Robinson	
Gerry	McNary	Sheppard	
Glass	Nelson	Simmons	

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

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

The motion was agreed to.

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

Mr. SHEPPARD. A parliamentary inquiry, Mr. President. Should not the call of the names of absent Senators proceed?

The PRESIDING OFFICER. The order has already been agreed to directing the Sergeant at Arms to request the attendance of absent Senators.

Mr. LODGE. I thought it would save time not to have the second call.

The PRESIDING OFFICER. The usual custom is to call the names of absent Senators, but that has not been done in this instance. It is competent for the Senate to pursue the other course.

Mr. STANLEY, Mr. HITCHCOCK, Mr. FALL, and Mr. PHELAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report. Upon that question the yeas and nays have been ordered. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. GAY (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES] which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called.) The senior Senator from Virginia [Mr. SWANSON] is necessarily absent, and I agreed to pair with him while he is away. Understanding that he would vote the same as I would on this conference report, I vote "yea."

Mr. SIMMONS (when his name was called). I have a pair with the junior Senator from Minnesota [Mr. KELLOGG]. I understand if he were present he would vote as I shall, and I therefore vote "yea."

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

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. Upon a vote on this question this morning that Senator voted as I did, and therefore I feel at liberty to vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer my pair to the Senator from Arizona [Mr. ASHURST] and vote "nay."

The roll call was concluded.

Mr. SPENCER. Making the same announcement as before with regard to my pair and its transfer, I vote "yea."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the Senator from Alabama [Mr. COMER] and vote "yea."

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. I understand that if present he would vote as I intend to vote. I will therefore vote. I vote "yea."

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

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

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

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

Mr. WOLCOTT. May I inquire if the Senator from Indiana [Mr. WATSON] has voted?

The PRESIDING OFFICER. He has not.

Mr. WOLCOTT. I have a general pair with that Senator, and in his absence I withhold my vote.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from Utah [Mr. SMOOT] and allow my vote to stand.

The result was announced—yeas 40, nays 11, as follows:

YEAS—40.

Brandegee	Glass	McNary	Simmons
Calder	Hale	Nelson	Smith, Md.
Chamberlain	Harding	New	Spencer
Curtis	Henderson	Page	Stanley
Dial	Hitchcock	Phelan	Sterling
Dillingham	Jones, Wash.	Phipps	Sutherland
Fall	Kendrick	Pittman	Thomas
Fernald	Keyes	Pomerene	Townsend
Gay	Lodge	Ransdell	Underwood
Gerry	McKellar	Robinson	Warren

NAYS—11.

Borah	Harrison	Norris	Trammell
Capper	Kenyon	Nugent	Walsh, Mass.
Harris	King	Sheppard	

NOT VOTING—45.

Ashurst	Edge	Johnson, Calif.	Lenroot
Ball	Elkins	Johnson, S. Dak.	McCormick
Beckham	Fletcher	Jones, N. Mex.	McCumber
Colt	France	Kellogg	McLean
Comer	Frelinghuysen	Kirby	Moses
Culberson	Gore	Knox	Myers
Cummins	Gronna	La Follette	Newberry
Overman	Sherman	Smoot	Williams
Owen	Shields	Swanson	Wolcott
Penrose	Smith, Ariz.	Wadsworth	
Poindexter	Smith, Ga.	Walsh, Mont.	
Reed	Smith, S. C.	Watson	

So the conference report was agreed to.

COMMITTEE SERVICE.

Mr. UNDERWOOD. Mr. President, I find that the work on the Appropriations Committee of the Senate is such that I can not be on the floor of the Senate and attend to the work in the committee; it is too engrossing; and it will be more so next winter. Now, that on the final appropriation bill for this session the conferees are ready to report, I wish to tender to the Senate my resignation as a member of the Committee on Appropriations and request that the Senator from New Mexico [Mr. JONES] shall be appointed to fill the vacancy created by my resignation.

The PRESIDING OFFICER. The Senator from Alabama asks to be relieved from the discharge of further duties as a member of the Committee on Appropriations. Is there objection? The Chair hears none.

The Senator from Alabama further asks that the Senator from New Mexico [Mr. JONES] be placed upon the Committee on Appropriations to fill the vacancy created by the resignation of the Senator from Alabama. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases;

S. 4167. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri; and

S. 4435. An act to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America.

The message also announced that the House had passed the bill (S. 643) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The message also announced that the Speaker of the House had signed the enrolled 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, and it was thereupon signed by the Vice President.

RECLASSIFICATION OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. TOWNSEND submitted the following 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. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, 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 amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10, and agree to the same.

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 "125" named in said amendment insert the following: "120"; and the Senate agree to the same.

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 inserted by the Senate insert the following: "When the amount exceeds $100 for any one quarter, the postmaster shall be allowed—on the

first $100, 115 per cent; on the next $100 or less 75 per cent; and on the balance 60 per cent"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of "60" named in said amendment insert the following: "50"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

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

And the Senate agree to the same.

CHAS. E. TOWNSEND,
THOMAS STERLING,
J. C. W. BECKHAM,
Managers on the part of the Senate.
H. STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.

Mr. TOWNSEND. I ask unanimous consent that the Senate proceed to consider the conference report.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent for the present consideration of the conference report. Is there objection?

Mr. HARRISON. Reserving the right to object, I reserve any points of order on the report. I want to ask the Senator from Michigan touching an amendment——

Mr. LODGE. Mr. President, if the Senator will allow me, if the report is to lead to any debate——

Mr. TOWNSEND. I understood, when I made the request, that if there was any debate the matter could go over.

RECESS.

Mr. LODGE. The Senate has now been here until 7 o'clock, and I think an opportunity ought to be given to those Senators, at least, who have remained to get something to eat. I therefore move that the Senate take a recess until 8.30 o'clock.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m., Friday, June 4, 1920) the Senate took a recess until 8 o'clock and 30 minutes p. m.

EVENING SESSION.

The Senate reassembled at 8.30 o'clock p. m., on the expiration of the recess.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of Senate bill 3747.

Mr. HITCHCOCK. Mr. President, let us find out what the bill is.

Mr. McCUMBER. It is a pension bill.

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

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3747) 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.

Mr. McCUMBER. Mr. President, I desire to say that there are five of these bills upon the calendar which deal with pensions for those in the Regular Establishment and in wars other than the Civil War. They have been upon the calendar for several months. I have held them in abeyance until after the passage of the Sells bill, which would take care of about one-half of the cases included in these bills. Therefore, with the consent of the committee, I shall move committee amendments whereby all of the items in each one of the bills which are taken care of by the Sells bill will be eliminated. That will eliminate about one-half of the items in the five bills.

I desire to say to Senators, before proceeding with them, that there is very little involved in each bill in the way of expense. The first one will carry about $20,000; the second one, about $10,000; the third, about $15,000; the fourth, about $9,000; and the fifth one, about $9,000; there being less than $60,000 involved in the five bills.

I send to the desk the amendments to Senate bill 3747, in which I have eliminated all of those covered by the Sells bill; and I move them as a single amendment, if there is no objection.

The VICE PRESIDENT. The bill has not been read. There is no order for the consideration of committee amendments first.

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

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will state the amendments offered by the Senator from North Dakota in behalf of the committee.

The amendments were, on page 2, to strike out lines 1 to 15, inclusive, as follows:

The name of William J. Grimm, late of Company G, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Hawkins, late of the United States Marine Corps, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Joseph Provencher, jr., late of Company G, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John H. Helser, late of Company M, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 20 to 23, inclusive, as follows:

The name of Sanford S. See, late of Company B, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 24 and 25, and on page 3, strike out line 1 to 25, inclusive, as follows:

The name of David A. Kooker, late of Company I, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry F. Baldwin, late first lieutenant Company A, First Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert L. Zell, late of Company I, First Regiment District of Columbia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George F. Thomas, late ensign, United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John F. Buckley, late of Company L, Twenty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jasper M. Sweeney, late of Company H, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Walter White, late of Company D, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On page 4, strike out lines 1 to 3, inclusive, as follows:

The name of James W. Wilson, late of Company L, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 8 to 16, inclusive, as follows:

The name of Jennie Y. Featherston, widow of Charles R. Featherston, late of Company B, Second Regiment Kentucky Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Charles D. Tibbets, late of Company B, First Regiment Virginia Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

On the same page, strike out lines 21 to 24, inclusive, as follows:

The name of Patrick G. Conley, late of Battery A, First Regiment Maine Volunteer Heavy Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

On page 5, strike out lines 1 to 4, inclusive, as follows:

The name of George R. Noblet, late of Company L, First Territorial Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 15 to 25, inclusive, as follows:

The name of John D. Harkless, late second lieutenant Company F, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of John W. Ferris, late chaplain, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John D. Ball, late of Company B and band, Second Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On page 6, strike out lines 1 to 4, inclusive, as follows:

The name of Harry McFarlin, late second lieutenant Company K, First Regiment Florida Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

On the same page, strike out lines 9 to 12, inclusive, as follows:

The name of John Fullam, late of Company G, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

On page 7, strike out lines 5 to 9, inclusive, as follows:

The name of Annie K. Stearns, widow of Joshua B. Stearns, late midshipman United States frigate *Constitution*, United States Navy, War of 1812, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

On the same page, strike out lines 19 to 23, inclusive, as follows:

The name of Margaret A. Roberts, widow of John Roberts, late of Company D, Fifth Regiment Indiana Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

On page 8, strike out lines 4 to 10, inclusive, as follows:

The name of Leonardo S. Twesten, late of Company L, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Enoch E. Willard, late of Company B, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

On the same page, strike out lines 16 to 18, inclusive, as follows:

The name of Anton Casper, late of Company B, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

On page 8, strike out lines 23 to 25, and on page 9, strike out lines 1 to 6, inclusive, as follows:

The name of Elizabeth Teague, widow of Abner W. Teague, late of Company A, First Regiment Mississippi Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Emmett W. Fitzsimmons, late of Company B, Twenty-second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

On page 9, strike out lines 23 to 25, inclusive, as follows:

The name of George Wortser, late of Company E, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

On page 10, strike out lines 1 to 7, inclusive, as follows:

The name of Jesse E. Ballinger, late of Troop A, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Hiram A. Campbell, late of Company H, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

On the same page, strike out lines 17 to 24, inclusive, as follows:

The name of Mary A. C. Kaigler, widow of William Kaigler, late of Company D, First Regiment Georgia Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of James R. Sullivan, late of Company M, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

On page 11, strike out lines 16 to 25, and on page 12, strike out lines 1 to 11, inclusive, as follows:

The name of Harley Mowrey, late of Company C, Mormon Battalion Iowa Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Einer Bjarnson, late of Battery B, Utah Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Samuel Wheeler, late of Troop L, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George B. Taylor, late of Company C, First Regiment Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ruth E. Hartfiel, widow of Ray Hartfiel, late of Company B, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said Ray Hartfiel until they reach the age of 16 years.

On page 12, strike out lines 20 to 23, inclusive, as follows:

The name of Howard G. Cleaveland, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

On page 13, strike out lines 3 to 5, inclusive, as follows:

The name of James Martin, late of Company B, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On the same page, strike out lines 11 to 14, inclusive, as follows:

The name of Duff Herrington, late of Company E, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

On page 14, strike out lines 5 to 12, inclusive, as follows:

The name of Wesley H. Dick, late of Company B, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles M. Woodworth, late of Company E, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendments were agreed to.

Mr. KING. Mr. President, I should like to ask the chairman of the committee, in view of the numerous pension bills which we have passed, as well as the Fuller bill, which is so general in its terms, what is the necessity of this bill and to what particular class of persons does it apply?

Mr. McCUMBER. The Senator was not in the Chamber when I explained that the bills that are included in the five bills that are now on the calendar are those pertaining to the Regular Establishment and to all wars other than the Civil War. They are the accumulations of about a year. I have not pressed them because the Sells bill, if it became a law, would take care of a large number of these several items on the calendar; and it takes care of about one-half of all of the cases, possibly a little over one-half. The entire amount involved in all five bills is less than $60,000, I think about $57,000, provided all of the parties mentioned in the bills live one year.

Mr. KING. Will the Senator permit an inquiry?

Mr. McCUMBER. Certainly.

Mr. KING. I am not sure that I understood the Senator; but does not the Sells bill take care of a portion of those embraced in this bill?

Mr. McCUMBER. It does; and therefore, by the amendments which I am offering to each bill, and which in the case of this bill has just been read, I have stricken out all of those covered by the Sells bill, which takes nearly two-thirds out of the bill which has just been read.

Mr. KING. I think the bill which was passed the other day, if the Senator will examine it carefully, will be found to have included within it more than 150 in one particular class that were properly cared for under the Fuller bill.

Mr. McCUMBER. Under the Fuller bill?

Mr. KING. Yes.

Mr. McCUMBER. Oh, yes; but those were the Civil War veterans. There are no Civil War veterans or widows' cases in this bill at all.

Mr. KING. The Senator does not understand my point. Notwithstanding we passed the Fuller bill to take care of certain classes, we passed a special pension bill, the omnibus bill, the other day, that carried 689 names.

Mr. McCUMBER. Yes.

Mr. KING. That provided duplicate lists. It provided for additional pensions to those which were granted by the Fuller bill.

Mr. McCUMBER. I think they were those that could not receive pensions under the Fuller bill or under any other bill—for instance, where there was less than 90 days' service, and the disability for which the pension was granted was not of service origin. In a case of that kind nothing would be received under the Fuller bill.

Mr. KING. I hope the Senator is correct; but I feel confident that a careful examination of the bill which was passed, and a careful examination of the Fuller bill and the interpretation placed upon it, will reveal the fact that there are more than 170, not of the character just mentioned by the Senator, either—that is, those that served less than 90 days—who will get duplicate pensions.

Mr. McCUMBER. No, Mr. President.

Mr. KING. And what I was apprehensive of was that this bill was a reduplication; that in this bill we were pensioning cases that had been provided for either in the Sells bill or in the Fuller bill.

Mr. McCUMBER. The Senator is mistaken. I went over those other bills very carefully, and the expert that is furnished us by the Pension Bureau went over it very carefully, and we eliminated from it every one who would receive equal relief under the Fuller bill. Of course, there were those who would receive a less amount than was granted under the Fuller bill, but none who would receive the relief that was granted in that bill.

Mr. WARREN. Will the Senator from North Dakota yield to me to submit a conference report?

Mr. McCUMBER. I yield.

GENERAL DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN submitted the following 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. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, 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 3, 4, 5, 8, 12, 13, 14, 18, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 23, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58, and agree to the same.

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 the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

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 matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except 1 at $3,000, 1 at $2,400, 1 at $2,000, and 2 at $1,800 each."

And the Senate agree to the same.

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 line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; and the Senate agree to the same.

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 matter inserted by said amendment insert the following: ": *Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof and payment therefor shall be made before delivery"; and the Senate agree to the same.

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: Strike out in lines 2 and 3 of the matter inserted by said amendment the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5"; and the Senate agree to the same.

F. E. WARREN,
CHAS. CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. HARRISON. As the Senate will recall, Mr. President, there was adopted on this bill last evening an amendment providing for a change in the assignment of the school board in the District of Columbia, a matter which had been very thoroughly investigated and considered, and on which the committee had made a unanimous report. After the adoption of the amendment the bill went to conference, and the Senate conferees have receded on it, and it is eliminated by virtue of this report. I understand that in conference, out of six conferees, there was only one conferee who objected to it. If the report should be adopted without Congress taking some action touching the school situation here, we will leave the people of the District of Columbia in a very bad situation touching the schools from now until December.

Mr. WARREN. Will the Senator yield for a moment?

Mr. HARRISON. Certainly.

Mr. WARREN. It would be hardly fair to say that there was but one opposed. There was one of the three House conferees, I might say, diligently opposed, and the other two gave no expression, as I remember it, in the conference either for or against.

Mr. HARRISON. I will say to the Senator that I have talked to at least one of the House conferees, and my information came from that House conferee touching the matter to the effect that there were two House conferees who were willing to accept it, but one House conferee was not willing to accept it and was unwilling to sign the report in the event it should be agreed to by the other conferees.

This is a matter of such great importance to the people of the District that it does seem to me Congress should not adjourn without some definite action taken touching this situation. The House has never voted upon the proposition, and it was eliminated by the wish of one conferee. So I am hoping that the chairman of the committee will allow the report to be rejected, so that it can go back to conference and go to the House, that there may be a vote taken upon that amendment, and the will of the House expressed. I am wondering if the Senator from Wyoming will not accept that and let us vote down the report, and let the House vote, at least, on this amendment.

There is another amendment on which the Senate conferees receded, in which the Senator from Tennessee [Mr. MCKELLAR] is very much interested as well as the Senator from Oregon [Mr. CHAMBERLAIN] and some other Senators, and I am interested in it, too. I was hopeful that the report could go back to conference, so that the House could take a vote on at least those two propositions.

Mr. WARREN. Mr. President, of course it is not in the hands of the conferees to take it back to conference, and it will not go back, unless it is sent by the Senate. I regret that any report which we make at this late hour upon an appropriation bill can not be accepted offhand; but the next best thing, of course, is to settle whether the report shall be sent back, and if it is to go back, to send it back without delay, because long debate here and delay means that the bill will fail this year, and the failure to pass supply bills means that we shall have to be assembled again to enact legislation to cover the wants for which the bill provides.

Mr. MCKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Tennessee?

Mr. WARREN. Certainly.

Mr. MCKELLAR. Will the Senator oppose its being sent back to conference? The proposition in which the Senator from Mississippi is interested, and those in which the Senator from Oregon [Mr. CHAMBERLAIN] and I are interested, are just as proper as any claims in this deficiency appropriation bill. They are provided for by law. There is no question about it. There can not be any question about it. It is a plain case of the Gov-

ernment owing the money, and the amount has been found in a legal way. I do not think that the conferees on the part of the Senate should have agreed to let these matters go out, and I am not willing to agree that they shall be left out if I can prevent it. I do not know whether we can prevent it or not, but I do not want to have it done; it ought not to be done.

Mr. WARREN. Mr. President, as to the two angles of the remarks of the Senator, in the first instance, there is but one way, of course, to handle the matter. The conferees made their report and moved its adoption. They have done the best they can. If the Senate thinks that to send it back may be to obtain better results, the conferees will certainly do the best they can to get better results.

The second angle of the remarks of the Senator from Tennessee that the claim in which he is interested is provided for by law, and so on, leads me to say that we have provided directly by law that certain losses in public buildings sustained by contractors, who made their bids before the 6th of April, the day war was declared, and who entered into the contracts later, should be recouped for the money actually lost, after submitting the contracts to the Secretary of the Treasury, and he having them examined by proper experts; and the law states that they shall be paid upon that finding.

There is a difference in the two laws. The claim made by the conferees, whom we met, is that as to these particular claims, one of the river and harbor appropriation bills contains a clause analogous, of course, as to what I have said as to the law in respect to public buildings, except that it says that they shall be examined and a report regarding them shall be made to Congress. The conferees we met take the ground that in that way we are not authorized, except by legislation, first, to bring them under the law, which requires an appropriation. I am simply giving the Senate its ground as to that, and telling the Senate the difference which exists between the two classes of cases.

I think the Senator from Tennessee and the Senator from Mississippi will also remember that, as to the particular claim in controversy, I have been compelled to deny its admission to earlier appropriation bills because it had not then been so certified; that is, it had not been amended. But I may say to the Senators that it gave me great pleasure to think that we had arrived at a point where we could honor it and place it in this bill; and my fellow conferees, I am sure, will say that we did the best we could.

Mr. HARRISON. We are sure of that and we appreciate it very much. But I ask the Senator if he has any objection, in view of these circumstances, to the report being rejected, so that we can send it back?

Mr. WARREN. I can not come in with a conference report and say that I agree to send it back; but I do say that it is here for the Senate to act upon; and if the Senate wishes to send it back I shall very gracefully accept that command. I hope Senators will take into consideration the one fact that we are skating on very thin ice now to get through and go home to-morrow and not be called back to take care of some of these matters.

Mr. HARRISON. I will say to the Senator that is the reason why I am very glad he called it up this early, so that if we reject the report it can go immediately to conference and then to the House and they can vote on the proposition. In view of the importance of the proposition, I hope that the Senate will reject the conference report.

Mr. McKELLAR. I move that the report be rejected.

Mr. SMITH of Georgia. May I ask the Senator from Mississippi if it is not true that the amendment is essential to the conduct of the schools of the District during the coming year?

Mr. HARRISON. It is absolutely essential because of the present conditions. The president of the board of education has refused to call a meeting of the board, and everything is up in the air. I read the other day that at least four or five members of the board of education have gone out of the city. The whole thing is up in the air and will be until Congress takes some action. It will be an outrage if Congress refuses to take some action touching the public-school system of the District at this time.

The VICE PRESIDENT. The question is on agreeing to the conference report.

A division was called for and taken.

The VICE PRESIDENT. The conference report is agreed to.

Mr. McKELLAR. I ask for the yeas and nays.

Mr. SMOOT. It is too late to ask for the yeas and nays after the result has been announced by the Chair.

Mr. McKELLAR. There is no reason why we can not ask for the yeas and nays.

Mr. SMOOT. I will leave it to the Chair to decide as to whether under the rules, after the decision is announced by the Chair, the yeas and nays can be ordered.

The VICE PRESIDENT. There is no rule. The Constitution provides that on any question the yeas and nays shall be taken at the desire of one-fifth of the Senators present.

Mr. CHAMBERLAIN. I should like to ask a question with reference to moving that the conference report be agreed to. I understood the motion to be that it be recommitted. I may be mistaken.

Mr. McKELLAR. I moved to reject it.

The VICE PRESIDENT. The very constitution of the Senate makes the motion itself. It is, Shall the conference report be agreed to?

Mr. McKELLAR. Mr. President, what was done with the request for the yeas and nays?

The VICE PRESIDENT. There has not been anything done yet.

Mr. McKELLAR. I ask for the yeas and nays on the adoption of the conference report.

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

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN] which I transfer to the junior Senator from Alabama [Mr. COMER] and vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. I understand if he were here he would vote as I am about to vote. I therefore feel at liberty to vote, and vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. In his absence I have agreed to take care of him with a pair. However, I find that I can transfer that pair to my colleague [Mr. POINDEXTER], which I do and vote "yea."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Wisconsin [Mr. LENROOT] and vote "yea."

The roll call was concluded.

Mr. GAY. I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the junior Senator from Kentucky [Mr. STANLEY] and vote "yea."

Mr. BECKHAM. I have a pair with the senior Senator from West Virginia [Mr. SUTHERLAND]. I transfer my pair with that Senator to the senior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. SMITH of Georgia (after having voted in the negative). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I notice that he has not voted. I transfer my pair to the senior Senator from Missouri [Mr. REED] and let my vote stand.

Mr. CHAMBERLAIN (after having voted in the negative). I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence, I transfer my pair to the Senator from Texas [Mr. CULBERSON] and let my vote stand.

Mr. CALDER (after having voted in the affirmative). I am paired with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to my colleague [Mr. WADSWORTH] and let my vote stand.

Mr. SPENCER. I have a general pair with the junior Senator from New Mexico [Mr. JONES], but under the arrangement I have with him I feel free to vote on this question. I vote "yea."

May I announce that the junior Senator from Iowa [Mr. KENYON], the senior Senator from Missouri [Mr. REED], and the senior Senator from Ohio [Mr. POMERENE] are engaged on official business in a hearing before the Committee on Privileges and Elections.

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from Maryland [Mr. FRANCE], and vote "yea."

Mr. TRAMMELL (after having voted in the affirmative). I desire to announce that I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I feel at liberty to vote on this question, and therefore will let my vote stand.

Mr. HARRISON (after having voted in the negative). I change my vote from "nay" to "yea." I desire to submit a

parliamentary inquiry. Is a motion to reconsider in order before the presence or absence of a quorum is developed?

The VICE PRESIDENT. It is not.

The result was announced—yeas 28, nays 14, as follows:

YEAS—28.

Beckham	Hale	McNary	Smoot
Brandegee	Harding	New	Spencer
Calder	Harrison	Page	Sterling
Curtis	Henderson	Phipps	Thomas
Dial	Jones, Wash.	Sheppard	Trammell
Gay	Keyes	Simmons	Underwood
Glass	McCumber	Smith, Md.	Warren

NAYS—14.

Ashurst	Hitchcock	Phelan	Smith, Ga.
Capper	King	Pittman	Walsh, Mass.
Chamberlain	McKellar	Ransdell	
Dillingham	Nugent	Robinson	

NOT VOTING—54.

Ball	Gore	McCormick	Shields
Borah	Gronna	McLean	Smith, Ariz.
Colt	Harris	Moses	Smith, S. C.
Comer	Johnson, Calif.	Myers	Stanley
Culberson	Johnson, S. Dak.	Nelson	Sutherland
Cummins	Jones, N. Mex.	Newberry	Swanson
Edge	Kellogg	Norris	Townsend
Elkins	Kendrick	Overman	Wadsworth
Fall	Kenyon	Owen	Walsh, Mont.
Fernald	Kirby	Penrose	Watson
Fletcher	Knox	Poindexter	Williams
France	La Follette	Pomerene	Wolcott
Frelinghuysen	Lenroot	Reed	
Gerry	Lodge	Sherman	

The VICE PRESIDENT. No quorum is present. The Secretary will call the roll.

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

Ashurst	Hale	New	Smoot
Beckham	Harding	Page	Spencer
Calder	Harris	Phelan	Sterling
Capper	Harrison	Phipps	Thomas
Chamberlain	Henderson	Pittman	Trammell
Curtis	Hitchcock	Ransdell	Underwood
Dial	Jones, Wash.	Robinson	Walsh, Mass.
Dillingham	Keyes	Sheppard	Warren
Fernald	King	Simmons	
Gay	McCumber	Smith, Ga.	
Glass	McKellar	Smith, Md.	

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. BRANDEGEE and Mr. NUGENT answered to their names when called.

Mr. SUTHERLAND and Mr. MCNARY entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

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

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. POMERENE, Mr. KENYON, Mr. REED, Mr. GERRY, and Mr. KENDRICK entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the report of the committee of conference on what is known as the general deficiency appropriation bill. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GAY (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. GLASS (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. HENDERSON (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer to the Senator from Wisconsin [Mr. LA FOLLETTE], I vote "yea."

Mr. SIMMONS (when his name was called). Again announcing my pair and its transfer as on previous roll calls I vote "yea."

Mr. SPENCER (when his name was called). Making the same announcement with regard to my pair, I vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I am unable to obtain a transfer of that pair, and therefore am unable to vote on this question.

The roll call was concluded.

Mr. HARRISON (after having voted in the negative). I desire to change my vote from "nay" to "yea."

Mr. STERLING. Making the same announcement as on the previous roll call as to my pair and its transfer, I vote "yea."

Mr. CHAMBERLAIN (after having voted in the negative). Announcing the same transfer as heretofore, I will allow my vote to stand.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. GORE];

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

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

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

The roll call resulted—yeas 33, nays 16, as follows:

YEAS—33.

Beckham	Harding	McNary	Sterling
Brandegee	Harris	Page	Sutherland
Calder	Harrison	Phelan	Thomas
Curtis	Henderson	Phipps	Trammell
Dial	Jones, Wash.	Sheppard	Underwood
Fernald	Kenyon	Simmons	Warren
Gay	Keyes	Smith, Md.	
Glass	Lodge	Smoot	
Hale	McCumber	Spencer	

NAYS—16.

Ashurst	Gerry	Nugent	Reed
Capper	Hitchcock	Pittman	Robinson
Chamberlain	King	Pomerene	Smith, Ga.
Dillingham	McKellar	Ransdell	Walsh, Mass.

NOT VOTING—47.

Ball	Gore	McLean	Shields
Borah	Gronna	Moses	Smith, Ariz.
Colt	Johnson, Calif.	Myers	Smith, S. C.
Comer	Johnson, S. Dak.	Nelson	Stanley
Culberson	Jones, N. Mex.	New	Swanson
Cummins	Kellogg	Newberry	Townsend
Edge	Kendrick	Norris	Wadsworth
Elkins	Kirby	Overman	Walsh, Mont.
Fall	Knox	Owen	Watson
Fletcher	La Follette	Penrose	Williams
France	Lenroot	Poindexter	Wolcott
Frelinghuysen	McCormick	Sherman	

The VICE PRESIDENT. On the question of agreeing to the conference report the yeas are 33, the nays are 16, Senator WOLCOTT being present in the Chamber and not voting, making a quorum. The conference report is agreed to.

Mr. HARRISON. Mr. President, I desire to move to reconsider the vote.

Mr. SMOOT. Mr. President——

Mr. HARRISON. No; I want to occupy the floor for a while. Mr. President, I was very sorry that the chairman of the committee did not agree to this motion, so that the conference report, with the school provision eliminated, might go back to conference and the House could vote upon that proposition; and I feel that the question is of so much importance that I should occupy the time of the Senate for as long as I may hold out in opposition to this conference report.

In addressing the Senate touching this conference report I shall confine my remarks to the school question in the District; and so I can say to the Senators here present that if they do not desire to hear this school question discussed and want to smoke a little bit or promenade for a long while or do anything else that they desire, they shall have plenty of time in which to do it.

It seems that it is a pity that the American Congress does not feel that the District affairs should receive sufficient consideration at its hands to allow at least such an important question as this to be considered by the other House. The amendment in question is carrying out the views of the select committee investigating the school conditions. It was a unanimous report.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. HARRISON. I yield for a question.

Mr. ASHURST. If the Senator should succeed in defeating the conference report, would he thereby assist the schools? Would he achieve his point by the defeat of this bill?

I ask the question because I sympathize with the Senator's view and have uniformly voted with him; but I do not perceive how, by defeating the conference report, he will assist the schools that he is so ably trying to assist.

Mr. HARRISON. Of course, the Senator has the same viewpoint about this matter that I have. He is a very practical man and one of the best Senators I have ever met in my life.

I always like to hear him, because I think he is about the most eloquent Senator in the United States.

Mr. ASHURST. I admit it. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries are not here to furnish applause. They must keep still.

Mr. HARRISON. Of course, if this conference report is defeated, the amendment of the Senate, attached to it by practically a unanimous vote, goes with it to the scrap heap, and unfortunately no legislation will pass; but I hope that the very distinguished Senator from Wyoming [Mr. WARREN], who not only has the schools of the District at heart, but has the interests of the people at heart, who has a big heart himself, will reconsider and allow this conference report to go back to conference, and then let it go before the House to be voted on upon this proposition. Then we can go along smoothly for the balance of the night, and take up some of these other questions that may be pending, and we might then take up the bill that was referred to by the Senator from Oregon [Mr. MCNARY] this morning.

Mr. ASHURST. If the Senator will pardon me, I hope he will forgive my facetiousness of a moment ago. I really want to be practical on the question. The Senator will perceive that on two roll calls I voted with him.

Mr. HARRISON. I know the Senator did.

Mr. ASHURST. And the Senator's powerful argument the other night on the situation in regard to the schools of this District had very much to do with influencing my vote.

Mr. HARRISON. The Senator always votes right.

Mr. ASHURST. But on the last roll call there were 33 votes for the adoption of this conference report and 12 votes against it.

Mr. HARRISON. Yes.

Mr. ASHURST. And I voted with the Senator.

Mr. HARRISON. That is right. The Senator voted right.

Mr. ASHURST. But I do not perceive how there is any reasonable probability that that large majority, over two to one, will change its view and adopt the view of the 16, which is only half. If it would do so, I should be very happy.

Mr. HARRISON. The Senator has perceived, as I have perceived in this body, that very often some of the Senators change their minds and vote one way and then vote another way; but I think—and the Senator will agree with me, I am quite sure—that the reason why the Senators voted "aye" there was because the chairman having the matter in charge was voting that way. Of course if the chairman of the committee, the Senator from Wyoming, whom I love, would just say the word and let this report go back to conference and over to the House and have a vote on it, as I was going to say when the Senator from Arizona interrupted me, we could perhaps in the course of the evening get up the bill that was introduced by the distinguished Senator from Oregon [Mr. MCNARY] touching the sugar question; we could take up other bills that other Senators have been desirous of getting up, and pass them; we could pass this very important bill increasing the pay of the postal employees; we could take up the conference report on the shipping bill; we could take up the District of Columbia appropriation bill; and there are many bills that we could take up and consider if I could persuade the Senator from Wyoming to allow this conference report to go back to conference and let the House pass upon it.

It seems to me that that would be the very proper thing to do in view of the circumstances. I do not like to work any more than any other Senator desires to work, but there were five of us who gave from two to five hours a day for two months working upon a matter which, of course, our immediate constituencies were not interested in, except indirectly, as they are interested in civilization generally; but we were working in order to study the school situation here; we were working at the instance and at the direction of the United States Senate, trying to find out what was the matter with the school situation in the District of Columbia. We gave our time unstintedly, tried to be impartial in the consideration of that question; we tried to deal with it in a fair and in a just way, and, as I said, we left our offices from two to five hours a day for two months, and gave our time to consider that question, and after considering it that long we unanimously agreed upon a report as to what ought to be done.

With the exception of myself, the members of that committee were men of high intelligence, superb ability, thoroughly patriotic, and wanted to do the right thing for the schools. If that committee is to be repudiated by the Senate and by the House of Representatives, and all of its work held for naught, all of its suggestions thrown to the winds, all of the policies which were advocated in its report repudiated, then well and good; but I feel that the matter is of such importance that it at least should be discussed, and discussed at length.

I hope the Senator from Wyoming was listening to me when I made that suggestion. I will make it again. I will make it to the leader of the majority, too. I was in hopes that the big-hearted Senator from Wyoming, who I am sure is in sympathy with what the committee on the school investigation reported and is in sympathy with this amendment, because he voted for it, and advocated it not only here in the Senate but in the conference, would allow this to go back to conference, and let the House pass upon the proposition.

Mr. LODGE. May I ask a question?

Mr. HARRISON. I yield for a question.

Mr. LODGE. What assurance has the Senator that the conferees on the part of the House will allow it to go back to the House?

Mr. HARRISON. I have the assurance from the chairman of the Appropriations Committee of the House that if the Senate votes down the report and it goes back into conference, he will present it to the House, and that he will do his best to get a separate vote upon the proposition. I could not have any better assurance than that, and certainly we would do a great deal of good for the schools of the District if they would agree with the Senate's action on it, and it is due to the House not to let one man thwart the will of the House, and they should be given the privilege of voting upon this very important question. It seems to me that it is almost a travesty for the Congress to adjourn to-morrow and leave the situation as it will affect the schools in the condition in which we will leave it if this conference report is adopted as it now stands.

Mr. LODGE. May I ask the Senator another question? Suppose the House declined to yield; then we would be simply where we are now, and to send the report back would hardly be worth while?

Mr. HARRISON. If the House, on a separate vote upon this proposition, should not agree with the action of the Senate and should vote down that amendment, I am through. I will have done everything I could do; I will have performed my duty. The other members of the select committee, I think, feel as I do—that they have done their duty.

Mr. LODGE. Mr. President, I think the Senator knows that I have been in sympathy with him——

Mr. HARRISON. Absolutely; and I appreciate it.

Mr. LODGE. And in sympathy with what he is doing, in sympathy with him about Van Schaick and about all the Senator has been trying to do for the schools; but I should like to get the deficiency appropriation bill through if possible so that we may adjourn to-morrow.

Mr. HARRISON. I am in sympathy with the Senator, too.

Mr. LODGE. If the House conferees refuse to take it back, we have no means of forcing them.

Mr. HARRISON. I am quite sure the House conferees will not refuse to take it back. I have told the Senator the conversation I had with the chairman of the Appropriations Committee of the House. I think he is in entire sympathy with this amendment, and I think he would like to have the House vote on it.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Kansas?

Mr. HARRISON. I yield for a question.

Mr. CURTIS. What if the House conferees fail to get a separate vote in the House? Then would the Senator be satisfied?

Mr. HARRISON. I think we ought to have a separate vote in the House.

Mr. CURTIS. I say, what would happen if the House conferees do not get a separate vote in the House?

Mr. HARRISON. I can not understand the theory of government under which one man can thwart the will of the American Congress.

Mr. WOLCOTT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Delaware?

Mr. HARRISON. I yield.

Mr. WOLCOTT. I am very much interested in the repetition of that statement by the Senator about one man thwarting the will of Congress. Would the Senator object to enlightening me by telling me who that one man is who is so potent?

Mr. HARRISON. He is one of the House conferees, who objected to this proposition, and stated that he would not sign the report with this amendment in it; and so the other House Members, in order to be congenial, said that they would stand by him.

Mr. WOLCOTT. It is a combination, then, that is thwarting the will of Congress. The Senator made an appeal a while ago to the Senator from Wyoming to let this report go back. May I ask the Senator if it would not be more appropriate to address that request to the Senate?

Mr. HARRISON. Yes.

Mr. WOLCOTT. If so, why not let us vote on the motion to reconsider, and see what the Senate has to say about it?

Mr. HARRISON. I was in hopes that the Senate would agree to let it go back to conference. I wanted to discuss the proposition for a while before we voted on the motion to reconsider. Did the Senator from Wyoming desire to ask me a question?

Mr. WARREN. I want to make a few remarks, if the Senator will permit.

Mr. HARRISON. I yield for a question.

Mr. WARREN. What I say I will say in all kindness, of course. I have been somewhat interested in the Senator's remark about one man holding up the Congress. I am satisfied, if I can take the word of the Senator from Mississippi, that that is exactly what he intends to do to-night—to hold up the Congress.

Mr. HARRISON. Yes, sir; I intend to hold it up. I am perfectly candid with the Senator.

Mr. WARREN. In other words, the Senator is intending to do what he condemns in somebody else?

Mr. HARRISON. No. One gentleman is holding it up because we are trying to help the schools in the District, and I am holding it up because the American Congress refuses to do anything for the schools of this District, and is going to adjourn leaving the schools in their present condition.

Mr. WARREN. I want to go along bit by bit, so I may know just where we are moving. I take the Senator at his word. He has the power, under the rules of the Senate, without question, and if he is a good, industrious talker, of course, he can talk until daylight, and stay here, and we lose the bill. I have no objection whatever to the Senate sending the report back to the conferees, and we shall do the very best we can, as we did before. But, of course, the Senator must remember that, first, we have to secure at least two of the three House conferees to agree with us; and, second, if they refuse to take the matter back to the House, we can not compel them to do so. If they go back to the House, and the House does not sustain the proposition the Senator from Mississippi makes, of course, we can not help that. Since the Senator has been so frank, I would like to know just how far we must go; just where our boundaries may be if we shall send it back.

Mr. HARRISON. If we send it back, we will have taken a very good step. I think that the House ought to vote on the proposition, unless the House conferees would agree to the proposition.

Mr. WARREN. Mr. President, I have been in a good many pretty close quarters in conferences, and I recall times when we have been sent back where we have met a great deal of sturdy opposition on the ground that we did not make any effort to have our report sustained, and so forth.

Mr. HARRISON. They can not make that charge to-night.

Mr. WARREN. It is now in the hands of the Senate. They are to pass upon it. Besides the item to which the Senator is objecting, there are two or three others which undoubtedly will be objected to, even if we can settle this one. I should like to know something about those to see whether we are going to get this matter finally settled if we go back and struggle with the conferees.

Mr. McKELLAR. I want a separate vote on the item in which the Senator knows I am interested. It is a claim of constituents of mine provided for by law, and I think they are entitled to have what the law gives them. If the House votes it down on a separate vote, then I shall be willing to let it go.

Mr. HARRISON. Did the Senator from Wyoming have some suggestion?

Mr. WARREN. I was going to say further that of course it would be useless for the Senate to send the report back unless the Senator himself and those with him have confidence that the conferees will do the best they can. Having done the best they can, I want to know what we are going to do if it should happen that we should be unsuccessful on any one of these matters, and I do not mean by that that we should go back intending to be unsuccessful.

Mr. HARRISON. I think the Senator has done admirably. I know the Senator has tried to take care of the amendment in which I am interested and of those in which the Senator from Tennessee [Mr. McKELLAR] and the Senator from Oregon [Mr. CHAMBERLAIN] are interested, but I think the House ought to pass on such important propositions as have been eliminated.

Mr. WARREN. The Senator seems to be in close connection with the Senator from Tennessee. Is the matter in which the Senator from Tennessee is interested a part of this? How is that to be settled?

Mr. HARRISON. I understood the Senator from Tennessee to state that he desires a separate vote in the House on his proposition.

Mr. McKELLAR. Let it take exactly the same course the others do.

Mr. WARREN. The Senator says the same course. I do not know that we can get the same course taken, but if I may, I want to go a little further and ask the Senator from Ohio [Mr. POMERENE] in regard to a proposition in which he is interested. I want to inform the Senator, because we may as well understand this whole situation, that we were compelled to recede upon an amendment of $4,100 for park policemen, which the Senator has advocated very sincerely and enthusiastically. Is the Senator going to interpose any conditions in regard to that item?

Mr. POMERENE. Mr. President, I desire to be perfectly frank about the matter.

Mr. WARREN. I am trying to get the matter settled, and to get the conference report agreed to.

Mr. POMERENE. I realize it very fully. The Senator has properly described my attitude when he says I have been enthusiastic about this matter, and I have been enthusiastic about it because the Congress has been guilty of the grossest kind of an injustice against 10 policemen in the Zoological Park. Increases in salary have been given to every other class of policemen in the District, but because of the fact that 10 policemen who are immediately under the control of the Smithsonian Institute, and have heretofore been paid out of a lump sum, have been overlooked by the Appropriations Committees both of the Senate and of the House, they are to be deprived of a similar increase. I realize that it is hardly the fair thing to hold up an entire appropriation bill for the benefit of 10 policemen, but those 10 policemen have to be clothed and fed, and some of them at least have families.

I am not going to concede at this moment that when these facts are fully known to the conferees of the House they are going to deny simple and exact justice to these 10 men. If the conference report comes back, I shall determine my course by the position which we may then be in. I shall have done all that I think I can do, but I want to appeal to the sense of justice on the part of the conferees of the Senate as well as of the House. I believe the Senate conferees have done all that they can in that behalf. I am amazed that an item of this kind should have been stricken out of the bill in conference. There is no defense that can be made of it.

Mr. WARREN. I have not yet received any assurance about the matter of the river and harbor claim. In other words, I want to know "where we are at."

Mr. McKELLAR. I thought I had stated my position. If it comes back I will use my own judgment as to what is necessary to be done at that time.

Mr. WARREN. Then we might as well talk about it for a few days, because to come back half-handed in that way accomplishes no object whatever. I am anxious to get upon a ground where we could take the conference report back, but not with one subject at a time and with no assurance as to the others.

Mr. HARRISON. May I say to the Senator that I am interested in this claim matter the same as the Senator from Tennessee [Mr. McKELLAR] and the Senator from Oregon [Mr. CHAMBERLAIN]? There are about 12 of those, but this is all in one amendment. They could take a separate vote in the House on that proposition. I can not see how they could do otherwise. Is that not agreeable?

Mr. WARREN. The Senator says they are all in one amendment. They are not connected in any way whatever.

Mr. HARRISON. I understand it was all in one estimate of three hundred and some odd thousand dollars from the Treasury Department.

Mr. WARREN. Oh, yes.

Mr. HARRISON. It is not one item still, in the bill?

Mr. WARREN. Yes; just one item.

Mr. HARRISON. It would take just one vote on that proposition. I understood the Senator from Tennessee to state that it would be satisfactory to go back to conference, to go into the House, and if they should vote him down——

Mr. WARREN. If I am going to help get this back, I shall have to have some assurance from Senators, when we have fought for them the best we can to the end of the line, whether we are coming back and are then to be held up, if I may use that expression.

Mr. HARRISON. I say to the Senator that I shall not attempt to hold it up, but will try to help the Senator expedite it, if the matter goes back to conference and the House votes upon the proposition, or it need not go back to a vote if the House conferees will agree to it.

Mr. WARREN. Of course, the Senator knows that I can offer no assurance that the House will vote on it.

Mr. HARRISON. I understand that perfectly.

Mr. WARREN. I will give him every assurance that I will do my best.

Mr. HARRISON. If it should go to conference, then, of course, the House conferees could refuse to take it back; but I sincerely believe they would take it back and try to agree on the proposition.

Mr. McKELLAR. There will be two separate votes—one on the river and harbor claims and the other on the school question——

Mr. WARREN. When does the Senator mean?

Mr. McKELLAR. Unless the conferees agree to accept them. In that case, of course, there would be no trouble about it.

Mr. WARREN. Does the Senator mean if we get into trouble with this matter and bring it back, they still will try to have votes on these two matters?

Mr. McKELLAR. All that I ask is that these two matters go to the House and let the House vote on them.

Mr. WARREN. But suppose they do not go to the House? Suppose we are not able to get them there?

Mr. McKELLAR. Oh, they will go to the House.

Mr. HARRISON. The Senator from Wyoming knows if we commit ourselves on the floor of the Senate that we would be satisfied if we go to conference and the conferees on the part of the House refuse to take it back there that that would satisfy us.

Mr. WARREN. But the Senator from Tennessee [Mr. McKELLAR] has not given that assurance.

Mr. McKELLAR. No; and I do not understand the Senator from Mississippi has done so. We both ask that these two matters be taken back to conference and the House conferees submit the two questions to the House. If they vote us down in the House, then that is a matter that we have nothing further to say about, but if they do not vote us down, our items would be in the bill.

Mr. WARREN. The conference report is the property of the Senate. We have made that report and placed it on the table. I should be very glad to assist Senators to send it back by the vote of the Senate if the Senate thinks that with the present condition of things it should go back. I should like to cooperate, of course. There is the situation. The Senate has heard the Senator from Mississippi state his intentions about it, and other Senators as well, but we had better dispose of it one way or the other.

Mr. CHAMBERLAIN. Mr. President, the request of the Senator from Mississippi does not seem to me to be an unreasonable one. The Senator has made a most diligent fight for the provision with reference to the schools here. He won out in the Senate. The chairman of the committee knows what the vote was on that. The Senate also voted in by unanimous vote the river and harbor items in the bill. Now, all that the Senator asks is that the conferees take the bill back and have the question voted on by the House. It is not an unreasonable request. The chairman insists that he is willing to do that if the Senate will send the conference report back, but the Senate has shown an indisposition to do that.

Mr. WARREN. It is not in my possession. I have said to the Senator and to the Senate that if the Senate will vote to send this back now after hearing these statements I shall be very glad to take it back.

Mr. CHAMBERLAIN. May I interrupt the Senator once more?

Mr. HARRISON. Certainly.

Mr. CHAMBERLAIN. Will the Senator ask the Senate to do that?

Mr. McKELLAR. I ask unanimous consent that the report be sent back to conference with instructions that the conferees be asked to request a separate vote in the House upon these two items.

Mr. LODGE. I have no objection to it in the world, but what is the next step? Suppose we lose? We can not make the House conferees take it back. We can not make the House vote on it. If the House refuses for any reason, we are just where we are now. What is gained?

Mr. McKELLAR. On the other hand, if we agree beforehand as to the matter, if we let it go that way, we would feel like the celebrated——

Mr. LODGE. If Senators would agree that it should be taken back and an effort made to get it submitted to the House, and if that failed, then we should have a vote and pass the bill, that would be one thing.

Mr. HARRISON. Why can we not, as the Senator from Massachusetts has suggested, let the conference report go back to conference and have the conferees upon the part of the Senate urge in every possible way that the House conferees take it to the House for a separate vote and stop there?

Mr. LODGE. We would be no better off then than we are now.

Mr. McKELLAR. We could not be any worse off than we are now. We might be entirely well off, we might get the matter settled, but as it is now I do not see how we could be worse off than we are.

Mr. HARRISON. I am trying to help the Senator to get straight on this proposition.

Mr. LODGE. It seems to me we could get together if Senators would give the assurance that if we made every effort to get it back to the House and failed, the prevention of the vote would be withdrawn, and that would get us somewhere.

If we are simply to go to the House and if we fail to get a vote on it and come back here and begin the filibuster over again we might as well make up our minds to it and reconsider the adjournment resolution and take our time on the bill.

Mr. HARRISON. Will the Senator from Wyoming make the suggestion that the conference report go back to conference?

Mr. WARREN. It is before us on the motion which the Senator made. The Senator moved to reconsider. Let us take a vote on that question.

Mr. HARRISON. The trouble now is that when that vote is taken, if I am voted down on the question of a reconsideration, I have lost the floor, and I expect to hold the floor until some agreement is made.

Mr. WARREN. If the Senator undertakes to hold the floor until these conferees can guarantee him exactly what they can come back with, the Senator from Mississippi would hold it until next January.

Mr. HARRISON. I made no suggestion as to that. I do not think the Senator from Wyoming understood me. I said that if I give up the floor on a motion to reconsider, then I would be down and out. I propose this: I ask unanimous consent that the conference report be rejected by the Senate and be sent back to conference.

The VICE PRESIDENT. Is there objection? The Chair hears none. It is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 14368. An act to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13266. An act 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; and

H. R. 14208. An act 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.

MONONGAHELA RIVER BRIDGE.

H. R. 13962. An act to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, was read twice by its title and referred to the Committee on Commerce.

Mr. CALDER. Mr. President, I ask unanimous consent to submit a report from the Committee on Commerce. I report back favorably without amendment the bill (H. R. 13962) to extend the time for the construction of a bridge across the Monongahela River, and so forth, and I ask for its present consideration.

The VICE PRESIDENT. Is there objection?

Mr. McCUMBER. I am going to object to the consideration of other bills than appropriation bills until we get through with the pension bill that was before the Senate some time ago.

Mr. CALDER. Will not the Senator permit this bill to be considered? It is merely a bridge bill.

Mr. McCUMBER. There are 40 others, and I have been waiting six months to get these pension bills through. I think it is about time that we should reach a vote on them.

The VICE PRESIDENT. Objection is made. The bill will go to the calendar, and the consideration of the pension bill will be resumed.

PENSIONS AND INCREASE OF PENSIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (S. 3747) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and

Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The reading of the bill was concluded.

Mr. McKELLAR. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. Insert at the proper place in the bill the following:

The name of Margaret Howell Butler, widow of Matthew C. Butler, jr., late lieutenant colonel of Cavalry, United States Army, Regular Establishment, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

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

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

UNFAIR FOREIGN COMPETITION.

Mr. HITCHCOCK. Mr. President, I ask for the present disposition of House bill 14368, which is on the Secretary's desk.

The VICE PRESIDENT. The Senator wishes to have it handed down?

Mr. HITCHCOCK. I do.

H. R. 14368. An act to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes, was read the first time by its title.

Mr. HITCHCOCK. I desire to object to the second reading of the bill.

The VICE PRESIDENT. The bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Mr. KING. I should like to inquire of the chairman of the committee why this bill was not included in the measure just considered?

Mr. McCUMBER. Simply because the House reported it as a separate bill and it was taken up at a separate time and disposed of at a separate time and reported out from the committee several weeks after the other bill.

Mr. KING. Is it of the same character as the one we just considered?

Mr. McCUMBER. It is of the same character. All of them refer to the general establishment or wars other than the Civil War.

Mr. KING. I have opposed some pension bills, and I do not regard this as having a greater merit than some of those recently passed, but no opposition upon the part of Senators will prevent affirmative action, so I shall not object to its consideration.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

The VICE PRESIDENT. Without objection, the formal reading of the bill will be dispensed with, and the bill will be read for amendment, committee amendments to be first considered.

Mr. McCUMBER. On behalf of the committee I offer the amendments, which I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The READING CLERK. On page 1, after line 5, it is proposed to strike out:

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 2, to strike out:

The name of James L. Buckler, late of Company F, Fourth Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 6, to strike out:

The name of Charles W. Van Scoyk, late of Company G, Third Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 13, to strike out:

The name of Sophie Reimuller, widow of George Reimuller, late of Company C, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional for minor child until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to strike out.

The name of Carson Rummel, late of Company I, Twenty-eighth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of John Bohntinsky, late of Company L, Fifth Regiment United States Infantry, and Hospital Corps, United States Army, and pay him a pension at the rate of $17 per month.

The name of Rebecca Strouther, mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 1, after the word "Strain" to insert "alias Lewis Monroe," so as to make the clause read:

The name of Lewis M. Strain, alias Lewis Monroe, late of Company C, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to strike out:

The name of Charles Voos, late of Company D, Third Regiment Connecticut Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ernest Meyer, late of Company M, Second Regiment Wisconsin Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 22, to strike out:

The name of James O. Carroll, late of Company K, Second Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Marion P. Barnett, late of Company M, Fourth Regiment Missouri Infantry, and pay him a pension at the rate of $17 per month.

The name of Joseph Roddy, late of Company I, First Regiment Missouri Infantry, and pay him a pension at the rate of $12 per month.

The name of John C. Graves, late of Company L, Thirty-third Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of William E. Sloane, dependent father of Alexander G. B. Sloane, late of the United States Navy, and pay him a pension at the rate of $20 per month.

The name of Schuyler van Tassell, late of Company M, Thirty-fifth Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of Samuel W. Van Riper, late of Company E, Thirty-second Regiment, and Company E, Twenty-first Regiment, United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Reinhard Anschutz, alias Charles Reinhard, late of Troop L, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 2, to strike out:

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, and pay him a pension at the rate of $17 per month.

The name of John C. Koepplinger, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Albert Beehler, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 20, to strike out:

The name of William McBride, late of Company A, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, beginning in line 1, to strike out:

The name of Wynn M. Mays, late of Company K, Second Mississippi Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Chandler, late of Troop F, Third Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The name of Martha Tyler, widow of William Tyler, late of Capt. Jernigan's Company of Mounted Volunteers, Seminole Indian Wars of Florida in 1856 and 1857, and pay her a pension at the rate of $20 per month.

The name of Walter S. McQuaide, late of Company A, First Regiment United States Volunteer Engineers, and pay him a pension at the rate of $12 per month.

The name of Narcissa A. Grant, formerly widow of Sylvain Trichil, late of Company I, Fifth (Peyton's) Regiment Louisiana Militia Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Lizzie Eaton Webster, widow of Leicester Webster, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Thomas S. Garen, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Barton E. Connor, late of Company F, Ninth Regiment Illinois Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out:

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 6, to strike out:

The name of Martha Tyler, widow of William Tyler, late of Capt. Jernigan's Company of Mounted Volunteers, Seminole Indian Wars of Florida in 1856 and 1857, and pay her a pension at the rate of $20 per month.

The name of Walter S. McQuaide, late of Company A, First Regiment United States Volunteer Engineers, and pay him a pension at the rate of $12 per month.

The name of Narcissa A. Grant, formerly widow of Sylvain Trichil, late of Company I, Fifth (Peyton's) Regiment Louisiana Militia Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Lizzie Eaton Webster, widow of Leicester Webster, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Thomas S. Garen, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 23, before the word "mother," insert "dependent," and in line 24, before the word "late," to strike out "deceased," so as to make the clause read:

The name of Emma Golden, dependent mother of John Byron Golden, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, beginning in line 1, to strike out:

The name of Ulysus G. Hunt, late of Company I, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $17 per month.

The name of Filen Whalin, late of Company B, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The name of Caroline M. Anthony, late contract nurse, Medical Department, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William H. Branc, late of Battery F, Third Regiment United States Field Artillery, New York National Guard, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to strike out:

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

Mr. SMITH of Georgia. Mr. President, from this amendment, which the Committee on Pensions has reported to the pending bill, the chairman is willing the Senate shall recede. This provides for a small pension of $12 a month, which was allowed by the other House, to Baxter Hogan, but I have submitted to the chairman of the committee affidavits from six reputable men covering the point in doubt in the case, and he has agreed that the amendment may be rejected. I ask that the committee amendment rejecting the pension to Baxter Hogan be disagreed to.

Mr. KING. I should like to inquire of the Senator from Georgia if the ground of striking out the pension by the committee was a bigamous marriage?

Mr. SMITH of Georgia. No; it was a doubt as to whether the injury did not antedate the pensioner's entering the service, and I have produced affidavits from a half dozen reputable men, including one physician, showing that the injuries did antedate the service of the pensioner and did not occur after his service.

Mr. McCUMBER. I desire to say that the additional evidence furnished by the Senator from Georgia since the report was made would have made a difference in the report of the Committee on Pensions relative to this case.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 10, after line 4, to strike out:

The name of Clem S. Kirkham, late of Troop L, Fourth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 10, to strike out:

The name of Howard M. Blankenship, late of Company M, Fourth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to strike out:

The name of James J. Shortell, late of Company F, Seventy-first Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 22, before the words "per month," to strike out "$17" and insert "$24," so as to make the clause read:

The name of Frank M. Cottrell, late of Company F, Forty-ninth Regiment Iowa Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, after line 23, to strike out:

The name of William B. Hendricks, late of Company I, Third Regiment United States Volunteer Engineers, and pay him a pension at the rate of $17 per month.

The next amendment was, on page 11, beginning in line 1, to strike out:

The name of John E. Schilling, late of Company A, Second Regiment West Virginia Infantry, and pay him a pension at the rate of $12 per month.

The name of Miller Kincaid, late of One hundred and fourteenth Company United States Coast Artillery, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 9, to strike out:

The name of Fred. Jahrries, late of Company L, Thirty-third Regiment, United States Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The name of George E. Lovin, late of Company F, One hundred and sixty-first Regiment Indiana Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Daniel B. Reddicks, late of Company E, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, beginning in line 1, to strike out:

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $17 per month.

The name of Louis N. Hickey, late of Company B, Second Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 7, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Georgeanna C. Pierson, dependent mother of William D. Pierson, late of the Hospital Corps, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 13, to strike out:

The name of Gilbert E. Donnells, late of Company L, Fourth Regiment Illinois Infantry, and pay him a pension at the rate of $17 per month.

The name of Willard Kolp, late of Company C, Eighth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The name of Nathaniel Singletary, late second lieutenant of Company G, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, line 25, after the words "Second Regiment," to strike out "(reorganized)," and, in the same line, after the words "Ohio Volunteers," to strike out "(Mexican War)" and insert "War with Mexico," so as to make the clause read:

The name of Daniel Gonder, late of Company B, Second Regiment Ohio Volunteers, War with Mexico, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 3, to strike out:

The name of John H. Alford, late of Company B, Second Regiment Tennessee Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to strike out:

The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant of Company A, First Regiment Oklahoma Volunteer Infantry, National Guard, and pay her a pension at the rate of $17 per month and $2 per month for the soldier's minor children until they reach 16 years of age.

The amendment was agreed to.

The next amendment was, on page 13, after line 18, to strike out:

The name of William J. Linn, late of Company M, Third Regiment Georgia Volunteer Infantry, War with Spain; Company H, Forty-fifth Regiment United States Volunteer Infantry, and First and Tenth Batteries, United States Field Artillery, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 7, after the words "per month," to strike out "with $2 per month for each of the minor children of Charles N. Miller" and insert "and $2 per month additional on account of each of the minor children of said Charles N. Miller until they reach the age of 16 years," so as to make the clause read:

The name of Mamie K. Miller, widow of Charles N. Miller, late of the United States Navy, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles N. Miller until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 14, after line 14, to strike out:

The name of Cosam J. Bartlett, late major, First Louisiana Infantry, War with Spain, and pay him a pension at the rate of $25 per month.

The name of Mary Kirk, formerly widow of James A. Taggart, late of Capt. Hudspeth's Company C, California Battalion, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Clemson Underwood, late of Company K, First Regiment Montana Infantry, and pay him a pension at the rate of $12 per month.

The name of James E. Householder, late of Company G, Fifth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 2, before the word "child," to strike out "deformed" and insert "helpless and dependent," so as to make the clause read:

The name of Annie Kelly, helpless and dependent child of Thomas Kelly, late of Company F, Second Regiment Ohio Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 4, to strike out:

The name of George W. Willets, late of Troop E, First Regiment Ohio Cavalry, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 10, after the words "Mounted Volunteers," to insert "Indian wars," so as to make the clause read:

The name of Sarah M. Gibbins, widow of William A. Gibbins, late member of Capt. John H. Settle's Company D, First Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 19, to strike out:

The name of George S. Jenkins, late of Company H, Nineteenth Kansas Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, to strike out from line 1 to line 3, inclusive, as follows:

The name of Starling N. Caron, late of Company F, Third Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

ELLEN M. WILLEY.

Mr. LODGE. Mr. President——

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

Mr. LODGE. I ask unanimous consent for the present consideration of the bill which I send to the desk. I do not know whether or not a similar House bill has come over.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey. It provides:

That in the administration of the pension laws the late Owen S. Willey, who served in the United States Navy from July 11, 1860, to April 16, 1863, as an acting master's mate, shall hereafter be held and considered to have been discharged honorably from the naval service of the United States as an acting master's mate on April 16, 1863; but no pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.

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

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 9281) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The VICE PRESIDENT. Without objection, the formal reading of the bill will be dispensed with, and the bill will be considered for amendment, the committee amendments to be first considered.

Mr. McCUMBER. I move the amendments which I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The READING CLERK. On page 1, after line 9, it is proposed to strike out:

The name of David S. Williams, late of Troop M, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 2, to strike out:

The name of Jason Adkins, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Joseph McClure, late of Company D, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 7, to strike out:

The name of John F. Campbell, late of Battery E, First Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to strike out:

The name of Jesse A. R. Forbes, late of Company L, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 18, to strike out:

The name of Patrick H. Madigan, late of Company K, Two hundred and third Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank Shaw, late of Company K, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 4, after the word "additional," to strike out "for soldier's minor child until he shall have reached the age of 16 years" and insert "on account of the minor child of said Orval Hunsaker until he reaches the age of 16 years," so as to make the clause read:

The name of Pearl A. Hunsaker, widow of the late Orval Hunsaker, Company C, Fourth United State Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Orval Hunsaker until he reaches the age of 16 years.

The next amendment was, on page 3, after line 7, to strike out:

The name of Otto M. Payton, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 19, after the words "per month," to strike out "each for soldier's minor children until they shall have reached the age of 16 years" and insert "additional on account of each of the minor children of said James A. Powers until they reach the age of 16 years," so as to make the clause read:

The name of Mary A. Powers, widow of James A. Powers, late of Company H, Ninth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James A. Powers until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 3, after line 23, to strike out:

The name of John McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 4, to strike out:

The name of Martha E. Waldsmith, widow of William A. Waldsmith, late of Twenty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of George W. Turner, late of Company L, First Regiment North Carolina Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Oblisk, late of Company A, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary J. Pack, widow of Thomas J. Pack, late of Company F, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of David M. Allen, late of Company C, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Chester E. Green, late of Company M, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 23, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Chester E. Green, late of Company M, First Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 23, to strike out:

The name of Eddie E. Sterrett, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to strike out:

The name of Bernard M. Stanton, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to strike out:

The name of Ethel A. Kane, widow of William M. Kane, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month; also $2 per month additional for sailor's minor child until she shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 12, to strike out:

The name of Fanny Weill, widow of Julius Weill, late of Battery M, Fifth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 18, to strike out:

The name of Orville G. Willett, late of Company G, First United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month.

The name of Horace G. Pope, late of Troop D, Second Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of Annie M. Wood, widow of Sampson W. Wood, late of Company C, First Regiment Massachusetts Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 8, to strike out:

The name of Claude H. Dean, late of Company I, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Coffey, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edward S. Coffin, late of Company C, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to strike out:

The name of Irving Wohl, late of Fifth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Brother Buis, late of Company I, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to strike out:

The name of Sarah E. Kiplinger, widow of John Kiplinger, late of Company D, Sixth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 10, to strike out:

The name of Louis B. Smith, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Philip E. Hartman, late of Companies A and K, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Susan J. Purcell, widow of John J. Purcell, late of Company F, Twenty-first Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional, on account of each of soldier's minor children until they shall have reached the age of 16 years.

The name of Charles T. Durand, late of Company H, Third Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The name of Charles P. Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James W. Duty, late of Company L, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac N. Troutman, late of Company F, First Regiment Idaho Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elmer Wagar, late of Troop B, Third Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 22, to strike out:

The name of George C. Hazeltine, late of Company K, Second Regiment Texas Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 6, to strike out:

The name of Pleasant D. Cooper, late of Company D, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 6, after the word "Infantry," to insert "Regular Establishment," so as to make the clause read:

The name of Lloyd Shaver, late of Company I, Thirteenth Regiment United States Infantry, and Company B, Sixteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 8, to strike out:

The name of Michael Mulvey, late of Company E, Forty-first Regiment United States Volunteer Infantry, and Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 21, to strike out:

The name of Charles Brubaker, late of the band, and Company M, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of John A. Kennepohl, late of Company K, First Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James F. Mitchell, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 10, to strike out:

The name of Howard H. Long, late of Company K, Sixth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John W. Paulus, late of Company D, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Simon P. Kieffer, late of Company B, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 21, before the words "per month," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Simon P. Kieffer, late of Company B, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 12, to strike out:

The name of Charley Douthitt, late of Company H, One hundred and fifty-ninth Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Schuyler C. Pool, late of Company K, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Casey A. Cox, late of Company E, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James L. Doris, late of Company F, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Frank A. Morton, late of Company H, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Anson B. Countryman, late of Company F, First Regiment Idaho Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 25, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of Robert S. Parker, late second lieutenant of Company K, Twentieth Regiment Kansas Infantry, War with Spain, and private, Company H, Forty-fourth Iowa Infantry, Civil War, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 8, to strike out:

The name of Eugene E. Clark, late of Company L, First Regiment Montana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry Noel, late of Troop B, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Thomas H. Ivers, late of Company B, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert A. Carnegie, late of Company F, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 14, to strike out:

The name of Eugene Johnson, late of Company L, Twenty-fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

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

The name of James W. Mitchell, late of the United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The name of August J. Griesbach, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 11, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary S. Langston, dependent mother of Omar Langston, late of Company E, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 18, to strike out:

The name of Thomas L. Feyen, late of Company A, Forty-ninth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Otto O. Yaap, late of the United States Marine Corps, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 15, to strike out:

The name of Thomas D. O'Shea, late of Company L, Forty-seventh Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Martin Tepper, late of Company L, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert Noble, late of Company F, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James Prosek, late of Company C, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George H. Haverkate, late of Company C, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Samuel M. Deets, late of Company E, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George H. Bruckner, late of Troop I, Second United States Cavalry, and Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 16, to strike out:

The name of Michael Long, late of Company I, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on the same page, after line 16, to strike out:

The name of Nathaniel J. Stonecipher, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 20, after the words "name of," to strike out "Eugenie" and insert "Eugenia"; and in line 22, after the word "Army," to strike out "Regular Establishment" and insert "War with Spain," so as to make the clause read:

The name of Eugenia Schottmueller, dependent mother of Gilbert L. Schottmueller, late of the Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 24, to strike out:

The name of Maria Louise Richardson, widow of Robert Richardson, late of Troop I (Marshall's), First Kentucky Cavalry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 1, after the word "Cavalry," to strike out "Mexican War" and insert "War with Mexico"; and, in line 2, after the words "rate of," to strike out "$30" and insert "$25," so as to make the clause read:

The name of Maria Louise Richardson, widow of Robert Richardson, late of Troop I (Marshall's), First Kentucky Cavalry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 3, to strike out:

The name of Katherine G. Manning, widow of Michael Manning, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of sailor's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 17, after line 8, to strike out:

The name of Charles M. Fink, late of Company C, Eighth United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, after line 14, to strike out:

The name of John T. Tingley, late of Company K, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Floyd B. Daugherty, late of the band, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of David U. Denind, late of Company G, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on the same page, after line 23, to strike out:

The name of Edward Hinman, late of Company A, Twenty-third Regiment United States Infantry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 2, to strike out:

The name of William E. Warren, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of William A. Waggoner, late of Company I, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 10, before the word "mother," to insert "dependent," and in line 13, before the words "per month" to strike out "$12" and insert "$17," so as to make the clause read:

The name of Mary R. Adair, dependent mother of Henry H. Adair, late first lieutenant, Tenth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 16, to strike out:

The name of George W. Malin, late of Company H, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 24, after the word "additional," to strike out "for soldier's minor child until she shall have reached the age of 16 years" and insert "on account of the minor child of said Edgar J. Simson until she reaches the age of 16 years," so as to make the clause read:

The name of Stella A. Simson, widow of Edgar J. Simson, late of Company K, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said Edgar J. Simson until she reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 19, line 2, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Phebe Spencer, now Schonhoff, dependent mother of Lawrence L. Spencer, late of Company B, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 5, to strike out:

The name of John Moloney, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 9, to strike out:

The name of John T. Griggs, father of Jones A. Griggs, late of Company I, Fifth Regiment Georgia Infantry, National Guard, border defense, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 13, to strike out:

The name of Simeon D. Morrison, late of Company E, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 16, to strike out:

The name of Sarah J. Holley, widow of Charles W. Holley, late of Tenth Company, United States Coast Artillery, and Company M, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they reach the age of 16 years.

The name of James F. Romines, late of Companies D and M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of Jesse W. Beam, late of Company M, Second Regiment New Jersey Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry Patterson, late of Battery H, Third Regiment United States Artillery, and Thirtieth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 20, line 12, before the words "per month," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Jane C. A. Porter, widow of Hugh Porter, late of Capt. Maddox's company, Fremont's California Volunteers, Mexican War, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 12, to strike out:

The name of James I. Sloan, late of Troop G, Third United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of June MacM. Ordway, dependent mother of Eliot W. Ordway, late of Company H, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 19, to strike out:

The name of John H. Page, late of Company A, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 22, to strike out:

The name of Kate B. Horan, widow of Jeremiah J. Horan, late of Troop F, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to strike out:

The name of Leroy F. Moore, late of Company H, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isaac M. Conley, late of Company B, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of James T. Brown, late of Troop K, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 21, to strike out:

The name of Lillie P. Hinman, late a nurse in the War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 22, to strike out:

The name of Adam E. Haughn, late of Company H, First Battalion Ohio Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Joseph W. Nolen, late of Company H, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Daniel J. Bresnahan, late of Company B, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward J. Davis, late of Company M, Twenty-sixth United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 14, to strike out:

The name of Alice F. Travis, widow of Charles T. Travis, late of United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 22, after line 19, to strike out:

The name of Anna O'Brien, widow of Frank A. O'Brien, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to strike out:

The name of William E. Gault, late unassigned and of Company E, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Christine E. Geiger, widow of Austin Geiger, late of the Fortieth and Eighty-fifth Companies, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional for the soldier's minor child until she reaches the age of 16 years.

The name of Dalbert Gray, late of Company B, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out:

The name of Annie E. Arnold, mother of Robert Edgar Arnold, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 22, to strike out:

The name of Edward E. Henton, late of Company I, Seventeenth Regiment, and Company E, Second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles W. Lanham, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John J. Mitchell, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Carl C. Dunham, late of Company I, Sixteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew Kravets, late of Company C, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert H. Roberts, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel B. Yeaple, late of Company A, Eighth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Pierre L. Carmouche, late first lieutenant Company L, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John B. Peters, late of Company K, First Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Emma S. Norton, widow of Lewis A. Norton, late first lieutenant Company I, Second Regiment Illinois Volunteers, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to strike out:

The name of Tebitha E. Cummings, widow of Frederick Cummings, late of Troop C, Second Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William D. Craft, late of Company G, First Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas J. Reynolds, late of Troop D, First Regiment Ohio Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 21, to strike out:

The name of John H. Henry, late of Company C, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, after line 24, to strike out:

The name of Mary Michel, widow of John N. Michel, late a private Company A, Twelfth United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional for soldier's minor child until she reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 26, line 11, after the word "additional," to strike out "for each of soldier's minor children until they reach the age of 16 years" and insert "on account of each of the minor children of said John Fisher until they reach the age of 16 years," so as to make the clause read:

The name of Rowena Fisher, widow of John Fisher, late of Company A, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of said John Fisher until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 26, after line 15, to strike out:

The name of Charles W. Streeter, late corporal of Company F, Thirty-second Michigan Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Joseph Flewelling, late of Company E, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William Seybold, late of Company G, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 2, to strike out:

The name of Walter E. Harris, late of United States Navy, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 5, to strike out:

The name of Anna M. Neill, widow of Jesse A. Neill, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 27, line 14, after the words "Artillery Corps," to insert "Regular Establishment," so as to make the clause read:

The name of Adolf S. Szydlowski, late of Twenty-seventh Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The name of Frances T. Denton, widow of George W. Denton, late of Company F, Fourth Regiment Illinois Volunteer Infantry, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 22, after the word "Infantry," to strike out "old war," so as to make the clause read:

The name of Mary Conter, widow of John Conter, late of Company I, Tenth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 2, before the words "per month," to strike out "$24" and insert "$17," so as to make the clause read:

The name of William O'Bryan, late of Company B, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 5, to strike out:

The name of Elizabeth C. Bell, widow of the late George H. Bell, quartermaster sergeant, Second Regiment Ohio Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Simon P. Parrish, late of Company I, Eighth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Daniel P. Myers, late of Company I, First Regiment District of Columbia Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Noel M. Pursley, late of Company F, Second Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William Edwards, late of Battery C, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 29, to strike out:

The name of Elizabeth A. Shull, widow of A. P. Shull, late second lieutenant Capt. William Byrnes's company, First Brigade, Sixth Division California Militia, Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, after line 5, to strike out:

The name of John F. Mulhall, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lester D. Parkton, late of Company I, Seventeenth Regiment, and Company C, Twenty-seventh Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of William C. Shaffer, late of Company H, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Michael W. Hurley, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Benjamin F. Lamkin, late of Troop C, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Fritz Hintermeier, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 30, after line 3, to strike out:

The name of Bridget Reynolds, widow of James C. Reynolds, who served in Company F, Thirty-fifth Regiment Michigan Infantry, and in Company H, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month; also $2 per month for each of the soldier's minor children until they shall have reached the age of 16 years.

The name of Donald E. Leslie, late of Company K, Sixteenth Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Peter W. Weber, late of Company A, Third Regiment Ohio Volunteers, Mexican War, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 31, to strike out:

The name of Jefferson C. Smith, late of Company G, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter L. Jewell, late of Troop B, Thirteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 20, to strike out:

The name of Edward J. Oeding, late of Battery G, Sixth Regiment United States Artillery, and Thirteenth Battery United States Field Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert S. Peterson, late of Company B, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 10515.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10515) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

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

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

Mr. McCUMBER. I offer the amendments which I send to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The first amendment of the Committee on Pensions was, on page 1, after line 5, to strike out:

The name of James W. Hendrickson, late of Company K, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles E. Kingsley, late of Troop E, First United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William H. Brooks, late of Company G, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Michael W. Murphy, late of Company H, Eighth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Peter Black, late of the United States Navy, War with Mexico, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dora F. Wilson, widow of Frederick Wilson, late of Troop B, Sixth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of $12 per month.

The name of William H. Miller, late of Companies C and K, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Philip Owen, late first lieutenant, Company L, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Walter C. Tharp, late of Company I, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 3, before the word "mother," to insert "dependent"; and, in line 5, after the words "National Guard," to insert "border defense," so as to make the clause read:

The name of Mary A. Johnson, dependent mother of Hilding C. Johnson, late of Company K, Second Regiment Minnesota Infantry, National Guard, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to strike out:

The name of Peter F. Van Auken, late of Battery B, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph E. Bivans, late of Battery A, First Regiment Illinois Light Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mrs. Eliza L. Ellis, daughter of William West, late of Captain M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of $12 per month.

The name of William B. Stroope, late of Company E, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to strike out:

The name of Fred F. Bennett, late of Company F, Twenty-second Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John E. Root, late of Troop A, Second Regiment, and Troop D, Eighth Regiment, United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Peter L. Johnson, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 19, after the word "Henry," to strike out "Parrish" and insert "Parish," so as to make the clause read:

The name of Henry Parish, late of Capt. William Cason's company, Florida Volunteers, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 1, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of Nancy A. Meredith, widow of Frederick Meredith, late of Capt. Hall's company, Third Regiment Illinois Mounted Volunteers, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to strike out:

The name of Gus H. Weber, late of band, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to strike out:

The name of Helen Cecilia Schaarman, mother of Frank L. Schaarman, alias Frank L. Sherman, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 5, line 17, after the word "Infantry," to insert "border defense," and in line 19, after the words "account of," to strike out "soldier's minor child until he shall have reached the age of 16 years" and insert "the minor child of said George Merz until he reaches the age of 16 years," so as to make the clause read:

The name of Marie Merz, widow of George Merz, late of Company I, Seventy-first Regiment New York National Guard Infantry, border defense, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of said George Merz until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to strike out:

The name of John D. Andrews, late of Company B, One hundred and sixtieth Regiment Indian Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of William F. W. Gordon, late of Company G, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 3, to strike out:

The name of Nellie L. Benton, widow of Francis Benton, late of Company H, Sixteenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 8, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Margrethe Nelson, dependent mother of Henry R. Nelson, late of the United States Navy, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of George J. Cox, late of Company G, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 7, to strike out:

The name of Joseph F. Smith, late of Company E, Twenty-eighth United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Alfred M. Graham, late of Company I, Third Regiment Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mary J. Beard, widow of John D. Beard, late of Company D, Thirtieth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of David J. Hanger, late of Company C, Seventh Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out:

The name of James C. Claxton, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Bert B. Hughes, late of Battery B, First Regiment Maine Heavy Artillery, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Stephen Harder, late of Company D, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to strike out:

The name of Robert E. McCormick, late of Company E, Fourth Regiment Wisconsin Infantry, and Battery D, Fourth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isabel Bertrand, widow of Joseph Bertrand, alias Abraham Magnus, late of Company C, Tenth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment North Carolina National Guard Infantry, Regular Establishment, and pay her a pension at the rate of $17 per month and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 9, line 6, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary Plummer (now Hill), dependent mother of Hiram L. Plummer, late of Company E, Twentieth Regiment Kansas Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

The name of Walter Sewell, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Olday, late of Company H, Eleventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nathaniel J. Smith, late of Troop L, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 22, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of John Degen, late of Troop B, First United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 2, to strike out:

The name of Everett A. Dibble, late of Company I, Thirty-first Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, after line 10, to strike out:

The name of Samuel A. Berry, late unassigned United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Robert Wilks, late of Company E, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Martin K. Wright, late of Company I, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 21, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Bridget Mulcahy, dependent mother of Michael Mulcahy, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of John C. McDowell, late of Troop E, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Benjamin W. Clark, late of Company G, Thirteenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Harry W. Miller, late captain of Company C, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles L. C. Sherwin, late of Troop K, Eighth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Laura S. Gilkey, dependent mother of Charles T. Gilkey, late of Company L, Fourth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 20, to strike out:

The name of Elmer S. Baker, late of Company L, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sarah E. Walker, widow of George Walker, late of Company I, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Anton Casper, late of Company B, Third Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 7, before the word "mother," to insert "dependent," and in line 10, before the words "per month," to strike out "$25" and insert "$12," so as to make the clause read:

The name of Christina R. Urquhart, dependent mother of William M. Urquhart, late of Company H, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 10, to strike out:

The name of Lee Toms, late of Company E, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to strike out:

The name of Catherine Millington, minor of Frank T. Millington, late of Troop C, Third United States Cavalry, Regular Establishment, and pay her a pension at the rate of $14 per month until she shall have reached the age of 16 years. Payment to be made to duly appointed guardian.

Mr. McCUMBER. I ask that that committee amendment be rejected.

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

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 12, after line 22, to strike out:

The name of Albert F. Knight, late of Company H, Third Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas H. Coxe, late of Company I, Ninth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 7, to strike out:

The name of Albert Yoder, late of Company G, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Mary Jane Graham, former widow of Thomas H. Frazier, late of Company A, Second Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of Jacob Hicks, late of Company G, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Leroy Dunn, late of Company C, Twenty-third United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Roscoe Schutt, late of Troop F, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John J. Robinson, late of Company C, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 17, to strike out:

The name of Pearl C. Holt, late of Company D, Sixth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 3, to strike out:

The name of John M. Sexton, late of Company I, First Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 10, to strike out:

The name of Margaret A. Storie, widow of William C. Storie, late of Company C, First Regiment Tennessee Volunteer Cavalry, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Charles H. V. Wiggin, late of Troop K, First Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edmund W. Roderick, late of Company H, Third Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 25, to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said George H. Burke until they reach the age of 16 years," so as to make the clause read:

The name of Mary A. Burke, widow of George H. Burke, late of Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said George H. Burke until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 16, after line 3, to strike out:

The name of Sarah Adaline Youngblood, widow of Michael Youngblood, late of Company K, Fifth Regiment Louisiana Volunteers, Mexican War, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Mary Kinne, widow of Sylvanus H. Kinne, late of Company A (Capt. T. Bond's), First Regiment Illinois Volunteers, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of George T. Keith, late of Company C, First Regiment Alabama Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Mary Furfey, widow of Edward A. Furfey, late of Battery I, Seventh Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of James Duffy, late of Company B, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 7, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary Jane King, dependent mother of Robert L. King, late of Hospital Corps, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 17, to strike out:

The name of Lafe Strickland, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William E. McGee, late of Company E, One hundred and fifty-eighth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Fred A. Safford, late of Troop L, Third United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of George V. M. Sommerhauser, late of Troop M, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 13, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Maggie Gordon, dependent mother of Allen E. Gordon, late of Company K, Forty-ninth Regiment Iowa Infantry, War with Spain and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 19, to strike out:

The name of John A. Shaw, late of Company F, First Regiment Vermont Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Zadok K. Basden, late of Company I, First North Carolina Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Theodore L. Shaffer, late of Company I, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, line 4, before the word "father," to insert "dependent," so as to make the clause read:

The name of James H. Hook, dependent father of Edward R. Hook, late of Company H, Twentieth Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 7, to strike out:

The name of Tony K. Wilson, late hospital steward, Twelfth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. McCUMBER. I ask that that amendment be rejected.

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

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Pensions was, on page 19, after line 11, to strike out:

The name of Anna Kendrick, widow of Herbert N. Kendrick, late of Company G, Twelfth Regiment Minnesota Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Emma A. Esarey, mother of Clarence S. Carr, late of mounted service (white), United States Field Artillery; general service, United States Infantry; and Tenth Recruit Company, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of Charles I. Meck, late of Company G, Twelfth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Theresa Cloyd, widow of Stephen W. Cloyd, late of Company C, Second Kentucky Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Teddy Sexton, late of Company A, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 14, to strike out:

The name of Murray R. Marshall, late of Company A, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Stanford Holmes, late of Company B, First Regiment Indiana Colored Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry L. Vance, late of Company M, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 1, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Jemima Grigg, dependent mother of George G. Grigg, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 15, after the word "Infantry," to strike out "Regular Establishment" and insert "War with Spain," and, in line 16, after the words "rate of," to strike out "$14 per month until she shall have reached the age of 16 years" and insert "$12 per month and $2 per month additional until she reaches the age of 16 years," so as to make the clause read:

The name of Elsie Gardner, minor child of John T. Gardner, late of Company E, Eleventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional until she reaches the age of 16 years. Payment to be made to duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 21, after line 24, to strike out:

The name of Andrew H. Wegman, late of Company K, Fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 4, before the word "Captain," to strike out "who served in" and insert "late of," and, in line 6, before the words "per month," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Martha E. Johnston, widow of Alfred H. Johnston, late of Captain Derrick's Company, Georgia Volunteers, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 15, to strike out:

The name of Mary A. Baldridge, former widow of George W. Berry, late of Company G, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 22, line 23, before the word "mother," to insert "dependent," and in line 26, before the words "per month," to strike out "$20" and insert "$12," so as to make the clause read:

The name of Mary C. Herrington, dependent mother of Lem R. Herrington, late of Company H, First Regiment West Virginia Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 7, to strike out:

The name of Martha Ann Welch, former widow of Robert A. Welch, late of the United States Navy, War with Mexico, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 21, after the word "additional," to strike out "for each of the sailor's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said James Kavanagh until they reach the age of 16 years," so as to make the clause read:

The name of Grace Kavanagh, widow of James Kavanagh, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James Kavanagh until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, at the top of page 24, to strike out:

The name of Abe Erlich, late of Company I, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, after line 10, to strike out:

The name of Sarah R. Fuller, widow of Samuel L. Fuller, late of Company F, Fifteenth Regiment United States Infantry, Mexican War, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emily E. McKee, widow of James A. McKee, late of Company E, Palmetto Regiment South Carolina Volunteers, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. KING. Mr. President, I have stated during this session that no pension bill could be defeated in the Senate. The action taken upon the numerous pension measures proves the truth of this statement. It is my purpose to demand full consideration in the future of all pension bills, particularly service pension bills, and to prevent by the use of all honorable means the passage of measures not meritorious.

I regret the lack of interest by Senators when measures of this kind are considered. Bills carrying tens of millions of dollars are passed with but few Senators in attendance, and fewer still familiar with their terms. A few days ago a $65,000,000 pension bill was passed, and I doubt whether there were 10 Members of the Senate in the Chamber during the consideration of the bill. Other pension bills, carrying large amounts, have been presented for our consideration. They, too, have received no attention whatever at the hands of the overwhelming majority of the Senate. Whenever any bill is before us that calls for the expenditure of money, no one is in the Senate except those interested in that particular bill. There seem to be no opponents of expenditures. Advocates of appropriations are usually insistent upon action by Congress and are always active in urging consideration.

We have appropriated more than $5,350,000,000 as pensions for the survivors of the Civil War. We appropriated last year more than $327,000,000 for pensions. In my opinion, the appropriations for the coming fiscal year will aggregate more than

$600,000,000, and if this Congress should remain in session for another 30 days I feel sanguine that appropriations for pensions will be swelled to the extent of over $2,000,000,000.

There is pension madness in the Senate, in Congress, and among some public officials. There has been too little regard by the people in the past for the stupendous appropriations which have been made for pensions, but sooner or later there will be an awakening by the people. The Senator from Arizona [Mr. ASHURST] stated yesterday that pension bills would always pass because there were "votes in pensions," and that opposition to pensions would fail because there were no votes in the opposition. Already the people of the United States are beginning to feel the burdens of high taxes. When the subsidence in the business activity of the people of the United States manifests itself in a depleted if not a completely exhausted Treasury and new sources of taxation are resorted to, and the workingmen and the ultimate consumer are compelled to pay additional taxes, Congress shall be called upon to render an accounting for the extravagance and apparent profligacy which characterize our course.

Mr. President, we should deal liberally with those who in the service of their country were injured or incurred disabilities, and the widows and children of men who lost their lives when they were in the service of their country should be generously dealt with. The American people have manifested a desire to deal fairly with all entitled to pensions. But Congress has not always been satisfied with that character of appropriations—such appropriations that can be justified—that appeal to the sentiments of patriotism and justice.

We must now pension everybody whose name has been upon the rolls of the military or naval branches of the Government for 90 days. Indeed, Mr. President, we have modified that rule, and we passed a pension bill yesterday containing a large list of names of persons who had not served 90 days who were to be paid pensions. Under this new plan the rule and law are to be changed, and men who never had on a uniform, men who never were 50 miles away from their homes while in service, are to be pensioned for life if their names are upon the rolls, and that course is pursued even though there are no injuries or disabilities and the beneficiary is the possessor of wealth. There seems to be some who feel that a pension is an incorporeal hereditament; that it is something which may be transmitted from father to son and from grandson to great-grandson until, like property, it may be willed and alienated and devised and bequeathed without limitation.

I repeat, we are pension mad; we pension men who were never injured; we pension men who never suffered any disability; we pension men who are suffering no disabilities now; we pension men who are worth millions; we pension men who enjoy thousands and tens of thousands of dollars annually from their professions and from their business investments; this is the day of service pensions, and still more service pensions. No one knows what the end will be.

Mr. President, it has been said that the motto a few years ago of a certain political party was, "Hurrah for the old flag and for big appropriations." There were those in public station who seemed to be more interested in getting appropriations than they were in constructive policies which would make for the prosperity and welfare of the people. Are there not dangerous influences now pervading the land, which operate upon public officials, which seek public benefactions at the expense of the people?

I think it would be better for the country if, instead of passing indiscriminate and unworthy pension bills, we attempted to legislate for the people's welfare. If legislation is needed to punish those who create monopolies or profiteer and rob the people we should enact it. I have felt there was profiteering and combinations and conspiracies in restraint of trade and corporations which, by the exercise of great power, financial and otherwise, have oppressed the people and practiced extortion to an intolerable degree.

I was glad to read in this morning's paper that a number of men who have been vending goods, charging extortionate prices, making from 100 to 200 per cent profit upon the sales, have been prosecuted and punished. There are too many food profiteers; there are too many thieves and robbers in various parts of the land robbing and plundering the people, despoiling and exploiting because they have the power.

If additional legislation is required in order to reach existing evils and to send to the penitentiary those who are taking advantage of the necessities of the people, it will be far better that we enact it than to devour the people's substance by a system of high taxation.

But our good Republican friends who dominate both branches of Congress are spending money, and spending still more, notwithstanding the exhausted condition of the Treasury.

The Senator from North Carolina [Mr. OVERMAN] to-day called attention to the billions of dollars which this Congress has appropriated. He did not state the aggregate, and he did not begin to state the entire amount which will be expended by this Congress during this session and which we will be compelled to meet in deficiency appropriation bills when the Congress shall be convened again.

No one knows where the money is to come from. We spend it, and spend regardless of the sources from which the taxes are to come. We will probably be forced to a bond issue if we continue this extravagance—a bond issue in a time of peace, a bond issue with more than $6,000,000,000 of dollars expended and with between four and six billion dollars collected from the people in one year in taxation. Mr. President, this wild saturnalia of extravagance must cease. Those in public life must have due regard for the responsibilities which rest upon them. We should be the conservators of the interests of the people. We should protect the taxpayers. We should represent the public instead of the special interests and those who are knocking constantly at the door of the Congress for appropriations.

It is time that we should take stock, that we should determine our liabilities and our assets, and that we should inaugurate a policy of reform, a policy of economy, which will rescue this great Republic from financial collapse.

I sincerely hope that my friend the Senator from North Dakota [Mr. MCCUMBER], than whom there is no better man in public life, will in the future join with others in attempting to stem the great tide of extravagance and wastefulness which seems to be sweeping over the land.

I sincerely hope that we will have no more of these omnibus pension bills presented for our consideration, and that the pensions paid shall be for those who have suffered, those who have received disabilities, those who, in the great World War, have received wounds and injuries or nervous disabilities. The widows and dependents of those who died for their country must be cared for and justice done to all.

Mr. MCCUMBER. Mr. President, there is a very old saying that if we take care of the pennies the dollars will take care of themselves. I commend the reverse of that to the Senate of the United States. If we will take care of the billions of dollars, the little hundreds of dollars in these little pension bills will probably take care of themselves. While we have been discussing this bill the cost of conducting Congress has probably been greater than the amounts involved in the bills we have been considering.

The Senator from Utah is in error if he thinks there is a single name upon these five bills which is for a service pension only. None of them are service pensions. Every one of them involves an injury incurred in line of service, and not one widow or helpless child is granted a pension under any one of these five bills unless it was established to the satisfaction of the committee that the injury was sustained in line of service.

The particular bill we are now discussing will involve about $9,000, provided the recipients of the pensions live to the end of the year. The probabilities are that not many of them will remain on earth even that long.

Mr. KING. Mr. President——

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

Mr. MCCUMBER. I yield.

Mr. KING. I would like to ask the Senator what, in his opinion, will be the aggregate amount paid by the Government of the United States for pensions for the coming fiscal year?

Mr. MCCUMBER. The amount was reported, of course, with the pension appropriation bill. It will be about $279,000,000.

Mr. KING. The Senator, of course, knows that in addition to that we have already appropriated nearly $300,000,000—I am making no complaint with respect to that—and we will doubtless be compelled to appropriate large additional sums.

Mr. MCCUMBER. We have been most liberal, Mr. President, with reference to the soldiers of the late war. We have been extraordinarily generous to their families.

Mr. KING. So the aggregate of the pensions for the coming fiscal year, if the Senator will pardon me, will be at least $600,000,000—from that to $800,000,000.

Mr. MCCUMBER. Not of pensions.

Mr. KING. I mean for pensions and appropriations made to those who sustained injuries in the war.

Mr. MCCUMBER. I can not estimate the amount which will be paid under the war-risk insurance, but it is most generous.

Mr. President, with reference to the objection which the Senator suggests he will urge to any more omnibus pension bills, I welcomed the Senator's assistance in the committee. He is a member of the Committee on Pensions. I wish the Senator would be present, after Congress reassembles, and assist me in

keeping a quorum. If the Senator then believes that the policy which we have followed, even before the Senator came on earth, with reference to these pensions ought to be changed, I will be most happy to go over it with him and to consider the whole question upon its merits; and I hope we will some time be able to keep a quorum of that committee to consider that very proposition.

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

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

The bill was read the third time and passed.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 11554.

The motion was agreed to; and the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 11554) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

Mr. McCUMBER. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for action on the committee amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Reading Clerk proceeded to read the bill.

The first amendment of the Committee on Pensions was, on page 1, after line 5, to strike out:

The name of John Whitington, late of Troop C, Eleventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 1, line 10, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Gussie Rash, dependent mother of Roy Degman, late of Company L, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, after line 2, to strike out:

The name of Asa C. Pieratt, late of Troop I, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Lambert, late of Company G, Twenty-sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 14, to strike out:

The name of John C. Ferneding, late of Company I, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John A. Gaut, late of Company G, Fifteenth Regiment Minnesota Infantry, and Company I, Thirty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph B. Ohr, late of Company E, First Regiment Ohio Infantry, and Companies E and A, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 3, to strike out:

The name of George W. Doney, late of Company C, First Brigade Oregon Mounted Militia, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

The name of Julius A. Fuhrman, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James Cunningham, late of Company G, Twenty-second Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Walter S. Stewart, late of Company M, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, at the top of page 4, to strike out:

The name of David Dixon, late of Troop E, Tenth Regiment United States Cavalry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to strike out:

The name of Oliver P. Jackson, late of Company K, Fifth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to strike out:

The name of Jonas Bolen, alias James Bolen, late of Troop B, Second Regiment United States Cavalry, Indian War, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 15, to strike out:

The name of William H. Culler, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 18, to strike out:

The name of Edward Gaines, late of Company D, Twenty-fourth Regiment United States Infantry, Indian War, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to strike out:

The name of George B. Locke, late of Company G, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Christopher C. Ogden, late of Company K, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to strike out:

The name of Peter Poirier, late of Company B, Forty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to strike out:

The name of Peter F. O'Brien, late of Company M, Fourth Regiment Pennsylvania Infantry, and United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 11, to strike out:

The name of Frank Lynch, late of the Forty-eighth Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 19, to strike out:

The name of Alva C. Foster, late of Company C, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew B. Erb, late of Company D, Fifth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph D. Blackwell, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 6, to strike out:

The name of Augustus W. Connor, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 10, to strike out:

The name of Thomas C. Nation, late of Company B, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 14, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Lucinda Wilson, dependent mother of Albert J. Wilson, late of Company H, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 18, to strike out:

The name of Gustave Stellar, late of Company M, Ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 21, to strike out:

The name of Harry Weinheimer, late of Company F, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of Alfred Rivers, late of United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 3, to strike out:

The name of John W. Oldfield, late of Company A, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William A. Zinn, late of Company H, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John L. Dick, late of Company B, United States Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John W. Warman, late of Company B, Fourth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 8, lines 1 to 6, to strike out:

The name of Miner N. Howard, late of Battery H, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Amel G. Johnson, late of Company B, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 10, to strike out:

The name of David A. Turner, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles H. Ricker, late of Company K, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 22, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Delila Moore, dependent mother of Charles W. Frazee, late of Troop A, Third Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 4, after the words "per month," to strike out "with $2 per month additional for soldier's minor child until he shall have reached the age of 16 years" and insert "and $2 per month additional on account of the minor child of said William L. Huston until he reaches the age of 16 years," so as to make the clause read:

The name of Ida C. Huston, widow of William L. Huston, late of Company D, Sixth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said William L. Huston until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

The name of Simon T. Hickman, late of Company C, First Battalion Engineers, United States Army, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, after line 16, to strike out:

The name of John Scott, late of Troop K, Ninth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Sullivan, late of Company G, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Raleigh J. Stanberry, late of Company I, Fifteenth Regiment United States Infantry, War with Spain—

And on page 10, lines 1 to 9, to strike out:

and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Edward Schrum, late of Company G, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Charles T. Pickens, late of Company K, Tenth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 12, to strike out:

The name of Bascum M. Meyers, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 16, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Mary R. Mellinger, dependent mother of Walter A. Mellinger, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay her a pension at the rate of $12 a month.

The next amendment was, on page 10, after line 19, to strike out:

The name of George W. Bales, late of Company B, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Louis H. Trayser, late of Company B, Fourth Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the words "rate of," to strike out "$17" and insert "$12," so as to make the clause read:

The name of James M. Pollock, late of Company H, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 8, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said William Retter until they reach the age of 16 years," so as to make the clause read:

The name of Katherine Retter, widow of William Retter, late of Troop D, Eighth Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said William Retter until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to strike out:

The name of Jacob Imhoff, late of Company E, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Robert H. Sheaffer, late of Company F, Eighth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 2, to strike out:

The name of John H. Franklin, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James M. Taylor, late of Company K, Second Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John E. Harris, late of Company G, Second Regiment Georgia Infantry, and Fourteenth Company United States Coast Artillery, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 16, to strike out:

The name of Daniel B. Klingensmith, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, line 23, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Thomas L. Hanlon until they reach the age of 16 years," so as to make the clause read:

The name of Emma S. Hanlon, widow of Thomas L. Hanlon, late of Company A, Seventh Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Thomas L. Hanlon until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to strike out:

The name of William Fussnecker, late of Company H, Third Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to strike out:

The name of William Constable, late of Company I, Second Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nicholas Sharp, late of Company F, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, line 19, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Willis A. Ward

until they reach the age of 16 years," so as to make the clause read:

The name of Margaret E. Ward, widow of Willis A. Ward, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Willis A. Ward until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 13, after line 23, and in lines 1 and 2, page 14, to strike out:

The name of Otis O. Milliken, late of Company E, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 2, to strike out:

The name of Charles A. Bills, alias Frank Button, late of Company K, Nineteenth Regiment Kansas Cavalry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 6, to strike out:

The name of Jacob Lyons, late of Company K, Fourteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 11, before the words "United States," to insert "Fifth Regiment," so as to make the clause read:

The name of Thomas N. Pray, late of Troop D, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 12, to strike out:

The name of Albert Beiro, late of Company G, Second Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, after line 22, to strike out:

The name of James K. Vance, late of Company B, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "rate of," to strike out "$20" and insert "$12," so as to make the clause read:

The name of John Kerns, late of Company A, Twentieth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 3, to strike out:

The name of Samuel C. Braden, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas A. Puyear, late of Company H, Fourth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, line 22, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said Lloyd D. Witters until they reach the age of 16 years," so as to make the clause read:

The name of Anna L. Witters, widow of Lloyd D. Witters, late of Company D, Twenty-first United States Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of each of the minor children of said Lloyd D. Witters until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to strike out:

The name of Oliver Hull, late of United States Marine Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 8, to strike out:

The name of Jerry Fitzpatrick, late of Company K, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 12, to strike out:

The name of William Wade, late of Battery D, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Rachel Ann Tooill, widow of Joseph Tooill, late of Company B, Third Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, lines 1, 2, and 3, to strike out:

The name of Harry H. Rockey, late of Company I, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, after line 3, to strike out:

The name of Walker Anderson, late of Troop A, Tenth Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 7, to strike out:

The name of James E. Johnson, late of Company A, Fourth Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 11, to strike out:

The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian war, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 21, after the words "rate of," to strike out "$24" and insert "$12," so as to make the clause read:

The name of Albert O. McNulty, late of Company G, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 22, to strike out:

The name of Nancy G. West, late a contract nurse, Medical Department, United States Volunteers, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, lines 1, 2, and 3, to strike out:

The name of Phillip Ausmus, late of Company I, Ninth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 3, to strike out:

The name of Clara J. Sitton, widow of Felix J. Sitton, late of Company H, First Regiment Doniphan's Missouri Mounted Volunteer Infantry, Mexican War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, line 11, after the words "rate of," strike out "$17" and insert "$12," so as to make the clause read:

The name of Murray Pierce, late of Company L, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, afttr line 12, to strike out:

The name of Earl Sanders, late of Company M, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 20, after the words "rate of," to strike out "$30" and insert "$20," so as to make the clause read:

The name of Sarah A. Boorman, widow of Elbertus A. Boorman, late of Battery K, Fourth Regiment United States Artillery, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 20, to strike out:

The name of Johanna Murphy, mother of Frank J. Murphy, late of Supply Company, Ninth Infantry, Massachusetts National Guard, border defense, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, lines 1 to 7, to strike out:

The name of Richard M. Gilbert, late of Company F, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Cary M. Carlton, late of Company G, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 11, to strike out:

The name of William C. Jacobs, late of Company H, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to strike out:

The name of James H. St. Clair, late of Company H, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

The name of James D. Smith, alias James Smith, late of Troop F, Second Regiment United States Cavalry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

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

The name of Thomas E. Sutton, alias Birt Sutton, late of Company C, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 7, to strike out:

The name of Henry Blankenship, late of Company I, Seventh Regiment Ohio Infantry, and Company F, Fortieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 11, to strike out:

The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian war, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 15, to strike out:

The name of Alfred N. Oakleaf, late of Company G, Seventh Regiment Ohio Infantry, and Company K, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 19, to strike out:

The name of Minnie Nordyke, widow of Edward C. Nordyke, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 24, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Louisa Baumgard, dependent mother of William Baumgard, late of the United States Navy, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The next amendment was, on page 21, after line 2, to strike out:

The name of Hugh Hoch, late of Company M, Twenty-first Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 9, after the words "rate of," to strike out "$17" and insert "$12," so as to make the clause read:

The name of William N. King, late of Company D, Seventeenth Regiment United States Infantry, and One hundred and tenth Company, Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 14, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years," and insert "on account of each of the minor children of said Carl King until they reach the age of 16 years," so as to make the clause read:

The name of Venus B. King, widow of Carl King, late of Company G, Thirteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Carl King until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to strike out:

The name of Augustus Thompson, late of Company H, Third Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank F. Pittman, late of Company F, First Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 9, to strike out:

The name of Brice Selby, late of One hundred and twentieth Company, United States Coast Artillery, and Battery M, Fourth United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 13, to strike out:

The name of Albert A. Lyke, late of Company C, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to strike out:

The name of Corwin W. Holibaugh, late of Troop C, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 19, to strike out:

The name of Edith Payne Trimm, widow of Edmund W. Trimm, late chaplain Third Regiment Wisconsin Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 23, to strike out:

The name of James N. Davis, late of Company C, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to strike out:

The name of Robert W. Koontz, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Renshall, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert M. Kuppel, late of Company C, Twenty-eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Peter Kankiewicz, late of Company G, Thirteenth Regiment, and Companies I and M, Fourteenth Regiment, United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out:

The name of John C. Kulpman, late of Company I, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 2, after the word "additional," to strike out "for each of soldier's minor children until they shall have reached the age of 16 years" and insert "on account of each of the minor children of said Charles C. Cooper until they reach the age of 16 years," so as to make the clause read:

The name of Maude C. Cooper, widow of Charles C. Cooper, late of Company C, Twelfth Regiment Pennsylvania Infantry, and Hospital Corps, United States Army, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Charles C. Cooper until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 24, after line 5, to strike out:

The name of Lewis A. Boone, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 13, after the word "receiving," to insert "to continue," and in line 14, after the word "helplessness," to strike out "pension to be paid to duly appointed guardian," so as to make the clause read:

The name of Helen Fitton, blind and helpless child of John Fitton, late of the Quartermaster Corps, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving, to continue during the period of her helplessness.

The amendment was agreed to.

The next amendment was, on page 24, after line 15, to strike out:

The name of Mike Cattarini, late of Company M, Fourth Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ralph Erwin, late of Company G, One hundred and fifty-ninth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 24, after the word "Lefavor," to strike out "retired, late of the United States Navy" and insert "late lieutenant United States Navy, retired," so as to make the clause read:

The name of Lizzie C. Lefavor, widow of Frederic H. Lefavor, late lieutenant United States Navy, retired, Regular Establishment, and pay her a pension at the rate of $25 per month.

The next amendment was, on page 25, after line 2, to strike out:

The name of George Crago, late of Company A, Thirty-first United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of David R. Locke, late of Company E, Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, line 10, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Catherine Summers, dependent mother of Lawrence Summers, late of Company L, Second Regiment Mississippi Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 25, after line 16, to strike out:

The name of William Holt, late of Company L, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Frank Godar, late of Company H, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years.

The name of Jacob Cain, late of Company H, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John O. McMahon, late of Company F, Thirty-third Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, after line 19, to strike out:

The name of Conrad H. Rowe, late of Company D, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Alice Barkley, widow of Andrew J. Barkley, late of Company F, Fourth Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 6, to strike out:

The name of Walter G. Smith, late of Company K, Fifth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 27, line 13, after the words "rate of," to strike out "$35" and insert "$25," so as to make the clause read:

The name of Jean R. Anderson, widow of Keller Anderson, late colonel, Second Regiment Tennessee Infantry, and major, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 18, after the word "month," to strike out "with $2 per month additional for each of soldier's minor children until they shall have reached the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said Walter S. Hall, alias Walter McLaughlin, until they reach the age of 16 years," so as to make the clause read:

The name of Annie G. Hall, widow of Walter S. Hall, alias Walter McLaughlin, late of Company D, Twelfth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said Walter S. Hall, alias Walter McLaughlin, until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 27, after line 23, to strike out:

The name of George W. Rabel, late of the Twenty-eighth Battery Indiana Light Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Brown, late of Company E, Fifth Regiment Ohio Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles C. Chilson, late of Company I, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 9, to strike out:

The name of Margaret Huling, widow of John Huling, late of Company L, Fifth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, line 15, after the word "Army," to strike out "Indian war" and insert "Regular Establishment," so as to make the clause read:

The name of Hester Walk, widow of Henry Walk, late of General Mounted Service, United States Army, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 28, after line 17, to strike out:

The name of Edward C. Wait, late of Company G, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Bert M. Dorton, late of Battery K, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 1, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Maria Gaines, dependent mother of Albert Gaines, late of Company C, Second Regiment New York Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 4, to strike out:

The name of Hans R. Jacobson, late of Company A, Second Regiment Oregon Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 10, to strike out:

The name of Wesley Priest, late of Company M, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harry S. Stahl, late of Company K, Fifty-first Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 29, after line 20, to strike out:

The name of Frank M. Preston, late of Company M, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank S. Schmidt, late of Company F, Two hundred and second Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Walter C. Hathaway, late of Troop I, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to strike out:

The name of Louise Shoat, widow of John W. Shoat, late of Troop C, Fourth Regiment United States Cavalry, Indian war, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 10, to strike out:

The name of Rhoda M. Gates, former widow of Woodson Clay Gates, late of Capt. Hunter's and Miller's First Regiment Tennessee Infantry, Indian wars, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 30, line 15, before the word "mother," to insert "dependent," so as to make the clause read:

The name of Nancy Jane Howard, dependent mother of James Howard, late of Troop G, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 19, to strike out:

The name of Thomas Flinchum, late of Company C, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 2, to strike out:

The name of Mary S. Wilson, widow of Joshua Wilson, late of Company I, First Regiment Tennessee Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was on page 31, after line 6, to strike out:

The name of Christopher L. Einkopf, late of Company D, Fourteenth Regiment United States Infantry, and Company G, Twenty-first Regiment United States Infantry, Indian war, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 31, after line 15, to strike out:

The name of Jane Polsgrove, widow of Almus W. Polsgrove, late of Company B, Second Regiment Kentucky Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Eugene P. Williams, late of Company L, Sixth Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Daniel Burkey, late of Company D, Thirty-fifth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 32, to strike out:

The name of James S. Haggard, late of Company C, Ninth Battalion Ohio Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph Tewell, late of Company B, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 32, after line 10, to strike out:

The name of Ivar A. Amell, late of Company K, Sixth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Jean B. Kopf, late of Troop B, First Regiment Illinois Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert Hand, late of Company I, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John B. A. Richard, late of Company D, First Regiment Rhode Island Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alvis F. Ritter, late of Company I, Fourth Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 33, in lines 1 to 16, to strike out:

The name of Harvey L. Williams, late of Company A, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Simeon H. Johnston, late of Company D, Sixth Regiment United States Artillery, and Twelfth and Twenty-second Batteries United States Field Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of La Barron T. Marshall, late of Company F, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles S. Kinman, late of Company C, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 20, to strike out:

The name of William H. Fish, late of Company K, Fiftieth Regiment Iowa Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Horace B. Case, late of Company A, Nineteenth Regiment United States Infantry, Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter Barbo, late of Company I, One hundred and sixtieth Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 34, after line 15, to strike out:

The name of Edward C. Crawford, late of Company F, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Joseph Phillips, late of Company H, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles A. Heiland, late of Company B, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Leonidas Duncan, late of Company I, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph Dole, late of Troop B, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 35, line 19, after the word "Navy," to insert "War with Spain," and in line 20, after the word "month," to strike out "with $2 per month additional for each of sailor's minor children until they reach the age of 16 years" and insert "and $2 per month additional on account of each of the minor children of said James J. Reid until they reach the age of 16 years," so as to make the clause read:

The name of Bridget E. Reid, widow of James J. Reid, late of the United States Navy, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said James J. Reid until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 36, in lines 1 to 8, to strike out:

The name of Mary M. Newman, widow of John R. Newman, late captain Company K, Second Regiment Arkansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of said John R. Newman until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 36, after line 11, to strike out:

The name of Mary Brown, widow of Alexander Brown, late of Capt. Kelly's independent company, Florida Volunteers, War with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Hector H. Bryant, late of Troop B, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 36, after line 18, to strike out:

The name of Charles Knight, late of Company K, First Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thereasa Brisbois, widow of Gabriel A. Brisbois, late of Knowlton's independent company, Wisconsin Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of John E. Collins, late acting hospital steward, United States Army, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles Grunert, late of Company L, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Hugh O. Neville, late of Troop F, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel G. Dinsmore, late of Company E, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, line 4, after the words "rate of," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Cynthia Martin, widow of James L. Martin, late of Captain Tedford's company, First Regiment Tennessee Volunteers, Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving. Payment to be made to duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 38, after line 8, to strike out:

The name of George A. Cooper, late of Company H, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Susanah Raines, mother of William R. Raines, late of Company M, Seventeenth Regiment United States Infantry, Regular Establishment, border defense, and pay her a pension at the rate of $12 per month.

The name of Charles A. Rogers, late of Company A, Third Regiment Missouri Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The next amendment was, on page 38, after line 15, to strike out:

The name of Lewis W. Taft, late of Company K, Fifteenth Regiment United States Infantry, Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, line 21, after the word "Army," to insert "Regular Establishment," so as to make the clause read:

The name of John F. Dile, late unassigned recruit, United States Army, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 38, after line 23, to strike out:

The name of Guy Robison, late of the Sixty-sixth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 39, after line 2, to strike out:

The name of Lucy E. Blue, dependent mother of Arthur Blue, late of Company D, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Mary Stewart, widow of Robert W. Stewart, late of Starbuck's company, Second Illinois Volunteers, War with Mexico, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

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

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

STEAMSHIP "MATOA"—SCHOONER "HENRY O. BARRETT."

The PRESIDING OFFICER (Mr. CURTIS in the chair) laid before the Senate the amendments of the House to S. Con. Res. 26, which were—

That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1005) "for the relief of the owner of the steamship *Matoa*" be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

Strike out all after the enacting clause of said bill and insert the following in lieu thereof: "That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the United States tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States upon the same principle and measure of liability, with costs as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court; and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1222) "for the relief of the owners of the schooner *Henry O. Barrett*" be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

Strike out all after the enacting clause of said bill and insert the following in lieu thereof: That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the United States monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court; and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. SMOOT. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MOUNT ALTO HOSPITAL.

Mr. FERNALD. Mr. President, I realize in these closing hours of the session how urgent and important many measures are that are proposed to be brought before the Senate this evening. I shall satisfy my ambition by stating my case very plainly. I simply ask unanimous consent that the bill (H. R. 13627) to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," may be considered at this time. I had expected to ask for the consideration of two bills, one of them carrying an appropriation of about $10,000,000 for hospitals for the soldiers.

This bill passed the House unanimously, providing for a hospital in this city in which there are to-day 125 soldiers. An act was passed on the 3d day of March, 1919, carrying an appropriation of $9,000,000 for the building of hospitals, but a provision in the act stated that the hospitals must be located on land owned by the Government. No land in the city could be found suitable, however, that was owned by the Government, but a piece of land of 11 acres with buildings upon it was leased for a time, and it can now be purchased. Members of a subcommittee have examined the property and have estimated that the purchase would be a splendid bargain.

This is no new appropriation. It is simply to make available an appropriation already made of about $550,000. I can not conceive that there will be any objection to the consideration of the bill at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine?

Mr. SMOOT. Mr. President, I wish to call attention to the law itself. I think the Senator will admit that there is a proposed expenditure of money out of an appropriation, first, of $250,000; second, of $154,000; and, third, of $6,000.

The bill proposes to amend the act approved March 3, 1919, and authorizes the expenditure of $550,000 for the purchase of land and buildings of the National School of Domestic Art and Science, located at 2650 Wisconsin Avenue, in the District of Columbia, now under lease to the United States Government as a hospital. We refer to section 7, paragraph (e) of the act of March 3, 1919, and see that this is how it reads:

(e) The sum of $550,000 is hereby authorized for the construction, on land owned by the Government, on a site to be selected by the Secretary of the Treasury with the approval of the President, of a hospital plant complete in the District of Columbia or vicinity.

That is all of that paragraph. In the bill, on page 2, line 5, there is a proviso which reads as follows:

Provided further, That in addition to the $550,000 hereby authorized the sum of $250,000 from the amount appropriated by section 5 of the act hereby amended and of $6,000 and of $154,000 from the amounts appropriated by section 6, paragraphs 1 and 2, respectively, of said act, are hereby made available for the above-mentioned purposes and shall remain available until expended.

Section 5 of the act reads as follows:

SEC. 5. The Secretary of the Treasury is hereby authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for immediate use, in whole or in part, of their present facilities, so as to provide bed capacity and facilities for not exceeding 1,000 patients, and for such purposes the sum of $300,000 is hereby authorized.

So we take $250,000 of that $300,000 to be used for this particular purpose in addition to the $555,000 that was appropriated in the act of March 3, 1919, and of $6,000 and of $154,000 of the amount appropriated by section 6, paragraphs 1 and 2, respectively, of the act. When we turn to the act we find that section 6, paragraph 1, reads as follows:

SEC. 6. The Secretary of the Treasury is hereby authorized, if in his judgment the same will be for the best interests of the Government from the standpoint of cost, location, and of the emergency needs of the Public Health Service, to purchase the site, buildings, and hospital facilities and appurtenances at Corpus Christi, Tex., known as General Hospital No. 15, and for such purpose the sum of $150,000 is hereby authorized.

The second paragraph reads as follows:

The sum of $1,500,000 is hereby authorized to be held as an emergency fund for the purchase of land and buildings suitable for hospital and sanatoria purposes, which the Secretary of the Treasury is hereby authorized to select and locate, and to make additions and improvements suitable to adapt them to the uses of the United States Public Health Service, if in his judgment the emergency requires it.

If we pass this bill, it means that the $550,000 appropriated in section 7, paragraph (e), of the act of March 3, 1919, shall be used for this purpose. That paragraph specifically states that the purchase price of the land and buildings shall not exceed $460,000 of the $550,000.

Mr. FERNALD. Mr. President, does the Senator wish to ask any questions? If not, I can not yield further at this time.

Mr. SMOOT. I thought the Senator had yielded the floor.

Mr. FERNALD. I yielded for a question.

Mr. SMOOT. The Senator does not mean to say that I can not speak on this question?

Mr. FERNALD. Not at all; but in my own time I do not think that I ought to yield any longer.

The PRESIDING OFFICER. Let the Chair state the situation. The Chair submitted the request for unanimous consent and then recognized the Senator from Utah. He now has the floor.

Mr. FERNALD. I thought I had the floor. If I am in error, I beg the Senator's pardon.

The PRESIDING OFFICER. The Senator from Utah will proceed.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. I inquire whether or not it is the understanding of the Chair that unanimous consent has been granted?

The PRESIDING OFFICER. It has not. The question is whether there is objection to the consideration of the bill.

Mr. SMOOT. I want to conclude my statement, and then the question as to whether or not unanimous consent shall be granted may be decided. The Senator made the statement that this bill did not carry any appropriation. I wish to say to the Senator, with all due respect to his statement, that if we spend $154,000 for this particular purpose in buying the building and lands, as is provided in this bill, there is not any doubt that just as soon as the $1,500,000 is expended for the purpose for which it was originally appropriated Congress will be asked to appropriate to cover the $154,000. That is just as certain as that the sun will rise to-morrow morning. Not only that, but it is just as certain as we live that the request will be granted.

I desire to make this statement in order that, if we take this bill up, there may be no misunderstanding as to its carrying an appropriation, but I will admit that it is taken out of the fund which was appropriated for a specific purpose. When that purpose is undertaken to be accomplished and it is found that there is not available the amount of money which was appropriated for it, the excuse will be offered here in the Senate Chamber, as well as in the other House, "Why, Congress intended to give us $300,000; Congress intended to give us $1,500,000; but an emergency arose, and we used a part of that appropriation, and now, of course, to carry out the will and wish of Congress, we have got to have an appropriation to make up that which has already been taken out."

It may be that this is a splendid purpose, as the Senator says; I do not know, for I have not the knowledge of the value of land out on Wisconsin Avenue; I do not know what the value of the building is; I can not say as to that; but if it is so valuable, let us distinctly understand that if we purchase it we are now making an appropriation that will have to be taken from a fund that has already been provided and will have to be replaced at some time in the future. That is all I wish to say about the matter.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Reserving the right to object, I desire to say that I am not satisfied with the wisdom or the propriety of this appropriation.

Mr. FERNALD. Do I understand the Senator from Utah objects?

Mr. KING. I reserve the right to object.

Mr. FERNALD. I should like to make a statement. I regret at this late hour to be obliged to have to go into a matter of this kind in great detail. I am quite surprised at the attitude of Senators regarding this bill. The Public Buildings and Grounds Committee have had submitted to it something like 120 bills during the present session of Congress. Not a single bill has been reported favorably that carried a dollar of appropriation. I think that statement will answer any charge of extravagance on the part of the committee. We had a bill presented calling for an appropriation of $87,000,000 for hospitals for the soldiers. After a careful examination, it was found that 640,000 invalid and disabled soldiers returned from France; that inside of two years it would require 23,400 beds to take care of those soldiers; and that it would entail an expense of nearly $100,000,000 in the next six years. That bill was very carefully considered. We wrote to all of the soldiers' homes in the country to ascertain if there could not be quite a number of soldiers taken care of there. After they had all reported, we found that about 10,000 soldiers could be so taken care of.

Then another bill was introduced providing for an appropriation of $10,000,000 for hospitals throughout the country. I was rather of the opinion that that bill ought to be passed, but it is a Senate bill, and I find at this late hour that it would be impossible to get it through and have it become a law during this session. So I decided not to say anything about that bill to-night; but the bill for which I ask consideration does not ask for any extra appropriation and is the only bill that has been reported from the Committee on Public Buildings and Grounds providing for any money at all.

It may be true, as the Senator from Utah [Mr. SMOOT] has stated, that there will be $154,000 which it will be necessary to appropriate, but, Mr. President, suppose it does require $154,000?

From the beginning of this session to the present time we have been talking about doing something for the soldier. We have listened to-night to a criticism of pensions for the boys who fought to save the flag, and we have been told that we were wasting money on pensions all over the country. Every one of the Senators who has mentioned this matter has stated that we ought to take care of the invalid soldiers; that if any men had been disabled, if any men had become blind or halt or lame, they should be cared for. I am frank to say—and I believe that every Senator here will bear me out in the statement—that all the letters that have been received from the business men and the American Legion in various parts of the country in opposition to the bonus have stated that the invalid soldiers ought to be cared for.

In this bill there is a provision that a hospital shall be founded in this city. Now, I wish to refer to the provisions of the original act. The then Secretary of the Treasury [Mr. GLASS] called attention to the act appropriating $9,000,000 for the purposes indicated by its title. I refer especially to the following provision:

The sum of $550,000 is hereby authorized for the construction on land owned by the Government—

That is the difficulty—"on land owned by the Government."

on a site to be selected by the Secretary of the Treasury, with the approval of the President, of a hospital plant, complete, in the District of Columbia or vicinity.

No land could be found in the District of Columbia which was considered by the Secretary of the Treasury suitable for this purpose; but the land on Wisconsin Avenue, consisting of about 11 acres, on which buildings were already erected capable of taking care of 125 men, was leased last year and is still under lease to the Government. It is proposed to buy that land. The Senator from Utah says he does not know anything about its value. Neither do I know anything about its value; I have not been there; and I do not know much about the value of property in Washington; but a subcommittee of the Committee on Public Buildings and Grounds of the House have visited the location, have made an investigation, and have reported that it is a good bargain. I am certain that 11 acres in the city of Washington ought to be worth at least what is contemplated paying for this land and the buildings now erected on it.

Mr. President, we have started in, as I have said, to do something for the soldier; every Senator who has spoken on the matter to-night has said that we ought to take care of the invalid soldier. I can not understand why this great Government of ours is not willing to take care of the wounded soldiers whom one meets upon the streets. There are individuals in this city who do a thousand times more than they ought to be called upon to do to afford suitable protection and care for the men in hospitals.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

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

Mr. FERNALD. I yield.

Mr. SMOOT. How many wounded soldiers are in this hospital which it is proposed to buy?

Mr. FERNALD. There are 125 men there now.

Mr. SMOOT. Are the beds full?

Mr. FERNALD. I do not know about that; but 125 men are reported to be there.

Mr. SMOOT. The Government is leasing the building and paying the rent for it, is it not?

Mr. FERNALD. I presume so.

Mr. SMOOT. Then, we are taking care of the soldiers there, are we not?

Mr. FERNALD. Yes; but we have got to take care of more than 125.

Mr. SMOOT. Are there more beds than 125 there?

Mr. FERNALD. We propose to make the buildings larger, so that they will be able to care for 500 men.

Mr. SMOOT. I will say to the Senator that there is no report upon the bill and no report has been submitted to accompany it, as I understand. The bill is on the calendar here with no information except the appropriation which it contains, and that is all I can judge by.

Mr. FERNALD. If I can have an hour or two I think I can satisfy the Senate that it is quite necessary to do something for these boys.

Mr. SMOOT. I do not think the Senator meant to say that, for we are leasing the property to-day and the Government has just as much use of it to-day as if they bought it. The only question is the propriety of appropriating $460,000 for it, an additional sum of $250,000, and then a further sum of $154,000. If we are utilizing that property to-day and soldiers are being taken care of there, they are being taken just as good care of as if the Government owned the property.

I say the only question involved is: Do we want to appropriate this money and pay for the property outright, or do we want to lease the property, as we are doing to-day? That is a question as to which, as I have said, I am not able to judge, in view of the fact that no report whatever has been submitted. It may be the very best thing in the world to buy the property; I do not know; but as I have already said, the question of a failure to take care of the soldier boys is not involved in this bill at all, for they are being taken care of under the lease of the property just as well as they would be taken care of if it were purchased.

Mr. FERNALD. Mr. President, they are taking care of soldiers to the extent of the capacity of the buildings, but they will care for only 125 men. There is, however, plenty of land there to enlarge the buildings, as was proposed in the original bill, so that 500 men may be taken care of.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Missouri?

Mr. FERNALD. I yield.

Mr. SPENCER. May I ask the Senator from Maine if that is the property that is about two or three blocks south of where Massachusetts Avenue runs into Wisconsin Avenue, upon the west side?

Mr. FERNALD. I think it is; it is called Mount Alto. It is one of the most beautiful spots in the city and one of the highest.

Mr. SPENCER. Oh, yes. That is the home where those soldiers who appear to be incurable are now cared for.

Mr. FERNALD. I understand so.

Mr. SPENCER. May I say to the Senator that I have been there, and my understanding is, from what I saw there, that the Government is now putting buildings upon that leased land, which it would seem to me, for economy's sake, is an unwise thing to do. If we are going to increase the building upon that land, the wise thing to do would be to buy the land and not to put buildings upon land that is leased.

Mr. SMOOT. Mr. President——

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

Mr. SPENCER. I do.

Mr. SMOOT. I agree with the Senator from Missouri. It is unthinkable that any department of the Government, in the face of a direct law saying that they can not do it, would go on and erect buildings on leased land. Now, when they are erecting the buildings, they come here to Congress and ask that we purchase the land. They do that after they have started the buildings. What they ought to have done was to come to Congress and have the purchase of the land authorized before they began the construction.

I want to ask the Senator from Missouri if the bill that he introduced, in which the consent of Congress, or at least the consent of the Senate, was given to buy certain lands out near the Walter Reed Hospital, became a law? I do not know whether it passed the House or not.

Mr. SPENCER. It did.

Mr. SMOOT. And that has nothing whatever to do with this matter?

Mr. SPENCER. Nothing whatever.

Mr. SMOOT. This is a new site?

Mr. SPENCER. Yes; it is entirely different.

Mr. SMOOT. The appropriation was made for $550,000 originally, but that money was to be expended on Government-owned land. I do not see, however, that the Public Health Service is different from almost any other department of the Government. As I said here the other day, they pay no more attention to the laws of Congress, when they desire to do otherwise, than they would to the whistling of the wind.

Mr. FERNALD. The Senator from Utah knows that nobody has followed him in that respect more carefully than the Senator from Maine.

Mr. SMOOT. I am aware of it.

Mr. FERNALD. I have endeavored, in every vote I have cast here, to look upon the matter from a business standpoint and to act in an economical way; but I do believe that we ought to make provision for these men.

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

Mr. FERNALD. I am very glad to yield.

Mr. McCUMBER. I wish to ask the Senator, for information, why it is that these buildings that were put up to house the soldiers in the city of Washington and at different encampments can not be used for hospitals?

For instance, down on the Speedway here we have perhaps 30 or 40 or 50 buildings that are capable of housing at least five or six hundred persons, I should judge, if not a thousand. They are empty and rotting. Now, why could not they be utilized for hospitals? I do not know anything about their structure, but why could not they be used?

Mr. FERNALD. I think, in reply to that question, that there are many of the buildings that are to be used in the near future for hospital purposes, but those buildings would hardly be fit. They are not suitably constructed.

Mr. STERLING. Mr. President, a parliamentary inquiry. The Senator from Maine [Mr. FERNALD] asked unanimous consent that the Senate proceed to the consideration of this bill. Senators have been discussing for the last three-quarters of an hour, I think, the merits of the bill. If it is proper to call for the regular order, and submit the question as to whether or not unanimous consent shall be given, I should like to invoke that rule. We are debating the question upon the request of the Senator from Maine for unanimous consent.

Mr. SMOOT. Mr. President——

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

Mr. FERNALD. I do.

Mr. SMOOT. I will say to the Senator from South Dakota that so far as I am concerned, from what I have learned as to the value of the land, if it is there, I shall not object; and the bill can be considered now, as far as I am concerned.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Let the Chair state the situation. The question was submitted. The junior Senator from Utah [Mr. KING] reserved the right to object and consented to hear the Senator from Maine. The Senator from Maine was explaining the object of the bill, with the consent of the Senate.

The Senator from Georgia is recognized.

Mr. SMITH of Georgia. Mr. President, I wish to ask the Senator from Maine one question.

We have a number of cantonments with splendid hospital facilities already connected with them that the War Department has determined to keep. There are hospital facilities that would accommodate more than 10,000 men in these cantonments, where we own the land and own additional buildings sufficient to take care of over a million men. Can the Senator tell me why those hospitals and those grounds are not used, instead of buying new ones?

I ask the question in all seriousness, because it has just occurred to me. I thought I was for the Senator's bill, because I am in favor of taking care of these men; but I know that at most of these cantonments that the Government owns and proposes to keep—it has asked to keep eight, and I think Congress has approved its keeping eight—there are hospitals that will take care of from 1,500 to 2,500 men, splendidly equipped, with all sanitary arrangements.

Mr. FERNALD. Mr. President, I quite agree with the Senator from Georgia, and that is the reason why the appropriation bills calling for $87,000,000 and $10,000,000 have not been favorably reported; but in this city there are no buildings, I think, that are large enough or would be able to accommodate the men that are here. The buildings referred to by the Senator from South Dakota would be large enough or nearly so, but they are not suitable for that purpose, and the Senator from Maine believes that with the cantonments about the country and the soldiers' homes a large number of the 23,000 men that it will be necessary to care for in the near future can be cared for. In this city, however, there is not sufficient hospital room to-day.

Mr. SMITH of Georgia and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maine yield; and if so, to whom?

Mr. FERNALD. I yield, first, to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, is it necessary to have them in Washington? Are not many of these cantonments in much better all-around-the-year climates?

Mr. FERNALD. The Secretary of the Treasury reported that it was necessary. In a letter under date of December 5, 1919, Hon. Carter Glass, Secretary of the Treasury, addressed a communication to the Speaker of the House of Representatives in relation to additional hospital facilities for discharged soldiers, sailors, marines, and Army officers. The Secretary's letter was printed as a House document in the Sixty-sixth Congress, second session. In that communication the Secretary informed Congress that it would be necessary to make provision for 23,400 beds within the next two years and that the total cost would be $85,000,000.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Missouri?

Mr. FERNALD. I yield.

Mr. SPENCER. May I say, in part answer, because perhaps it fits in at this time, that my understanding is that this hospital at Mount Alto is not a general hospital. It is a hospital that is intended solely for those who, for one reason or another, are deemed to be incurable. Therefore my information is that the Medical Department feels that that hospital must be located in a place where not only the General Staff will be available, but it must be contiguous to the specialists in every form of critical cases, which would be impossible in a general cantonment. It must be located somewhere in a center of medical knowledge, and I think that is one of the reasons why they felt that it must be located in a city like Washington. My understanding is that there are no cases at this place except those cases of the unfortunate character that I have described.

Mr. SMITH of Georgia. Mr. President——

Mr. FERNALD. I yield to the Senator.

Mr. SMITH of Georgia. And as the surgical specialists of the Army are largely here, they deem this the desirable place?

Mr. SPENCER. Such is my information.

Mr. SMITH of Georgia. I want to say to the Senator from Maine that I was not seeking to criticize but to obtain information.

Mr. FERNALD. Certainly; I realize that.

I should like to give a little more information, because we have a letter not only from the former Secretary of the Treasury but from the present Secretary of the Treasury. If the Senator cares for further information, I shall be glad to read it; but if there is no objection—I know how anxious other Senators are to take up other matters, and I am willing to submit the question at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13627) to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," which was read, as follows:

Be it enacted, etc., That paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," is hereby amended to read as follows:

"(e) The sum of $550,000 is hereby authorized for the purchase of the land and buildings of the National School of Domestic Arts and Science, located at 2650 Wisconsin Avenue, in the District of Columbia, now under lease to the United States Government as a hospital, and for the construction of such additions and improvements thereto as may be necessary to suitably adapt them to the needs and purposes of the Public Health Service: *Provided*, That the purchase price of said land and buildings shall not exceed $460,000: *Provided further*, That in addition to the $550,000 hereby authorized, the sum of $250,000 from the amount appropriated by section 5 of the act hereby amended and of $6,000 and of $154,000 from the amounts appropriated by section 6, paragraphs 1 and 2, respectively, of said act, are hereby made available for the above-mentioned purposes and shall remain available until expended."

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

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I present the conference report on the general deficiency appropriation bill.

The PRESIDING OFFICER. The Senator from Wyoming presents a conference report, which will be read.

The 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. 14335) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, 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 3, 5, 8, 12, 13, 14, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 22, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58; and agree to the same.

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 the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees, and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the office of communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

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 matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except one at $3,000, one at $2,400, one at $2,000, and two at $1,800 each."

And the Senate agree to the same.

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 line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; and the Senate agree to the same.

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 matter inserted by said amendment insert the following: ": *Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof and payment therefor shall be made before delivery"; and the Senate agree to the same.

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: Strike out, in lines 2 and 3 of the matter inserted by said amendment, the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5," and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 4 and 18.

F. E. WARREN,
CHAS. CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.

Mr. WARREN. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent for the immediate consideration of the conference report just submitted by him. Is there objection?

There being no objection, the Senate proceeded to consider the report.

Mr. WARREN. I desire to say the report is a complete agreement except as to two items, and as to those two items it will require some further time for their consideration.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WARREN. I move that the Senate further insist on its amendments still in disagreement, ask for a further conference with the House on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. UNDERWOOD. One moment. If the Chair will allow me to make a suggestion, we do not desire a further conference.

Mr. WARREN. I understood the Senator to wish otherwise. My first idea was to ask for the acceptance of the report and to let it lie on the table, but it has to be somewhere in the interim.

Mr. UNDERWOOD. No; I think, if the chairman will allow me——

Mr. WARREN. Certainly.

Mr. UNDERWOOD. We have agreed to a conference report which covers all of the items but two; one is the school item, and the other is the item in reference to claims for the levy improvements, an item which was discussed here. Those two items are still in dispute. I will suggest to the chairman that I think the direct method of bringing the matter to a vote in the House would be merely to move that the Senate further insist on those two amendments and send the matter to the House. That would bring a direct vote without asking for a further conference.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. WARREN. That sends the papers at once to the House. That is the intention.

Mr. LODGE. Yes, that is correct.

CLAIMS ON SHORE WATERS IN ALASKA.

Mr. NEW. Mr. President, I ask unanimous consent to submit a favorable report from the Committee on Territories, and ask immediate consideration of the bill. I do not think it will encounter any opposition or call for any discussion. If it appears that it calls for any prolonged discussion, I will withdraw it.

Mr. KING. Mr. President——

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

Mr. NEW. I do.

Mr. KING. Does this relate to the Hawaiian lands?

Mr. NEW. Not at all.

Mr. KING. I had hoped that the Senator's committee, or some other, would report the measure which passed the House dealing with the Hawaiian lands.

Mr. NEW. I only regret that that is impossible.

This bill, Mr. President, is simply this: When the homestead laws were extended to Alaska a provision was made that no two homesteads should be located along any shore or navigable water except with a space of 80 rods between the two, and that no homestead should be permitted to be entered that extended for more than 160 rods along the shore. Now, Mr. President, the shore lines of Alaska are more than 26,000 miles in extent, and if you add to that the banks of the navigable streams of Alaska, they perhaps are of equal length; so that it really has the effect of exempting 50,000 miles of shore and stream line there from homestead entry. It has been found by the department that that works to very great disadvantage, and this bill provides an amendment of the law which makes it possible for the Secretary of the Interior to grant two homesteads adjoining where in his judgment the facts warrant his doing so.

Mr. KING. Mr. President——

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

Mr. NEW. I do.

Mr. KING. Does it diminish at all the obligation resting upon the homesteader to conform to certain requirements?

Mr. NEW. Not at all.

Mr. KING. And there was a unanimous report of the committee?

Mr. NEW. Yes; the committee report is entirely favorable, and it has been recommended, Mr. President, by Secretary Lane, by Secretary Houston, and by Secretary Meredith.

Mr. KING. I have no objection, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10806) to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska, which was read, as follows:

Be it enacted, etc., That the provisions of the act of May 14, 1898 (30 Stat. L., p. 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stat. L., p. 1028), amendatory thereof, in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and provide that no entry shall be allowed extending more than 160 rods along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stats., p. 233), and that the Secretary of the Interior may upon application to enter or otherwise in his discretion restore to entry and disposition such reserved spaces and may waive the restriction that no entry shall be allowed extending more than 160 rods along the shore of any navigable water as to such lands as he shall determine are not necessary for harborage uses and purposes.

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

RECLASSIFICATION OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. STERLING. I move that the Senate proceed to the consideration of the conference report on House bill 14338, relating to postal salaries.

The motion was agreed to; and the Senate proceeded to consider 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. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

Mr. HARRISON. Mr. President, this matter was reported, I believe, by the Postal Salaries Commission just before we recessed, and I wish to call the attention of the Senate to the amendment which was adopted touching fourth-class postmasters. In the original report of the commission the salaries provided for fourth-class postmasters were reduced. There was an amendment adopted in the House, and that did not remedy the situation, but the fourth-class postmasters, in practically every instance, with two exceptions, I think, were reduced from the present salaries they are getting. So I offered an amendment which cured that defect and increased by a small amount the salaries of the fourth-class postmasters. I want to state to the Senate that if this report is adopted the amendment we adopted the other day will be practically knocked out and we will give the fourth-class postmaster practically no increase. No one need vote for this report thinking he is doing anything for the fourth-class postmasters in proportion to what we should do for them.

If I misstate the figures I am about to give, I want the Senator from South Dakota [Mr. STERLING] to call my attention to the error, because I have compared my figures with the estimates on this proposition.

Under the present law the postmaster who gets $25 per quarter for cancellations would get $138 a year. Under my amendment he would get $145. Under the commission's report, with this amendment of the conference committee, it will remain the same—$145. If he gets $75 for cancellations a quarter, under the amendment I have proposed, which the Senate adopted, he would get $435 a year. Under the present plan he gets $414. Under the plan adopted by the conference committee he gets $435—the same.

Now we get down to $100 cancellations. Under the present plan he gets $460 a year. My amendment carried it to $580. Under the amendment now proposed in this conference report it is reduced $100 a year; in other words, to $480. That is an increase for the postmasters who get $100 per year for cancellations of $20 a year, or $5 a quarter.

If he gets $150 cancellations a quarter, under the present plan he gets $598 a year. Under the amendment which the Senate adopted he would get $730 a year. Under the plan now proposed in this conference report he would get only $610, an increase of $12 a year for those postmasters. Three dollars a quarter is the increase provided for in this report.

Am I correct, may I ask the Senator?

Mr. STERLING. The Senator is substantially correct, so far.

Mr. HARRISON. Those are the figures, are they not?

Mr. STERLING. They are.

Mr. HARRISON. If it is $200 a quarter cancellations, under the present law he would get $736 a year. Under the amendment we adopted in the Senate he would get $930 a year. Under the plan now proposed to be adopted it would be $760 a year, or an increase from the present salaries of $24 a year, or $6 a quarter.

If the cancellations are $250 a quarter, under the present plan he would get $851 a year. Under the amendment I propose he would get $1,110 a year. Under the plan now suggested by the conference committee he would get $880 a year. In other words, there would be a reduction, from the plan which the Senate adopted, of $230 a year.

If the cancellations are $300, under the present law he would get $966 a year. Under the plan adopted by the Senate he would get $1,275 a year. But the conferees now have reduced it from the amount fixed by the Senate $274 a year, providing

an increase for that class of postmasters of only $34 a year, or around $8.50 a quarter.

You have given under this report practically $40,000,000 a year to the other employees of the Postal System of the country, and you have provided only the increases I have pointed out for the fourth-class postmasters.

It would seem to me that the conferees should have insisted on the action of the Senate and given to these men, who get these small salaries, the small pittance which was proposed in the amendment which was adopted, which passed the Senate practically unanimously. Yet the views of the Senate are thwarted and a conference report comes in which practically repudiates what we did.

I shall vote for the report, because I think it carries increases for men in many other instances which we should grant, but I am not voting for it under a delusion or a snare. I know what I am voting for, and I know I am not voting for a sufficient amount for the fourth-class postmasters.

Mr. THOMAS. Mr. President, it is not my intention to prolong the debate on this report for more than a moment. I was not here yesterday evening when this bill was passed. I had intended at that time to submit a few observations upon it.

The bill may be, and probably is, an equitable one, but it has been attended by some features which, in my judgment, are not creditable and certainly not convincing to me of its equity. I do not believe a bill designed to secure such large sums of money from the Treasury of the United States ever had behind it such a systematic, widespread, disciplined, and thorough organization. It seemed to embrace all classes and conditions of men, in consequence of which a pressure was brought upon the activities of the Congress which appears to have been irresistible. If the equities of the bill are what are claimed for it, I am unable to perceive the necessity for resorting to such methods to secure its enactment. If it is not possessed of such equities, then the methods referred to are entirely wrong.

I regard the bill as having been passed practically with a pistol at the head of Congress. We have thereby established a precedent. Perhaps precedents were established before, but certainly we have thereby established a most significant one. The success of the movement is bound to breed its repetition time and time again in the future, whenever a large class of people have designs upon the Treasury of the United States.

I do not say, Mr. President, that the postal employees had any design upon the Treasury which was not perfectly legitimate, but I do maintain that the agreement to which I called the attention of the Senate last week, whereby the great influence of one of the first-class periodicals of the country, justly possessing the confidence of most people, was made the basis under which this propaganda was powerfully stimulated, and with a profit to the periodical to which I refer which in all probability will be measured in millions, certainly in hundreds of thousands of dollars.

Mr. PHIPPS. Mr. President——

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

Mr. THOMAS. I yield.

Mr. PHIPPS. I would like to inquire if my colleague thinks that the publication to which he refers had any influence whatever on the action of the commission which was working on the postal salaries bill, or on the votes of any Member of the Senate which passed the bill, or that it hastened the action of the commission in reaching its recommendations? I think not.

Mr. THOMAS. I do not think it had any influence upon the commission, but I have no more doubt that it had its influence upon the Congress of the United States than I have that I am standing here. That is what it was designed for; that was its purpose; it could not have had any other.

When we consider, Mr. President, that not a telegraph message from the National Capital relating to this subject has appeared in the public prints anywhere, I am justified in the conclusion that the press of the country are particeps criminis with the Literary Digest and will receive their compensation hereafter in an organized assault against the present rates on second-class postage.

Since the publication of the advertisement in the Literary Digest I understand that the House committee has reported a bill to suspend the operation of that part of the present system of postal rates which is to take effect upon the 1st of July. Of course, nothing can be done with it, because we are about to adjourn. It is the beginning. Unless I am greatly mistaken, next winter the same forces will be active for the repealing of that statute, or at least for its nullification, whereby the rates will go back to what they were before the war.

Therefore the situation is one, Mr. President, in which, in the first instance, a large additional amount is added to our annual expenditures; in the second place, the revenues will be decreased to the extent to which this scheme will be successful. The people ought to be acquainted with these things. They can not be informed of them if the press is in league to prevent it, and it was that aspect of the measure to which I wished to address myself last night.

Mr. President, I have said all that I care to say.

Mr. SMITH of Georgia. Mr. President, I do not desire to take issue with the criticism by the Senator from Colorado of the course of the great journal to which he referred, but I do not feel that the action of any newspaper, or a dozen newspapers, is a sufficient reason for criticizing this bill, or this plan for an increase to certain postal employees reported by our commission.

I have examined the report, not thoroughly, but far enough to satisfy myself. I am satisfied that it was carefully, honestly, and faithfully made, and made also with the view of all possible economy. That many of our postal employees have been paid less, and even under this increase will be paid less, than work of similar value requiring similar attention and intelligence receives in private employment, I have no doubt. That the increases allowed do not at all equal the increase of expenses to-day as compared to former salaries, I am satisfied.

While I have been careful to avoid voting for measures that I felt encroached upon the Treasury, I do not see how we could have done less, and I do not see how the commission could have done less than it did in its report.

I agree with the Senator from Mississippi [Mr. HARRISON] in regretting that the amendment placed upon the bill by the Senate applicable to fourth-class postmasters was not retained in conference, but we have the bill now before us as the result of the work of the conference, and we adjourn, I can still say to-morrow, though in a few moments I can say to-day, because the hands of the clock are just passing 12 o'clock midnight. It can not be hoped now that any additional modification can be made.

I regard the bill as thoroughly meritorious, and therefore I give the report my cordial support.

Mr. KING. Mr. President——

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

Mr. SMITH of Georgia. I yield.

Mr. KING. I supported the bill because I believed there was very much merit in it, but in view of the implied criticism of the Senator from Colorado [Mr. THOMAS] by the Senator from Georgia, I should like to ask the Senator from Georgia whether, in his opinion, it is ethical and proper for persons who seek appropriations from Congress to carry on a propaganda, nation wide in its extent, making arrangements with newspapers by the terms of which or pursuant to which the newspapers get behind the movement?

Does the Senator think, if it be a fact, and I do not aver that it is, that the newspapers were to be the beneficiaries of this movement, and the movement was to be carried forward to the extent of trying to secure benefits with respect to second-class postal rates, that that would be ethical and proper, or does he not have words of condemnation for it?

Mr. SMITH of Georgia. In the first place, nothing I said was in any way in criticism of the Senator from Colorado. I opened my remarks by expressing my sympathy with the criticism that he placed upon one of the great journals that was engaged in a line of conduct which he condemned. I passed from that to the proposition that, without regard to the conduct of certain newspapers, I believed the work of our commission was a splendid piece of work, and, in my judgment, they have certainly not gone further in advancing the compensation to those to whom they gave advances than the situation absolutely required——

Mr. THOMAS. Mr. President——

Mr. SMITH of Georgia. One moment. I sought to discuss the question and to let it be understood that my advocacy of the measure was based upon the merits of the report of our representatives who worked out so faithfully in detail these increases.

I now yield to the Senator from Colorado.

Mr. THOMAS. Let me say that in all probability I should have voted for the measure, although I would have been much better satisfied if I could have had the time to examine fully into the report made by the commission.

Mr. SMITH of Georgia. I wish to add that not simply in the interest of the men but in the interest of the service I believe our representatives have given increases that are necessary to sustain and hold up the service and retain in it the trained employees connected with it, who otherwise would go into other lines of employment in which the compensation for relative intelligence is higher.

Mr. STERLING. Mr. President, I wish to say just a word. First, with reference to certain publications and their possible influence upon the work of the commission, I think I voice the opinion of every member of the commission who had this matter under consideration for many months when I say that they were influenced in no degree whatever by what appeared in the Literary Digest, the Chicago Tribune, the New York Times, or any other great periodical in the country. But I think we may be well impressed with the idea that where there was so much comment in newspapers and periodicals throughout the country and in all sections of the country in regard to the inadequate salaries of the postal employees there was some foundation for it.

It may have been that here and there some of the statements were exaggerated, and that conditions were not so deplorable as pictured in some of the publications. I think when we consider the times as they have been, the high cost of living and the salaries these men have actually received, especially carriers in the Postal Service and postal clerks in the service, we will realize that there was need for an adjustment of those salaries and for a substantial increase in the salaries of carriers and clerks especially.

The commission has had in mind, too, in not fixing these salaries beyond where they have gone, the hope that the high cost of living will not go higher, that we have reached the crest of the wave, and that the tendency from this time on will be downward. That was of some slight consideration in fixing the increases as modestly as we did fix them.

But now, Mr. President, I wish to call attention for just a moment to the criticisms of the Senator from Mississippi [Mr. HARRISON] in regard to the salaries of fourth-class postmasters. The Senator from Mississippi was right in the figures he gave as to the present compensation received by postmasters of this class, and right in the compensation awarded by the commission and agreed to in conference finally.

But for all post offices where the cancellations amounted to $25 the increase proposed by the Senator from Mississippi is exactly the same as that proposed by the conferees and agreed to in conference. Where the cancellations amounted to the sum of $50 the increase given by the commission and by the conferees is exactly the same as that proposed by the Senator from Mississippi. In all cases where the cancellations are $75 the increase proposed by the Senator from Mississippi is exactly the same as that agreed upon in conference.

Thence on to $1,000 or near that sum the increases agreed upon by the conferees are not so great as those proposed by the Senator from Mississippi.

The contention of the conferees on the part of the House was not without some reason. I may say that now, and I would say it with even more emphasis if I entertained much doubt in my mind in regard to the adoption of the conference report, but they were unyielding in their opposition to changing the salaries of the fourth-class postmasters.

Why do I say that their opposition was not without some reason? I say it because it would involve a cost of at least $6,000,000 to carry out the increases provided for in the amendment offered the other evening by the Senator from Mississippi and adopted here without any discussion in the Senate. We are receiving now $23,000,000 under the present compensation rates from post offices of the fourth class. We disburse a little more than $20,000,000, leaving about $3,000,000 surplus. Under the increases proposed by the Senator from Mississippi the $3,000,000 surplus would be entirely wiped out and it would cost the Government of the United States $3,000,000 on top of that.

How would it cost that? It would arise first directly because of the increase, but as great an increase in cost to the Government, if not a greater one, would arise indirectly from the fact that under the basis proposed by the Senator from Mississippi the men in the fourth-class post offices would be advanced with great rapidity into the post offices of the third class, with the additional expenses of the third-class post offices, such as clerk hire, such as rent, such as fuel, light, and so forth. This would make the great increase of at least $6,000,000.

Why, Mr. President, under the proposition of the Senator from Mississippi we would not increase those whose cancellations do not exceed $75 per quarter, and that involves 20,360 fourth-class postmasters, nearly one-half of the whole number of fourth-class postmasters. Take the cancellations ranging from $75 to $100 a quarter on which we gave an increase to 120 per cent, instead of 115 per cent, and there are 3,669 postmasters who are affected, leaving a remainder of 18,043 postmasters receiving still more.

This is the way in which the additional cost to the Government is made up. Although under some schedules which were proposed some of the fourth-class postmasters would receive less than they are receiving now with bonuses which are given them, yet under the plan agreed to in conference there is not a fourth-class postmaster but receives some increase, although in instances it might be a slight one, amounting to a few dollars only.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. JONES of Washington. Mr. President, some time ago the House passed a river and harbor bill providing for $12,000,000. It came over to the Senate and the Commerce Committee put various amendments upon it and recommended that the amount of $12,000,000 be increased to $20,000,000. On the floor of the Senate this amount was raised to $24,000,000 and the bill was sent to conference.

We held a conference with the conferees on the part of the House and reached an agreement on all the amendments that were made, except upon amendment No. 1. This amendment is the amendment providing for the amount to be carried in the bill.

We had a further conference with reference to that and have been unable to reach an agreement. The Senate conferees proposed to the House conferees at the first conference, after considerable discussion and after considering the facts which were brought out, to agree to $18,000,000; but the House refused. We brought the report to the Senate, the report was accepted, and the bill was sent back to conference.

We had another meeting, and after further consideration and discussion, and noting the attitude of the House, the Senate conferees proposed to accept $15,000,000.

Mr. KING. Was that refusal on the part of the Senate or the House conferees?

Mr. JONES of Washington. The proposal was made by the Senate members of the conference committee; but the House refused to accept that amount. We separated and we have since had no meeting. We have asked the House conferees for a meeting in order that we might report a disagreement, so that if the report went to the House first that body could act upon it and give their conferees such direction as they might deem wise. The House members of the conference committee advised us when they asked for the second conference that the House was inclined to instruct them to insist upon the House provision, but they did not do so. Our request that we should meet and report a disagreement, so that either House might have an opportunity to pass upon the matter, was refused. It seems that the House conferees are determined that there shall be no river and harbor bill or that it shall carry no greater amount than $12,000,000.

The Senate conferees, in view of the action of the Senate, did not feel justified in assuming the responsibility of receding from the Senate amendment. I have therefore decided to bring the matter before the Senate and let the Senate take such action as it sees fit. So, Mr. President, I move that the Senate recede from its amendment.

Mr. SPENCER. Mr. President——

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

Mr. JONES of Washington. Yes; I will yield the floor to the Senator from Missouri if he desires to discuss the matter.

Mr. SPENCER. I only wish to say a word or two.

Mr. JONES of Washington. I have sent for the Senator from Mississippi [Mr. HARRISON]. I think he desires to discuss it.

Mr. SPENCER. Mr. President, this matter is, of course, of vital interest to the Mississippi Valley, and I should much dislike to see anything interfere with the proper development of the waterways of that section. There is no reason why the Senate should not insist upon an amendment that is supported by reason, but here are the facts in this case:

The House arbitrarily fixed the amount of the appropriation at $12,000,000; they fixed that sum notwithstanding the department which had the matter in charge had reported that $24,000,000 was the least that they could get along with.

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

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

Mr. SPENCER. I yield, with pleasure.

Mr. KING. Is it not a fact, however, that there is a considerable undisbursed balance which is available for the current year, and that that prompted the House to take the position which it did?

Furthermore, the House took into account the financial obligations resting upon the Government, and, in that spirit of

economy which I commend to the Senate, determined to reduce the appropriation to the lowest possible amount.

Mr. SPENCER. Of that spirit I cordially approve, and I am taking into account the amount of the available balance. I can give an illustration in a moment which I think will explain the matter.

Fully considering the available unexpended balance, the Engineer Department, having charge of waterway improvements, insisted that $24,000,000 was the least that they could get along with. When the committee considered the matter—and I am not on the committee—they finally made up their minds, as I recollect, to report $18,000,000. The Senator from Washington will correct me if I am wrong.

Mr. JONES of Washington. Our committee reported $20,000,000.

Mr. SPENCER. The committee reported $20,000,000 as being the minimum amount that could possibly provide for river and harbor work next year.

Mr. REED. The amount was $24,000,000.

Mr. SPENCER. The committee reported $20,000,000. When the bill reached the Senate there was an effort to secure $27,000,000, but the Senate finally determined that $24,000,000, which was the minimum estimate of the department, was the least that ought to be appropriated for the development of the inland waterways of the country.

The matter went to the conference. Of course, I have a certain amount of pride in the judgment of the Senate, all the more so when it is based upon the actual estimate of the department; but when the bill went to conference the House replied, "We stand on $12,000,000." Such a position is indefensible in reason; it has no estimate to support it; it is a mere arbitrary statement ostensibly based on the ground of economy. I am free to say for myself that I would rather say to the House, "Let the whole inland waterways bill fail," than have the Senate recede from its amendment, which has every reason back of it, merely to meet a position of the House which is not founded upon reason. I hope the Senate will refuse to recede; and if that refusal to recede defeats the whole bill, let it be defeated, because the Senate is right in the matter.

One word more and I am through. This is the situation as to the unexpended balance: Between Cairo and St. Louis there is available for the next year $262,000. There is a fair channel between the Gulf and the Ohio at Cairo, perhaps a 9-foot channel. Its usefulness is greatly limited unless it is continued to St. Louis; the thousand and more miles upon which the steamers can travel up to the Ohio River avail little if the 120 miles between the Ohio and St. Louis or the Missouri are not navigable. The estimates show that for that short distance to provide even an 8-foot channel in the next year will require from $500,000 to $800,000. We might as well have no bill as to let an unexpended balance of $262,000, which will not accomplish the purpose, be the only amount that we have available. I would as soon have nothing as that.

Mr. CALDER. Mr. President, as a member of the Committee on Commerce, and as one who urged a larger appropriation than that authorized by the House, I regret very much the attitude of the House conferees. I stated in the Committee on Commerce and before the Senate that river and harbor work would cost this year more than double what it cost two or three years ago; that labor would cost two or three times more as well as material; and that $24,000,000, or at least $20,000,000, which was the amount the Committee on Commerce reported, ought to have been authorized. However, I have made some inquiries about the situation in the House in the last two or three days, and I know there is a group of men in the House, particularly those who are in control of the River and Harbor Committee, who have determined that unless we agree to the $12,000,000 appropriation they will let the bill fail; in fact, I know that some members of the committee would prefer to have the bill fail.

I am not willing to have that done; I would rather have $12,000,000 than to have nothing. I say this, Mr. President, not because of any interest my city or my State may have, for of the unexpended balance there is more to the credit of the improvements in and about the harbor of New York, the Hudson River and the East River than there is to the credit of any other great improvement in the country. The money appropriated by the bill is needed more in other sections of the country than it is in New York; but I think that, in the interest of river and harbor improvements of the country generally, the bill should not fail, and therefore I trust that when the Senate comes to vote on the matter it will determine to accept $12,000,000 rather than to let the bill fail.

Mr. SMOOT. Mr. President, I ask unanimous consent that when the Senate takes a recess to-day it be until 11 o'clock this morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. REED. Mr. President, we have reached a stage in our proceedings when the disposition of the Senate is to do almost anything to get its business through in any kind of shape. For that sentiment I have no criticism. I do not rise to make any perfunctory remarks, but rather to insist that the interest of the country demands that the Senate shall adhere to its amendment to the river and harbor bill. If I can claim the attention of the Senators who are present for a few moments, I should like to submit my reasons for the position which I take.

The work of river and harbor improvement, broadly speaking, is of two characters. In some places it consists in the removal from harbors of permanent obstructions, such as great rocks and reefs, which constitute an embargo upon the free movements of vessels. That character of work may be prosecuted by piecemeal, because in so far as it is prosecuted it is permanent. This much, however, is to be said, that if the appropriation fails and the work lags the expense of moving equipment and of disorganizing the working forces, and all that is incidental to the breaking up of work already established, is exceedingly expensive. Nevertheless, the work is permanent in its character, and what is done is not absolutely lost; but in the improvement of rivers, to a very large extent it may be said that if work is only partially done, if it is not prosecuted to its completion, it is subject to destruction, to entire loss. A revetment along the bank of a stream which needs to be completed, if left in its uncompleted state, is liable to be entirely destroyed by the next flood, but if completed it will remain there for many years.

We have been for years pursuing upon the rivers of this country a policy of piecemeal construction. That was bad enough, because, pursued in that way, much of the work was destroyed from year to year which could have been made permanent by the expenditure of a reasonable additional amount, and thus the money could have realized its value. Even that policy, however, is now to be abandoned. The amount appropriated by the House of Representatives is not sufficient even to maintain the improvements that are in place in their present condition. The appropriation of $12,000,000 is practically the waste of $12,000,000, or, at least, the waste of a very large part of it.

We are in the situation that a man is in with a house without a roof upon it, and we propose to appropriate just about enough money to half maintain the walls, and in the meantime the elements are destroying the entire structure. We either ought to appropriate enough money to bring these improvements to a condition where their value can be realized and where their permanency can be insured, or we ought to stop appropriating altogether.

The House of Representatives has taken a position upon this proposition that is absolutely indefensible. As was well stated by my colleague [Mr. SPENCER], there is no estimate by any officer of the Government warranting an appropriation of $12,000,000. It is an arbitrary figure, fixed by some gentlemen who have established, in their own minds, an arbitrary standard which they propose to follow. The arbitrary figure was fixed by a political steering committee which has more regard for a political argument in the coming campaign than it has for the welfare of this country. A lot of gentlemen got their heads together and said, in substance and effect, "We must show the American people that a Republican Congress has saved them money"; and they picked out the river and harbor bill as the example of economy, and they have thought in their fatuous manner that they could go before the American people and say, "Previous Congresses appropriated thirty or forty millions of dollars, and, behold, we have saved you the difference between that amount and $12,000,000."

This is rather plain talk, but it is true talk; and at the same time that they have been cutting down the river and harbor appropriations they have been voting for bills that would take out of the Public Treasury, if they become laws, hundreds of millions of dollars. The House of Representatives did not find any difficulty in passing a bill a few days ago or a few hours ago, for purely political reasons, which would cost the American people in the long run hundreds of millions of dollars. They thought there were votes back of that measure, and day after day has witnessed the passage of measures that have disregarded every principle of economy. The one subject that is picked out as an example of economy and reform is the rivers and harbors of this country.

These gentlemen may think they are going to fool the American people, but the American people have never yet been deceived by so cheap a device and so transparent a subterfuge. The American people have practical sense enough to know the difference between an expenditure which is an outlay of money, pure and simple, and which brings nothing back to the Government or the people, and an expenditure of money which will

bring back a hundred or a thousand fold. The American people will appreciate the fact that for cheap political claptrap the internal improvements of this country have been sacrificed.

We are talking about sending money to Europe by the millions and expending it over there to build roads and rehabilitate foreign lands and at the same moment we propose to arrest a great system of internal improvements in our own land which has been all too much retarded in the past. Instead of this Congress sitting down to see how little money they can expend in improving the highways of this land and indulging in the cheap play of politics and in cheeseparing operations, we ought to be inaugurating at this period of our national development the greatest scheme of internal development ever conceived.

The highways that nature has builded for us ought to be harnessed and employed. The swamp lands that are richer than the Valley of the Nile ought to be reclaimed and given to agriculture and production. The arid lands of the West ought to be watered and transformed into gardens. The money of the people ought to be expended to make this the richest and most prosperous country in the world, and to multiply the advantages we already have achieved. I say that if this policy of improvement, all too poorly pursued in the past, is to be abandoned, let us abandon it all, and let the House of Representatives take the responsibility of killing the entire bill. Better no bill at all than this sort of legislative fraud that is being perpetrated.

[At this point a message was received from the House of Representatives announcing that the House had agreed to the conference report on H. R. 10378, the merchant marine bill.]

Mr. REED. Mr. President, that bill has finally been passed, and I say that a million dollars was taken from the American people by its passage. I understand it was passed by a party vote in the House, and I am glad the Democrats are beginning to wake up. I do not know that my information is strictly accurate, but that is the information I have. Every man in this body who voted to exempt the ship companies from taxation, while they impose taxes upon the wage earner, will be apologizing for it.

I do not intend to waste my energies talking here very much longer. I say to reject this report and send it back for further conference. Let us see whether the House of Representatives will defeat the entire bill.

Mr. JONES of Washington. Mr. President, the Senator must have a misunderstanding. We are not submitting any report. The conferees on the part of the House, as I stated a while ago, have refused to confer even to report a disagreement, and I have simply brought the question before the Senate as to whether or not the Senate will recede from its amendments.

Mr. REED. Very well. I thank the Senator. I say to send back word to the House that the Senate proposes to stand by its action. I have been in this body now nearly 10 years, a good deal longer than any man ought to be required to undergo what we undergo here, and I have seen the Senate bulldozed by the House of Representatives until I am tired of it. I have never seen the House of Representatives shut its jaws yet but what the Senate lay down, never once. I admire the House for their courage and tenacity, but it is time that this Chamber manifested a little spirit itself.

Mr. President, I hope the word will go back to the House of Representatives that the Senate proposes to stand by its action, that we shall take that position and maintain it, and if we have no river and harbor bill, let the House of Representatives take the responsibility, for a river and harbor bill which carries only $12,000,000 is just the same as no river and harbor bill; it is worse than that, indeed, because a large part of the $12,000,000 will be wasted for the reasons I gave in the beginning of my remarks.

Mr. President, that is my view of it and I am one of those who are interested in the river and harbor bill.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 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.

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

H. R. 13742. An act to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes"; and

H. J. Res. 270. Joint resolution authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco.

MOTOR CONVOY.

Mr. UNDERWOOD. Mr. President, if I can get unanimous consent I would like to have the Presiding Officer lay before the Senate the joint resolution which has just been received from the House.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The Chair lays before the Senate House joint resolution 270. The joint resolution (H. J. Res. 270) authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco was read twice by its title.

Mr. UNDERWOOD. Mr. President, that convoy is going over what is known as the Bankhead Highway, a highway named after my late colleague. Some of his friends want to have the privilege of placing a marker there as a monument to him. I do not think it is necessary for me to say more. It will cost the Government nothing. It merely gives the authority. If there is no objection, I would like to have it passed now.

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

Resolved, etc., That the Secretary of War is hereby authorized to permit the replacement of the temporary monument located on the United States meridian of longitude at a point on the north side of the Ellipse, within the District of Columbia, by a permanent monument, which shall mark the starting point of the motor convoy from Washington, D. C., to San Francisco, Calif., and which may serve as a point from which distances may be measured on United States highways radiating from Washington, D. C. Such replacement shall be made without expense to the United States, and the design of such monument shall be approved by the Commission of Fine Arts.

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

HOUSE BILL REFERRED.

H. R. 13742. An act to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," was read twice by its title and referred to the Committee on Post Offices and Post Roads.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. Mr. President, there is a good deal of force in what has just been said so eloquently by the two Senators from Missouri.

I can not agree, however, with the conclusions of the two gentlemen in desiring to have this bill fail because we can not get the House to agree with the wishes of the Senate in this matter. I am a member of the Commerce Committee, and I was quite active in helping to prepare this bill.

The bill as reported from the committee carried $20,000,000, which was less than I thought it should carry by a pretty considerable sum. I was glad when the Senate raised the amount to $24,000,000. But, Mr. President and Senators, I have tried to be practical in this body and elsewhere.

The conferees representing the Senate, after considerable effort, finally offered the House conferees to take $15,000,000. Fifteen million dollars is only $3,000,000 more than the House passed. The $15,000,000 which we agreed to was a reduction of 75 per cent in the increase which we had made in the bill, and I submit, Mr. President and Senators, I assure you we went into it carefully, conferring again with the engineers of the Army, after having conferred with them very carefully before reporting the bill to the Senate, and if, after the most mature study, we stand ready to compromise on a basis of $15,000,000, there is not going to be very great harm done if we now compromise further and take $12,000,000. That is a general proposition.

I wish to call the attention of the Senators to the fact that this bill carries a great deal besides the mere appropriation of $12,000,000. It provides for 113 surveys. Many Senators, in discussing the bill, have overlooked that fact entirely. There are a number of most important changes in the various waterway projects of this country, and surveys on 113 of them are ordered in this bill.

All the Senators know that the engineers can not carry on any work of importance on any river or on any harbor unless

the project has first been surveyed under an order made by the Congress in a river and harbor bill. That is the initial step. In this bill we have ordered 113 such surveys. That is quite important as a preliminary step to the very liberal bill which many of us hope will be enacted next December.

There are also other very important provisions in this bill, one of which authorizes sums given for maintenance of projects to be used by the engineers in the prosecution of those projects, and vice versa. It has been customary to make a certain appropriation to maintain a project, and a certain appropriation to prosecute work on the project.

It is very advantageous to authorize the Engineer Corps to spend those sums. There is a provision of that kind in this bill. It has never been passed heretofore in any river and harbor bill. The engineers regard it as quite important, and I am sure it is a very important provision.

There are also special and quite important provisions in regard to the Yakima Bay, Oreg.; to the harbor at Milwaukee, Wis.; to the Delaware River between the city of Philadelphia and the city of Trenton; to St. Johns River, Fla.; to the Cumberland River above Nashville, Tenn.; to Willapa Harbor and River in the State of Washington; to the Houston ship channel; and to the Savannah River; special items authorizing measures of more or less importance to all those projects I have named, and in some instances the provisions are very important indeed to those localities.

Then there is an item repealing a provision passed in the act of last year which said that unless the work could be done on a river and harbor project at not more than 40 per cent over and above the estimated cost of that work when the original survey was made on which Congress ordered the work to be done, it could not be undertaken. All of us know that public works and private works of every kind have increased a great deal more than 40 per cent. Any of us who has attempted to build a house or to do improvement of any kind in the last 12 months knows that it can not be done for anything like 40 per cent over and above the estimated cost of that project two or three or four years ago. So the imposition of that provision practically nullifies our authority to do the work on quite a number of projects. This bill proposes to repeal that provision. It is too onerous. It ties the hands of the Engineer Corps. The House made no objection to that.

Another important provision, one quite important to a number of poor people, is that which authorizes the engineers, in case of damage done by collision between any of the boats or barges belonging to the Engineer Corps and some private interests, to settle the claims for damages without resort to Congress or the courts, provided those claims do not exceed $500 in amount. You can readily see that in a big country like this, with so many transactions carried on as come up under the work of the Engineer Corps, there are a great many cases where the damages amount to less than $500, and it would be a very great hardship not to have these matters settled promptly by the Engineer Corps of the Army, just as for years the Navy Department has been authorized to settle similar claims.

There are other provisions here which I will not attempt to take the time of the Senate to explain. I simply wish to repeat what I have already said, that while I am greatly disappointed that we can not get what we feel we should have, I believe we should recede and accept the $12,000,000 which the House is willing to give us. I think it is far better than not to have any river and harbor bill, and I earnestly hope that we will vote to recede from our disagreement and let this bill pass.

Mr. JONES of Washington. I move that the Senate recede from its amendment No. 1 to the river and harbor appropriation bill.

The motion was agreed to.

MONONGAHELA RIVER BRIDGE.

Mr. CALDER. Mr. President, there is a bill which came over from the House a little while ago for the construction of a bridge across the Monongahela River, Pa. The Senator from Pennsylvania [Mr. KNOX] is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

There being no objection, the bill (H. R. 13962) to extend the time for the construction of a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., 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 Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

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

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

AIDS TO NAVIGATION.

Mr. JONES of Washington. I desire to report from the Committee on Commerce the bill (H. R. 10183) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, and I ask unanimous consent for its present consideration. Before my request is submitted I desire to make just a brief statement, because I know that the first impression of the bill will be unfavorable.

This is a bill to authorize aids to navigation in connection with light ships, lighthouse tenders, and things like that, for the protection of life at sea and along our coast. It has passed the House and was ordered favorably reported by the Commerce Committee of the Senate a few days ago. The bill makes no appropriation whatever. It simply authorizes work within certain limits as appropriations may hereafter be made, and the necessity for it is based, as we are informed——

Mr. KING. If the Senator does not make any observations, I think there will be no objection on this side of the Chamber.

Mr. JONES of Washington. Very well; but I am not talking for the purpose of being heard.

Mr. KING. Let us consider the bill. I have looked into it and it seems to be a very meritorious measure.

Mr. JONES of Washington. It merely establishes a program so that they can send estimates to Congress and they can be considered and appropriations be made if they are found necessary.

There being no objection, the bill (H. R. 10183) to authorize aids to navigation and for other work in the Lighthouse Service, and for other purposes, was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to establish, provide, or improve the following aids to navigation and other works in the Lighthouse Service, under the Department of Commerce, in accordance with the respective limits of cost hereinafter respectively set forth, which shall in no case be exceeded:

Constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, $5,000,000: *Provided*, That the Secretary of War, the Secretary of the Navy, and the Shipping Board shall report to the Secretary of Commerce such vessels as they are willing to dispose of, and which by reasonable alterations can be used for light vessels, or lighthouse tenders; and if the use of the vessels should be justified by the necessary expenditure for alterations, transfer of the ships shall be made to the Department of Commerce, and they shall be used for the purposes of this act; and the sum herein authorized shall be available for such repairs and be reduced by the sums saved by the use of such vessels.

THIRD LIGHTHOUSE DISTRICT.

Extending and enlarging the machine shop at the general lighthouse depot, Tompkinsville, Staten Island, N. Y., $15,000 additional to the amount appropriated in act of July 19, 1919.

Riprap to reinforce foundations and protect them from damage by sea and ice and make more accessible boat landings at certain light stations, $134,000.

FOURTH LIGHTHOUSE DISTRICT.

Improving the aids to navigaiton at the entrance to Delaware Bay, $148,500.

SIXTH LIGHTHOUSE DISTRICT.

Completing the lighthouse depot for the sixth lighthouse district at Charleston, S. C., $60,000.

SEVENTH LIGHTHOUSE DISTRICT.

Establishing and improving aids to navigation in Tampa Bay, Fla., $17,500.

Purchasing site and constructing and equipping a lighthouse depot for the seventh lighthouse district, $250,000.

EIGHTH LIGHTHOUSE DISTRICT.

Improving Galveston Jetty Light Station, Tex., including fog-signal station, $6,500.

TWELFTH LIGHTHOUSE DISTRICT.

Improving aids to navigation and establishing new aids at Ludington, Mich., $50,000.

SIXTEENTH LIGHTHOUSE DISTRICT.

For improvements to aids to navigation in Alaska, including improving of Point Retreat and Cape Hinchinbrook Light Station, $32,500.

Continuing construction of the lighthouse depot for the sixteenth lighthouse district, $12,000.

EIGHTEENTH LIGHTHOUSE DISTRICT.

Establishing aids to navigation, California, $25,000.

Constructing two keepers' dwellings at the Goat Island Lighthouse Depot, Calif., $16,500.

NINETEENTH LIGHTHOUSE DISTRICT.

Constructing and equipping a lighthouse depot at Honolulu, Hawaii, $120,000, in lieu of $90,000 authorized in act of August 28, 1916.

SEC. 2. That hereafter the salary of the Superintendent of Naval Construction in the Bureau of Lighthouses shall be $4,000 per annum.

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

MICHAEL M'GARVEY.

Mr. CALDER. Mr. President, there is on the calendar a bill (H. R. 6407) for the relief of Michael MacGarvey, who was injured while in the employ of the Government at Governors Island, N. Y. The bill appropriates only $35 for injury received by him, and I ask unanimous consent for its present consideration.

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

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $35 to Michael MacGarvey, police laborer in the employ of the depot quartermaster, Governors Island, N. Y., for damage caused to a set of false teeth incident to said service.

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

Mr. SMOOT. Mr. President, I think if we are going to take up bills from the calendar we ought to run through the calendar under Rule VIII and take up the bills to which there is no objection. I am going to ask at this time unanimous consent that we proceed to the consideration of the calendar under Rule VIII, and consider only bills to which there is no objection——

Mr. SUTHERLAND. Will the Senator withhold that request for a moment?

Mr. SMOOT. And that the calendar be laid aside as soon as any supply bill comes in.

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

Mr. SMOOT. I yield.

LEATHER STATISTICS.

Mr. SUTHERLAND. From the Committee on the Census I report back favorably, without amendment, the bill (H. R. 10011) authorizing and directing the Director of the Census to collect and publish monthly statistics concerning hides, skins, and leather, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from West Virginia requests unanimous consent for the present consideration of the bill.

Mr. SMOOT. I wish to ask the Senator from West Virginia if those statistics are not now collected?

Mr. SUTHERLAND. I will say to the Senator that it has been attempted to be done by the Department of Agriculture through the Bureau of Markets, but it has been very imperfectly done and it is not of real value. It will give a much more complete view of the situation with reference to hides and leather, and tend to steady the market. All those who are interested in the subject, the tanners and the leather people, think this a very much better way to get at it.

Mr. SMOOT. Let the bill be read and let us see just what it is, because I do not want a duplication of the work.

Mr. SUTHERLAND. It is not contemplated that there will be a duplication at all. This will take the place of the other work.

The PRESIDING OFFICER. Does the Senator from Utah request the reading of the entire bill?

Mr. SMOOT. I do.

The PRESIDING OFFICER. The Secretary will read the bill.

The Assistant Secretary 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, and the quantities and classes of such products disposed of during the preceding census month 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, the quantities and amount of finished product for the preceding month;

(c) The quantities and classes of leather owned or stored and manufactured during the preceding census month by tanners, jobbers, dealers, wholesalers, importers, exporters, and establishments cutting or consuming leather.

SEC. 2. That the information furnished 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.

Mr. SMOOT. I wish to ask the Senator from West Virginia about the appropriation that has been made in the Agricultural appropriation bill for this very purpose. Is that repealed, or will they go right on and spend that money and then spend this amount under the Director of the Census?

Mr. SUTHERLAND. The understanding is that the Department of Agriculture will cease the attempt to get these statistics, and that it will not require any additional appropriation for the Census Bureau. It will be done with the same force. The bill does not carry any appropriation and does not require any on the part of the Census Office. This will obviate the necessity of the Bureau of Markets collecting these statistics.

Mr. SMOOT. Is there anything in the bill which specifically denies that power to or takes it from the Bureau of Markets, because if there is not they will go right on and do that work and spend the money.

Mr. SUTHERLAND. I understand they will stop collecting these statistics if this bill is passed. The Director of the Census is to require no appropriation on his part at all to collect the statistics. I will say to the Senator that under the present law there are no penalties and the figures supplied to the bureau have not been at all complete. They have been very misleading. There is a penalty provided in this bill, and the work is done under authority of law in a much more strict and more valuable way.

Mr. SMOOT. I know the information will be very beneficial, and if it is not already being done by some department of the Government, perhaps it will be a good thing to have the information collected in this way.

Mr. SUTHERLAND. I think it would be very much better.

Mr. SMOOT. I should like to see some amendment placed on the bill repealing that part of the Agricultural appropriation act that authorized the expenditure of money for this purpose, but I do not know that it can be done this morning. I shall not object to the consideration of the bill.

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

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

ORDER OF BUSINESS.

Mr. SMOOT. Will the Chair put my request?

The PRESIDING OFFICER. The Chair did not hear the Senator's request.

Mr. SMOOT. My request was that we take up the calendar under Rule VIII.

Mr. HARRIS. I object.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that the present occupant of the chair was advised by the previous occupant of the chair that he had agreed to recognize the Senator from Georgia [Mr. HARRIS] to make a motion, but the Senator from Georgia did not address the Chair and so the Chair had to recognize the Senator from Utah. However, the Chair feels that the Senator from Georgia ought to have a chance to make the motion which he desires to make.

Mr. SMOOT. I will not claim the right to the floor, and will yield when the Senator makes his motion.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. KING. Will the Senator from Georgia yield for a moment for the Senator from South Dakota to submit a report from a committee of which the Senator from Georgia is a member?

Mr. HARRIS. I yield, provided it does not take me from the floor.

Mr. KING. I think it would take no time at all.

Mr. HARRIS. I yield, provided it does not take me from the floor.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that he may hold the floor while the Senator from South Dakota makes a report. Is there objection? The Chair hears none.

EXCLUSION OF UNDESIRABLE ALIENS.

Mr. STERLING. Mr. President, from the Committee on Immigration I report back favorably with amendments House bill 11224, and ask unanimous consent for the immediate consideration of the report and bill.

Mr. PITTMAN. Mr. President, do I understand this does not take the Senator from Georgia from the floor?

The PRESIDING OFFICER. By unanimous consent the Senator from Georgia has the floor to see if this measure can be acted upon, and yields for that purpose. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11224) to amend the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918.

The amendments were, on page 1, in line 10, after the word "who," to strike out the word "entertain"; on page 2, line 1, after the word "that," to strike out the word "entertain"; on page 2, line 2, to strike out the words "disbelief in or"; in lines 15 and 16, to strike out "(d) aliens who write, circulate, distribute, print, publish, edit, issue, or display," and insert in lieu thereof "(d) aliens who write, publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display"; in line 18, after the word "or," to insert the word "knowingly"; in line 19, after the word "be," to strike out the word "written"; and, in line 19, after the word "published," to strike out the words "edited, issued"; in line 20, after the word "who," to insert the word "knowingly"; in line 22, to strike out the first word in the line, "issue," and the last word in the line, "expressing"; in line 23, after the word "taking," to strike out the words "disbelief in or"; in line 24, after the word "or," to strike out the words "expressing a belief in"; on page 3, line 11, after the word "publishers," to strike out the words "edits, issues"; in line 13, after the word "published," to strike out the words "edited, issued," so as to make the bill read:

Be it enacted, etc., That section 1 of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, is amended to read as follows:

"That the following aliens shall be excluded from admission into the United States:

"(a) Aliens who are anarchists;

"(b) Aliens who advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that advises, advocates, or teaches opposition to all organized government;

"(c) Aliens who believe in, advise, advocate, or teach, or who are members of or affiliated with any organization, association, society, or group, that believes in, advises, advocates, or teaches: (1) the overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(d) Aliens who write, publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, distribution, publication, or display, any written or printed matter, advising, advocating, or teaching opposition to all organized government, or advising, advocating, or teaching: (1) the overthrow by force or violence of the Government of the United States or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, or (3) the unlawful damage, injury, or destruction of property, or (4) sabotage;

"(e) Aliens who are members of or affiliated with any organization, association, society, or group, that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in subdivision (d).

"For the purpose of this section: (1) the giving, loaning or promising of money or any thing of value to be used for the advising, advocacy, or teaching of any doctrine above enumerated shall constitute the advising, advocacy, or teaching of such doctrine; and (2) the giving, loaning, or promising of money or any thing of value to any organization, association, society, or group of the character above described shall constitute affiliation therewith; but nothing in this paragraph shall be taken as an exclusive definition of advising, advocacy, teaching, or affiliation."

The amendments were agreed to.

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

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

The bill was read the third time and passed.

MILITARY JUSTICE.

Mr. WARREN. I ask unanimous consent to strike from the calendar Order of Business 478, being Senate bill 64, to establish military justice, because it has been included in other legislation.

The PRESIDING OFFICER. Is there objection? No objection being heard, it is so ordered.

INCOME AND PROFITS TAX RETURNS.

Mr. HARRIS. Mr. President, I call up my motion to discharge the Finance Committee from the further consideration of Senate joint resolution 146, directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of the taxable year 1918, the yeas and nays on which motion have already been ordered.

Mr. KING. I should like to ask the Senator—I was not in the Chamber when the resolution was read—to state what is its scope. I ask for information.

Mr. HARRIS. Mr. President, the resolution has been brought up a dozen times in the Senate, and the senior Senator from Utah [Mr. SMOOT] several times objected to unanimous consent for its consideration. He then asked that it be referred to the Committee on Finance, with the distinct understanding, after the yeas and nays had been ordered, that we should get a vote on it the next day. The RECORD will show that to be true. That was two weeks ago, and I have since been waiting for the Finance Committee to make some report. They have not done so; and I am now asking for the yeas and nays on my motion to discharge the committee from the further consideration of the joint resolution.

Mr. SMOOT. Mr. President, I wish to explain to the Senate exactly the situation as it is, so that the Senate may decide whether or not it is a good thing to agree to the motion to discharge the committee.

It is true, as the Senator from Georgia has stated, that the resolution was called up in the Senate and the yeas and nays were ordered. It is also true that I stated upon the floor of the Senate that a meeting of the Finance Committee would be called the following morning for the consideration of the joint resolution; and, so far as I was concerned, I was perfectly willing to report the resolution out that very day. That meeting was called for the next morning.

At the first meeting the question as to how soon the work could be done and how much it would cost came up. It was decided to ask the officials of the Treasury Department to come to a meeting in the afternoon at 2 or 3 o'clock, I forget which. At that meeting the Senator from Georgia was requested to be present. We had the officials from the Treasury Department before the committee and we took up the resolution of the Senator from Georgia and asked the officials to give the committee information as to just how much it would cost to make the investigation and how soon the work could be accomplished.

It developed, Mr. President, that the desired information covering the one year concerning the 35,000 corporations mentioned in Document No. 259 would cost $600,000, and that the work could not be accomplished within a period of less than six months; that if the scope of the resolution were extended to the year 1919 as well as to the year 1918, it would then cost $1,200,000 and require approximately nine months to perform the work.

The officials of the Treasury Department also notified the committee that it would greatly interfere with the work of the department, as it was impossible to get the class of expert accountants necessary to undertake the task without interfering with work they were then doing in the investigation of corporation-tax returns in the effort upon the part of the department to settle finally the question as to whether there are to be upon those returns more taxes paid than had been reported by the corporations themselves.

There are 365,000 corporations in the United States. In Document No. 259 the officials selected 32,000 corporations; and if only those 32,000 corporations are investigated, then, as I have said, it will cost $600,000, and it will be at least six months before the information can be obtained.

Mr. President, I thought—and the Senator from Georgia, I am quite sure, will bear me out—that in connection with this information there ought to be shown whether or not there was an increase in the returns in 1918 over the returns of 1917 as reported in Document No. 259. Of course, that would require a little more expenditure and a little more time.

I sent to the Finance Committee room a few moments ago to secure the written report which the committee requested the officials of the Treasury Department to submit, stating in detail just what it would require to make the investigation. I have not been able as yet to obtain the report.

I want to be perfectly frank with the Senator from Georgia, and I will say that the committee did not feel justified in inter-

fering with the most important work in connection with these returns which the Treasury Department is carrying on, when the information could not be obtained until six months from now and would cost, at the very least, $600,000, and if the two years were covered it would cost $1,200,000.

That is the situation exactly as reported to us from the Treasury Department, and the Finance Committee thought that under those conditions it would be a very unwise thing to have the resolution passed at this time.

If it is going to require six months to perform the work, we might as well let it go until there can be completed the work which is crowding the department at this particular time in connection with the returns of corporations, from which the Government hopes to collect, perhaps, tens and hundreds of millions of dollars in taxes, because of the failure of the corporations to report all their profits or because they reported them in such a way that their statements do not conform to the law in every particular.

I do not want to say that the Senate should not act upon this matter, but I do want the Senate to know what it will mean and what it will cost, and then they can judge whether the joint resolution should be passed. I wish to say now, however, that there is not an official in the Treasury Department who did not plead with the committee not to take their experts away from their present duties to do the work which would be necessary under the joint resolution, which can not possibly do any good for six or eight months and which would interfere with the most important work that is being carried on in that department to-day. That is the situation.

Mr. HARRIS. Mr. President, the statement of the Senator from Utah is very amusing to me after having listened to the Treasury officials and after what the Senator has stated so many times about the departments having more clerks than they needed. The joint resolution does not require the information at a certain time. The Treasury Department will not employ one single extra clerk, and they can take their own time for this work. Of course, the Treasury Department clerks prefer not to do the extra work. The Senator did not tell all that the Treasury Department officials stated the other day, and I should like to have the Senator tell the Senate what they said about what could be done if $200,000 was spent.

Mr. SMOOT. Mr. President, I would be glad if the Senator would state that himself. I do not want to state it until I get the report and read the exact words of the Treasury officials. If the Senator has a copy of the report before him, I should like to have him read it.

Mr. HARRIS. Mr. President, the Senator says the Treasury Department officials would take nine months on this work. Here [exhibiting] is the report of the department in the other case where the Senate asked for such a report, and it took 27 days to perform the work.

Mr. SMOOT. The Senator must not make that statement. The Senator knows that the officials of the department stated that that report was made up, practically; that it was almost complete; that when the resolution of the Senator from Idaho [Mr. BORAH] was passed the report was practically all prepared; and all they had to do was to get it into shape for printing and send it to the Printing Office, where it was printed. That is what the Treasury officials said. They stated, however, that if the resolution of the Senator from Georgia was passed, information as to every corporation included in Document No. 259 would be obtained after a complete examination of every one of them, and that it would be impossible to make that investigation for the year 1918 alone in less than six months.

Mr. President, I know the Senator from Georgia wants to be perfectly fair, and I think he will agree with me that the Treasury Department officials also stated that the figures in Document No. 259 related to returns under the law of 1916, which was a very simple law indeed, whereas the joint resolution of the Senator asks for the figures under the complicated law of 1918, and it is impossible, they say, to get them out. I will ask the Senator if that is not so?

Mr. HARRIS. Mr. President, I do not remember the exact statement made by the officials of the Treasury Department.

Mr. SMOOT. I will ask the acting chairman of the committee, the Senator from North Dakota [Mr. MCCUMBER], if the statement which I have made is not as it was reported?

Mr. MCCUMBER. Mr. President, I regret that we have not the testimony before us. I think it is now printed, but we could not get it printed before yesterday or to-day, and I had supposed, as the Senator from Georgia has been absent for some time, there would be no desire to press the joint resolution under the circumstances and in view of the testimony that was taken.

The information, as suggested by the Senator from Utah, was to the effect that the report that was made under the prior law would be of no assistance to them whatever in making out a report as to the returns under the new law, which would cover a more complicated and extensive field. We thought, after considering the length of time the investigation would take, involving at least nine months' delay, and its cost, amounting to from $1,000,000 to $2,000,000, that it would hardly pay us. If the Senator will examine, as he no doubt has examined, the report that was made upon the returns under the simple law of 1916, I think he will find that we have made very little use of that report.

The document is so bulky—there is so much of it—that Senators do not even look at it.

Mr. HARRIS. Mr. President, there is nothing of more interest to the people of this country than to find out who the profiteers are and what they are making. This information will show just what the profiteers are doing. I admit that it will cost some money, but I think it will be worth a great deal more than it costs.

The other day the Senator from Iowa [Mr. KENYON] made a speech two hours long, and most of the information used was gotten from the report that I have before me, for which the Senate asked the Treasury Department two years ago.

I shall ask for the yeas and nays on my motion.

The PRESIDING OFFICER. The Chair will state that the RECORD of the 21st of May shows that the Senator from Georgia moved to discharge the Committee on Finance from the consideration of the matter referred to. The yeas and nays were ordered upon the motion. There was debate, and finally the Senator from Georgia, the mover of the motion, said:

> I will let the matter go over until to-morrow.

There is a motion to discharge the Committee on Finance from the consideration of the joint resolution, and it went over until the next day. That was May 21. It went over until May 22. The Chair assumes that that motion is on the table under the rule which requires that a motion to discharge a committee shall lie over for one day, except by unanimous consent. Now the Senator moves to call up his motion. Is that the motion?

Mr. HARRIS. I move to call up my motion, and ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are already ordered upon it. The Senator from Georgia moves to call up his motion.

Mr. HARRIS. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The Senator from Georgia demands the yeas and nays. Is the demand seconded?

Mr. HARRIS. Mr. President, I am willing to have this matter go over and be voted on at noon on Saturday if there is any danger of there not being a quorum to-night. I have taken up less of the time of the Senate than any other Member of this body. I have not been treated with the courtesy that I deserve about this joint resolution, and I am not willing to yield anything. If the Senators will not let me have a vote on it, I will take up all the time of the Senate that I can to-morrow in showing the importance of this measure by reading from the report of two years ago.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. HARRIS. I yield to the Senator.

Mr. WALSH of Massachusetts. I think the Senator from Georgia, after offering this joint resolution months ago, is entitled to have a decision rendered on it at this session of the Senate.

Mr. SMOOT. Mr. President, I will say to the Senator——

Mr. WALSH of Massachusetts. I have the floor, please.

I have watched the Senator's interest in this question, and I have seen him repeatedly try to get a decision. The joint resolution was referred to a committee of the Senate and has been held there. Only two weeks ago we were promised that it would be reported the next day with some decision of the committee, and the matter was allowed to go over. No report has yet been made.

In all fairness to the Senator from Georgia, and in fairness to what he represents here, there ought to be a decision from that committee for or against this joint resolution, and the reasons ought to be given. None has been forthcoming, and he has proper ground to protest. In fact, the truth is that there are some committees in this body that do not intend that any information whatever shall be given about the extent of the profits that have been made. Another resolution is pending before a committee of which the Senator from Utah is a member, where there is no expense at all involved, but only authority asked for a committee of this body to request the President

for certain papers that they may think will be of importance; and that has been held up, too.

I urge that the Senate treat this Senator fairly, and let there be a decision. Never mind being against it. It is his day in court, and he has a right to have a hearing before adjournment. It is the one thing in which he has been interested; and here we are now on the very eve of this matter being postponed and no decision rendered.

I do not mind the committee reporting and saying that furnishing this information is inexpedient or that it is too expensive, but the Senator at least ought to have a hearing, and he ought to have a decision rendered here.

The PRESIDING OFFICER. The Chair must say that really, in the opinion of the Chair, he had no business to allow debate to proceed on this matter. A vote is being taken upon the motion of the Senator, and there will be a decision on it in a minute. The Senator from Georgia has demanded the yeas and nays, and the Chair asked if the request was seconded. The Secretary is counting to see if the demand for the yeas and nays is seconded, and at that stage debate is not in order.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry.

Mr. WALSH of Massachusetts. Mr. President, may I suggest that at least the Senator from Georgia, when he agreed that this matter should go over for one day, never intended and never expected that his right to a roll call on the question should be surrendered, whatever the technical rule may provide. He relied upon the promise that was given him in reference to the matter.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Texas rises to a parliamentary inquiry.

Mr. SHEPPARD. Mr. President, have not the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays were requested, and the Chair is waiting for the Secretary to count. The Chair asked if the request was seconded.

Mr. SHEPPARD. But is not the motion to discharge the committee pending, with the yeas and nays ordered? Does not the RECORD show that?

The PRESIDING OFFICER. The Senator is asking for the yeas and nays on his motion.

Mr. SHEPPARD. No; the Senator from Georgia merely called up his motion to discharge the committee, and asked for the yeas and nays that had already been ordered.

The PRESIDING OFFICER. The RECORD states that the yeas and nays had been ordered on it.

Mr. SHEPPARD. And he now asks for the yeas and nays.

The PRESIDING OFFICER. If it is the motion that the Senator calls up, if he is simply demanding the yeas and nays upon his motion, in the opinion of the Chair, that is a work of supererogation, because the RECORD shows that they have been ordered on that motion.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

Mr. HARRIS. Yes.

Mr. SMOOT. I want to say that as far as I am personally concerned I have no objection whatever to taking a vote upon this matter to-day at 12 o'clock noon. I have too much confidence in the Senate of the United States even to suggest that we would not vote upon it or that we would hold it up more than long enough to explain what it means. Then, if the Senate wants to go into it, well and good; but I do not believe they will do it. As far as I am concerned, I have not any objection at all to unanimous consent being given to begin the consideration of the matter at 12 o'clock noon to-day, and to vote at 1 o'clock.

Mr. LODGE. Mr. President, if I may be allowed, I have no objection at all to making the agreement the Senator from Georgia asks for, but I should like a little time to make some inquiries in regard to the joint resolution. As it reads, it covers by direct language all the corporations in the United States.

Mr. HARRIS. I wish to amend it.

Mr. LODGE. There are 365,000 of them; and the estimates are, as we are informed here, that the cost of the information will be over a million dollars.

Mr. SMOOT. Oh, that is only on 35,000 of them.

Mr. LODGE. On 35,000?

Mr. SMOOT. Yes.

Mr. LODGE. Well, it will cost a very large sum, and I should really like to know a little more about it than I do now; that is all. I only want to have time allowed to discuss it before the vote is taken.

Mr. THOMAS. Mr. President, will the Senator yield for a moment?

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

Mr. HARRIS. I yield.

Mr. THOMAS. I fully agree that the Senator from Georgia is entitled to some report from the committee. I am a member of the committee. We took up the subject some time ago, I think some two or three weeks ago. We had representatives of the Internal Revenue Bureau before us. I was greatly impressed myself with the amount of expense attendant upon the joint resolution if it was reported out favorably; but what impressed me more was the assurance that the preparation of the list required by the joint resolution would engage the attention of the staff of employees in the bureau for some six or seven months, as I remember, and at a time when they are now overwhelmed with the business which constitutes the chief work of the bureau.

I thought then, and I think now, that like a great many other similar resolutions that have been considered since I have been here, by the time the reports desired were in the subject matter would have become of no great or certainly no pressing importance. The great trouble with the work desired lies, first, in its cost in money, and, second, in the demoralization of the working force of a very important bureau for a long time.

If my recollection serves me right, at the time this hearing was had the committee took an adjournment for two or three days, when we were to receive further information, and I do not recall that the committee since that time has considered it.

I am perfectly willing, as the Senator from Utah says, to take a record vote upon it at 12 o'clock noon to-day. I have no objection whatever to it. I fully concede the justice of the suggestions made by the Senator from Georgia. The Senator from Georgia is entitled to a final consideration of the joint resolution; but the cost of the information and the time that will be required for its preparation, and which will monopolize practically the entire staff of the Internal Revenue Department for weeks to come, ought to be considered by the Senate.

I thank the Senator for yielding to me.

Mr. HARRIS. Mr. President, if there can be a vote on the matter at 12 o'clock noon, I will not ask for a vote to-night.

The PRESIDING OFFICER. The Chair will say to the Senator that if a unanimous-consent agreement is proposed, it should be stated definitely; but the Chair will remind the Senator that under the rule unanimous consent to fix a day for a final vote on a joint resolution requires the presence of a quorum when the agreement is made.

Mr. SMOOT. I am perfectly willing to say to the Senator from Georgia now that even though a unanimous-consent agreement were not made here to-night he is entitled to a vote; and I am perfectly willing to have an understanding, if such a thing can be done, that the discussion shall not take more than an hour, and then that we shall vote upon the joint resolution.

The PRESIDING OFFICER. The Chair will suggest that since the vote is not upon the joint resolution, but is upon the motion to discharge the committee, it will not be necessary to call the roll.

Mr. SMOOT. That is true.

The PRESIDING OFFICER. If a unanimous-consent agreement is proposed, the Chair will ask whether or not the Senate agrees to it.

Mr. SMOOT. Will a unanimous consent of this kind suit the Senator from Georgia [Mr. HARRIS], that on the convening of the Senate at 11 o'clock to-day the question will be immediately presented to the Senate, and at not later than 12 o'clock a vote will be taken upon the question as to whether the committee shall be discharged or not?

Mr. HARRIS. That is satisfactory to me, but not later than 12 o'clock.

Mr. SMOOT. Not later than 12 o'clock.

Mr. WALSH of Massachusetts. May I suggest to the Senator that he put in that agreement that no Senator shall talk more than 10 minutes?

Mr. SMOOT. I really thought Senators would regard the propriety.

Mr. WALSH of Massachusetts. It will help to expedite business.

Mr. SMOOT. I do not think any Senator is going to get up here and take the whole time. It would disgust every other Senator if he did.

Mr. SHEPPARD. Has the agreement been made, Mr. President?

The PRESIDING OFFICER. The Secretary is reducing it to writing, and as soon as it is so reduced, it will be reported to the Senate.

The Secretary will state it as he understands it.

The ASSISTANT SECRETARY. The Senator from Georgia asks unanimous consent that at not later than 12 o'clock meridian on the calendar day of Saturday, June 5, 1920, the Senate will vote upon the motion made by the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from further consideration of the resolution (S. J. Res. 146); and further that upon the convening of the Senate at 11 o'clock a. m., on said calendar day the motion will be at once taken up for consideration.

Mr. HARRIS. And a vote taken on the resolution itself not later than 12 o'clock.

The PRESIDING OFFICER. That is already contained in the request. Is there any objection to the request for unanimous consent? The Chair hears none, and the Senate consents.

The unanimous-consent agreement was reduced to writing, as follows:

It is agreed by unanimous consent that immediately upon the convening of the Senate at 11 o'clock a. m., on the calendar day of Saturday, June 5, 1920, the Senate will proceed to the consideration of the motion of the Senator from Georgia [Mr. HARRIS] to discharge the Committee on Finance from the further consideration of Senate joint resolution 146, and that at not later than 12 o'clock meridian, on the said calendar day, the Senate will vote upon the said motion.

Mr. SMOOT. Mr. President, I do not know how long it will be before the deficiency appropriation bill is received from the House, and I ask unanimous consent that we proceed to the consideration of the calendar under Rule VIII of bills to which there is no objection.

The PRESIDING OFFICER. Is there any objection to the request of the Senator from Utah? The Chair hears none.

THE CALENDAR—BILLS, ETC., PASSED OVER.

The resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war, and declaring the policy of our Government to meet fully obligations to ourselves and to the world, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 600) for the relief of the heirs of Miss Susan A. Nicholas was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1660) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2457) to provide for a library information service in the Bureau of Education was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 131) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1448) for the relief of Jacob Nice was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 172) for the selection of a special committee to investigate the administration of the office of the Alien Property Custodian was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

Mr. WALSH of Massachusetts. I ask unanimous consent to suspend the calling of the calendar, so that I may offer a resolution.

The PRESIDING OFFICER. The calendar is being called under unanimous consent.

Mr. WALSH of Massachusetts. But every bill called is being objected to, and we are going through the form of taking up time, when some business could be transacted.

Mr. SMOOT. I will say to the Senator that all the bills which have been passed over really should go to the calendar under Rule IX; they are objected to all the time. But it will not be much longer before we get to bills which have not been objected to.

Mr. WALSH of Massachusetts. I wish we might do some real business instead of calling the calendar and passing everything over.

Mr. KING. Would the Senator desire to have the Senate pass these bills which have been called and which have been passed over?

Mr. WALSH of Massachusetts. I think I have heard an objection to every bill which has been called.

Mr. KING. I objected to several of them.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, recedes from its disagreement to the amendment of the Senate numbered 18 to the bill, and agrees to the same with an amendment, in which it requested the concurrence of the Senate, and insists upon its disagreement to the amendment of the Senate numbered 4.

The message also announced that the House agrees to the amendment of the Senate to the 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.

The message further announced that the Speaker of the House had signed the following enrolled bills:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing 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. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, receding from its disagreement to the amendment of the Senate numbered 18 and agreeing to the same with an amendment in lieu of said amendment, insert:

RIVER AND HARBOR WORK.

Readjustment of contracts: The sum of $368,978.33 found to be due various contractors under the provisions of section 10 of the river and harbor appropriations act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into, but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, may be paid by the Secretary of War from any unexpended balances of appropriations heretofore made for the projects on which such work was performed.

Mr. WARREN. I move that the Senate recede from its amendment numbered 4.

Mr. HARRISON. Mr. President, I do not approve of the action of the House. I understand they had no record vote over there; indeed, I understand there was not a single speech made in behalf of this proposition; that the only speech that was made was in opposition to it.

It strikes me that it has come to a pretty pass when either branch of the American Congress, under the peculiar conditions which confront the District schools, should take such action as has been taken by the other branch of the American Congress.

I am not going to insist further, so far as I am concerned, on this amendment numbered 4, because I feel that the select committee which investigated the schools has done its duty. It made its report; it cited to the American Congress, both the House of Representatives and the Senate, what, in their opinion, were the conditions of the schools here, and made such recommendations as they thought would remedy the situation. It was a simple remedy, merely the change of the existing board, and the manner of the appointment. It provided for a survey, with a mere appropriation of $15,000, whereby Congress by the next session might be advised of what would be best touching the school situation here.

The Senate has acted beautifully. Not only has it accepted the views of the members of the select committee which was directed by the Senate to investigate the schools, but it has insisted upon this amendment after the Senate had adopted it.

But the House of Representatives must take the responsibility, which it has taken, in leaving the schools of the District in the condition in which they will be left after the Congress adjourns to-day. It will be December before the Congress reconvenes. We are leaving on the people of the District of Columbia a board of education which the evidence presented before the committee investigating the public schools shows to be unfit for the discharge of their duties. The people of the District of Columbia are against them. They have placed the schools of the District at a very low ebb. The burden is upon the little children who must attend these schools, and we are adjourning to-day and leaving that condition upon the people here.

The responsibility is not any more upon the Senate, because we have done our duty. The House of Representatives has repudiated our action, and the responsibility for the condition which will prevail from now on until Congress reconvenes, when perhaps we can get some permanent legislation passed, must be borne by the other branch of Congress. It is a sad plight in which we have left the people, and the House must assume the responsibility.

I feel that I have discharged my duty and that the other members of the select committee have discharged their duty, and I shall not insist further on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion made by the Senator from Wyoming that the Senate recede from its amendment numbered 4.

The motion was agreed to.

Mr. WARREN. Mr. President, I move that the Senate agree to the amendment of the House to the amendment of the Senate No. 18, which the Secretary has read.

The motion was agreed to.

RECESS.

Mr. LODGE. Mr. President, I move that the Senate now take the recess already ordered.

The motion was agreed to; and (at 2 o'clock a. m. Saturday, June 5, 1920) the Senate took a recess until 11 o'clock a. m. Saturday, June 5, 1920.

NOMINATIONS.

Executive nominations received by the Senate June 4 (legislative day of June 2), 1920.

GOVERNOR OF THE VIRGIN ISLANDS.

Rear Admiral Joseph W. Oman, United States Navy, to be Governor of the Virgin Islands, ceded to the United States by Denmark, to date from April 8, 1919.

UNITED STATES ATTORNEY.

John E. Kinnane, of Detroit, Mich., to be United States attorney, eastern district of Michigan. A reappointment, his term expiring August 8, 1920.

REGISTER OF LAND OFFICE.

John Thomas Joyce, of Colorado, to be register of the land office at Durango, Colo., his present term expiring July 12, 1920. (Reappointment.)

PROMOTION IN THE NAVY.

Carpenter William H. Buchanan to be a chief carpenter in the Navy, for temporary service, from the 1st day of September, 1919.

POSTMASTERS.

ALABAMA.

John M. Graham to be postmaster at Stevenson, Ala., in place of J. M. Graham. Incumbent's commission expired June 1, 1920.

ARIZONA.

Don C. Babbitt to be postmaster at Mesa, Ariz., in place of D. C. Babbitt. Incumbent's commission expired June 2, 1920.

CALIFORNIA.

Samuel T. Moore to be postmaster at Gilroy, Calif., in place of S. T. Moore. Incumbent's commission expired June 2, 1920.

William Weber to be postmaster at Soledad, Calif., in place of William Weber. Incumbent's commission expires June 27, 1920.

Henry T. Bott to be postmaster at Elsinore, Calif., in place of Charles Collins, resigned.

COLORADO.

Taylor B. Geer to be postmaster at Delta, Colo., in place of T. B. Geer. Incumbent's commission expired June 2, 1920.

CONNECTICUT.

Charles W. Leet to be postmaster at Chester, Conn., in place of C. W. Leet. Incumbent's commission expired June 2, 1920.

James E. Cuff to be postmaster at Danbury, Conn., in place of J. E. Cuff. Incumbent's commission expired June 2, 1920.

DELAWARE.

Austin J. McCabe to be postmaster at Frankford, Del., in place of A. J. McCabe. Incumbent's commission expired June 2, 1920.

GEORGIA.

James L. Heard to be postmaster at East Point, Ga., in place of J. C. McKenzie, resigned.

Jason Scarboro to be postmaster at Tifton, Ga., in place of W. H. Bennett, resigned.

ILLINOIS.

Oscar H. Johnson to be postmaster at Bowen, Ill., in place of O. H. Johnson. Incumbent's commission expired March 13, 1920.

John F. Quinn to be postmaster at Joliet, Ill., in place of J. F. Quinn. Incumbent's commission expired January 10, 1920.

Eli P. Sanders to be postmaster at Pawnee, Ill., in place of E. P. Sanders. Incumbent's commission expired May 15, 1920.

Molly Webster to be postmaster at Salem, Ill., in place of Molly Webster. Incumbent's commission expired February 7, 1920.

INDIANA.

Edward H. Taylor to be postmaster at Knox, Ind., in place of E. H. Taylor. Incumbent's commission expired June 1, 1920.

George W. Roy to be postmaster at Wolcottville, Ind., in place of G. W. Roy. Incumbent's commission expired June 1, 1920.

IOWA.

Embree F. Main to be postmaster at Hopkinton, Iowa, in place of E. F. Main. Incumbent's commission expired June 1, 1920.

S. Paul Figi to be postmaster at Renwick, Iowa, in place of S. P. Figi. Incumbent's commission expired March 9, 1920.

Charles V. Dautremont to be postmaster at Riverside, Iowa, in place of C. V. Dautremont. Incumbent's commission expired June 1, 1920.

Charles E. Dawson to be postmaster at Rockford, Iowa, in place of C. E. Dawson. Incumbent's commission expired June 1, 1920.

MAINE.

Sumner G. Brewer to be postmaster at Freeport, Me., in place of A. I. Curtis, resigned.

MASSACHUSETTS.

Joseph F. McManus to be postmaster at Norwood, Mass., in place of J. F. McManus. Incumbent's commission expired January 24, 1920.

MICHIGAN.

Clarence C. Hopkins to be postmaster at Breckenridge, Mich., in place of C. C. Hopkins. Incumbent's commission expired June 1, 1920.

Joseph M. Dodge to be postmaster at Cass City, Mich., in place of J. M. Dodge. Incumbent's commission expired June 1, 1920.

Sidney Reynolds to be postmaster at Howard City, Mich., in place of Sidney Reynolds. Incumbent's commission expired June 1, 1920.

William B. Howlett to be postmaster at Jonesville, Mich., in place of W. B. Howlett. Incumbent's commission expired June 1, 1920.

Richard W. Doyle to be postmaster at Merrill, Mich., in place of R. W. Doyle. Incumbent's commission expired June 2, 1920.

Hiram A. Cole to be postmaster at Paw Paw, Mich., in place of H. A. Cole. Incumbent's commission expired June 2, 1920.

MISSISSIPPI.

Kirk M. Heflin to be postmaster at Baldwyn, Miss., in place of K. M. Heflin. Incumbent's commission expired June 2, 1920.

Andrew J. Darden to be postmaster at Centerville, Miss., in place of A. J. Darden. Incumbent's commission expired June 2, 1920.

NEVADA.

Charles W. Brown to be postmaster at Gardnerville, Nev., in place of R. W. Gale, resigned.

NEW HAMPSHIRE.

William H. Benson to be postmaster at Derry, N. H., in place of W. H. Benson. Incumbent's commission expired January 5, 1920.

Thomas Smith to be postmaster at Exeter, N. H., in place of Thomas Smith. Incumbent's commission expired March 9, 1920.

James A. Brahaney to be postmaster at Milford, N. H., in place of J. A. Brahaney. Incumbent's commission expired January 5, 1920.

NEW YORK.

David J. Sheridan to be postmaster at Cambridge, N. Y., in place of D. J. Sheridan. Incumbent's commission expired January 5, 1920.

John Toole to be postmaster at Hudson Falls, N. Y., in place of John Toole. Incumbent's commission expired January 6, 1920.

Robert McC. Halpin to be postmaster at Hyde Park, N. Y., in place of R. McC. Halpin. Incumbent's commission expired June 2, 1920.

Richard J. Gilmer to be postmaster at Kings Park, N. Y., in place of R. J. Gilmer. Incumbent's commission expired June 2, 1920.

William H. Nolan to be postmaster at Little Falls, N. Y., in place of W. H. Nolan. Incumbent's commission expired March 28, 1920.

Ralph E. Wilder to be postmaster at Newark, N. Y., in place of R. E. Wilder. Incumbent's commission expired January 11, 1920.

Louis G. Quackenbush to be postmaster at Oneida, N. Y., in place of L. G. Quackenbush. Incumbent's commission expired June 1, 1920.

John Lenney to be postmaster at Potsdam, N. Y., in place of John Lenney. Incumbent's commission expired June 2, 1920.

John E. Townsend to be postmaster at Poughkeepsie, N. Y., in place of J. E. Townsend. Incumbent's commission expired March 23, 1920.

Cornelius J. Carey to be postmaster at Saranac Lake, N. Y., in place of C. J. Carey. Incumbent's commission expired June 2, 1920.

George W. Runyon to be postmaster at Spring Valley, N. Y., in place of G. W. Runyon. Incumbent's commission expired January 28, 1920.

Richard F. Hayes to be postmaster at Ticonderoga, N. Y., in place of R. F. Hayes. Incumbent's commission expired May 24, 1920.

Thomas A. Meeker to be postmaster at Waterford, N. Y., in place of T. A. Meeker. Incumbent's commission expired March 23, 1920.

NORTH CAROLINA.

Junius C. Wren to be postmaster at Silver City, N. C., in place of O. B. Webster, removed.

Adolphus S. Ruggles to be postmaster at Southern Pines, N. C., in place of A. S. Ruggles. Incumbent's commission expired June 11, 1920.

OHIO.

Michael J. Callaghan to be postmaster at Bellevue, Ohio, in place of M. J. Callaghan. Incumbent's commission expired January 18, 1920.

OKLAHOMA.

Jenie L. Burke to be postmaster at Hobart, Okla., in place of J. L. Burke. Incumbent's commission expired January 24, 1920.

Herbert A. Seaton to be postmaster at Mooreland, Okla., in place of H. A. Seaton. Incumbent's commission expired June 2, 1920.

OREGON.

John P. Houston to be postmaster at Vale, Oreg., in place of J. P. Houston. Incumbent's commission expired June 2, 1920.

PENNSYLVANIA.

Milo G. Conlin to be postmaster at Duquesne, Pa., in place of M. G. Conlin. Incumbent's commission expired June 2, 1920.

Joseph Smith to be postmaster at Elkland, Pa., in place of Joseph Smith. Incumbent's commission expired June 2, 1920.

Otis S. Quinby to be postmaster at Springboro, Pa., in place of O. S. Quinby. Incumbent's commission expired June 1, 1920.

Ira F. Cutshall to be postmaster at Tarentum, Pa., in place of I. F. Cutshall. Incumbent's commission expired January 6, 1920.

Laurence J. Casey to be postmaster at Wilkes-Barre, Pa., in place of L. J. Casey. Incumbent's commission expired June 2, 1920.

SOUTH DAKOTA.

Robert H. Benner to be postmaster at Gary, S. Dak., in place of M. H. Godron, resigned.

TENNESSEE.

Richard H. Green to be postmaster at Covington, Tenn., in place of R. H. Green. Incumbent's commission expired January 14, 1920.

WEST VIRGINIA.

Richard C. Cooper to be postmaster at Farmington, W. Va., in place of R. C. Cooper. Incumbent's commission expired June 2, 1920.

James J. Dunn to be postmaster at Rowlesburg, W. Va., in place of J. J. Dunn. Incumbent's commission expired June 2, 1920.

WISCONSIN.

Gilbert C. Roberts to be postmaster at La Farge, Wis., in place of G. C. Roberts. Incumbent's commission expired June 2, 1920.

Robert E. Bundy to be postmaster at Menomonie, Wis., in place of R. E. Bundy. Incumbent's commission expired June 2, 1920.

Alfred W. Stiles to be postmaster at River Falls, Wis., in place of A. W. Stiles. Incumbent's commission expired April 13, 1920.

Myra W. Blanding to be postmaster at St. Croix Falls, Wis., in place of M. W. Blanding. Incumbent's commission expired June 2 ,1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 4 (legislative day of June 2), 1920.

UNITED STATES ATTORNEY.

John E. Kinnane to be United States attorney, eastern district of Michigan.

REGISTER OF LAND OFFICE.

Hilmar Schmidt to be register of the land office at Wausau, Wis.

RECEIVERS OF PUBLIC MONEYS.

George G. E. Neill to be receiver of public moneys at Helena, Mont.

William A. White to be receiver of public moneys at Walla Walla, Wash.

PROMOTIONS IN THE CONSULAR SERVICE.

Consuls general.

CLASS 3.

Carlton Bailey Hurst.
William Coffin.
Evan E. Young.
Edwin S. Cunningham.
David F. Wilber.
Carl F. Deichman.

Consuls.

CLASS 3.

Roger Culver Tredwell.
George H. Pickerell.
John E. Kehl.
Arminius T. Haeberle.
De Witt C. Poole, jr.
Charles S. Winans.
Chester W. Martin.
Philip Holland.
William P. Kent.
John K. Caldwell.
Wesley Frost.

Calvin Milton Hitch.
North Winship.
George E. Chamberlin.
Hernando de Soto.
Maxwell K. Moorhead.
Frederick T. F. Dumont.
Otis A. Glazebrook.
Henry S. Culver.
Cornelius Ferris, jr.
William Dawson.
Nelson T. Johnson.
Edward J. Norton.
Frederick Simpich.
Lewis W. Haskell.
Douglas Jenkins.
Claude I. Dawson.
John Q. Wood.

CLASS 4.

Ross Hazeltine.
Jesse B. Jackson.
Edwin L. Neville.
Ezra M. Lawton.
José de Olivares.
W. Roderick Dorsey.
Joseph E. Haven.
John A. Gamon.
Wallace J. Young.
Harry A. McBride.
Ely E. Palmer.
Stuart K. Lupton.
Charles M. Freeman.
Homer M. Byington.
Clarence E. Gauss.
Ralph C. Busser.
William W. Masterson.
Graham H. Kemper.
David J. D. Myers.
Alfred W. Donegan.
Tracy Lay.
Emil Sauer.
Harold D. Clum.
Leslie A. Davis.
Wilbur T. Gracey.
Clarence Carrigan.
Mahlon Fay Perkins.

CLASS 5.

John K. Davis.
Charles E. Asbury.
Thomas D. Bowman.
Arthur C. Frost.
Harry Campbell.
George S. Messersmith.
Alfred R. Thomson.
Claude E. Guyant.
John W. Dye.
Edward A. Dow.
Henry C. A. Damm.
Kenneth S. Patton.
Wilbur Keblinger.
Bertie M. Rasmusen.
Oscar S. Heizer.
Benjamin F. Chase.
Lucien N. Sullivan.
Edward I. Nathan.
Charles M. Hathaway, jr.
James B. Young.
Charles H. Albrecht.
Albro L. Burnell.
Addison E. Southard.
Henry P. Starrett.
Edwin Carl Kemp.
John M. Savage.
Walter F. Boyle
O. Gaylord Marsh.
Hasell H. Dick.
Thomas B. L. Layton.
Henry H. Balch.
Thornwell Haynes.
Mason Mitchell.
Henry M. Wolcott.
Theodore Jaeckel.
John R. Putnam.
Louis G. Dreyfus, jr.
J. Klahr Huddle.
Dana C. Sycks.
Lowell C. Pinkerton.
Frank C. Lee.
Bartley F. Yost.
Frank Bohr.
Keith Merrill.
Leslie E. Reed.
William J. Yerby.
Hamilton C. Claiborne.
W. Duval Brown.
Ernest L. Ives.
G. Russell Taggart.
John J. C. Watson.
Charles E. Allen.
James G. Carter.
Donald D. Shepard.
Henry C. Von Struve.
Robertson Honey.
William H. Hunt.

APPOINTMENTS IN THE CONSULAR SERVICE.

Consuls.

CLASS 3.

Arthur N. Young.
Charles D. Westcott.

CLASS 4

Frederic E. Lee.
Dana G. Munro.
Maurice Parmelee.

CLASS 6.

Robert W. Heingartner.

CLASS 7.

Herbert O. Williams.
Winthrop R. Scott.
Renwick S. McNiece.
Robert W. Jones.
Philip D. Wesson.
Monnett B. Davis.
Avra M. Warren.
William F. Burns.
Sanford Griffiths.
Leighton Hope.
W. M. Parker Mitchell.
John Douglas Wise.
George J. Crosby.
Newton Adams.
George Orr.
John Corrigan, jr.
Edgar C. Soule.
Chester W. Davis.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

To be colonel.

Lieut. Col. Theodore B. Hacker.

MEDICAL CORPS.

To be majors.

Capt. Haskett L. Conner.
Capt. Edward B. Macon.
Capt. Percy J. Carroll.
Capt. James V. Falisi.

CORPS OF ENGINEERS.

To be colonel.

Lieut. Col. Charles W. Kutz.

To be lieutenant colonel.

Maj. Gilbert A. Youngberg.

To be majors.

Capt. Donald H. Connolly.
Capt. Raymond F. Fowler.

To be captains.

First Lieut. Lucius Du B. Clay.
First Lieut. Lloyd E. Mielenz.
First Lieut. Pierre A. Agnew.
First Lieut. Alexander M. Neilson.
First Lieut. Hoel S. Bishop, jr.
First Lieut. Charles E. McKee.
First Lieut. Robert H. Elliott.
First Lieut. Samuel D. Sturgis, jr.
First Lieut. Thomas H. Nixon.
First Lieut. Anderson T. W. Moore.
First Lieut. Reginald Whitaker.
First Lieut. Eugene M. Caffey.
Provisional First Lieut. Leonard B. Gallagher.
Provisional First Lieut. F. Russel Lyons.
Provisional First Lieut. Fernando T. Norcross.
Provisional First Lieut. William N. Thomas, jr.

CAVALRY ARM.

To be captains.

First Lieut. Joseph S. Tate.
First Lieut. Arthur M. Harper.
First Lieut. John W. Confer, jr.
First Lieut. Herbert N. Schwarzkopf.
First Lieut. Robert N. Kunz.
First Lieut. Charles S. Kilburn.
First Lieut. Charles R. Johnson, jr.
First Lieut. Bertrand Morrow.
First Lieut. Wallace J. Redner.
First Lieut. Guy H. Dosher.
First Lieut. Myer S. Silven.

To be first lieutenants.

Second Lieut. William F. H. Godson, jr.
Second Lieut. William L. Barriger.
Second Lieut. Frederick W. Fenn (Ordnance Department).
Second Lieut. Elmer Q. Oliphant.
Second Lieut. Jonathan L. Holman.
Second Lieut. Francis E. Rundell.
Second Lieut. George B. Hudson.
Second Lieut. Harry C. Mewshaw.
Second Lieut. Peter L. A. Dye.
Second Lieut. Frank T. Turner.
Second Lieut. George G. Eddy.
Second Lieut. Charles E. Morrison.
Second Lieut. Christian Knudsen.
Second Lieut. Francis B. Valentine.
Second Lieut. Thomas T. Thornburgh.
Second Lieut. David A. Taylor.
Second Lieut. Ronald A. Hicks.
Second Lieut. Elmer V. Stansbury.
Second Lieut. Edwin L. Hogan.
Second Lieut. John C. Hamilton.
Second Lieut. Mark Rhoads.
Second Lieut. Joseph K. Baker.
Second Lieut. Charles W. Leng, jr.
Second Lieut. Albert W. Johnson.
Second Lieut. Willard A. Holbrook, jr.
Second Lieut. James C. Styron.
Second Lieut. Samuel P. Walker, jr.
Second Lieut. Fred G. Sherrill.
Second Lieut. Sol M. Lipman.
Second Lieut. Ira P. Swift.
Second Lieut. Harris F. Scherer.
Second Lieut. James B. Rivers.
Second Lieut. Harrison H. D. Heiberg.
Second Lieut. Paul A. Donnally.
Second Lieut. William W. Jervey.
Second Lieut. William H. Wenstrom.
Second Lieut. Hugh B. Waddell.
Second Lieut. James H. Phillips.
Second Lieut. John E. Leahy.
Second Lieut. Frederick W. Drury.
Second Lieut. Virgil F. Shaw.
Second Lieut. Paul A. Noel.
Second Lieut. Hugh F. T. Hoffman.
Second Lieut. David S. Holbrook.
Second Lieut. William D. McNair.
Second Lieut. William J. Crowe.
Second Lieut. Charles H. Noble.
Second Lieut. Charles H. Bryan.
Second Lieut. John H. Collier.
Second Lieut. Vincent C. McAlevy.
Second Lieut. George G. Elms.
Second Lieut. Ralph F. Stearley.
Second Lieut. Donald H. Nelson.
Second Lieut. Horace P. Sampson.
Second Lieut. Dale W. Maher.
Second Lieut. Robert J. Merrick.
Second Lieut. William L. McEnery.
Second Lieut. Martin A. Fennell.
Second Lieut. Albert S. J. Stovall, jr.
Second Lieut. Daniel P. Buckland.
Second Lieut. Fred W. Makinney, jr.
Second Lieut. Robert W. Child.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Woodrow W. Woodbridge.
First Lieut. Wilbur C. Carlan.
First Lieut. Edmund B. Edwards.
First Lieut. John H. Carriker.
First Lieut. William G. Gough.
First Lieut. Azel W. McNeal.
First Lieut. William B. Wright, jr.
First Lieut. Wendell L. Bevan.
First Lieut. Richard T. Guthrie.
First Lieut. Ittai A. Luke.
First Lieut. Alan A. Campbell.
First Lieut. Oscar B. Ralls, jr.
First Lieut. John H. Larkin.
First Lieut. George J. Downing.
First Lieut. Wallace W. Crawford.
First Lieut. Christiancy Pickett.

To be first lieutenants.

Second Lieut. William H. Barlow.
Second Lieut. Ernest C. Norman.
Second Lieut. Charles R. Gildart.
Second Lieut. Gerald A. O'Rouark.
Second Lieut. Charles E. Hixon.
Second Lieut. Bryan Evans.
Second Lieut. Francis A. March, 3d.
Second Lieut. John S. Winn, jr.
Second Lieut. Roger W. Autry.
Second Lieut. Myrl M. Miller.
Second Lieut. Alfred N. Bergman.
Second Lieut. Stuart M. Bevans.
Second Lieut. John H. Lewis, jr.
Second Lieut. Alfred M. Gruenther.
Second Lieut. Benjamin M. Hedrick.
Second Lieut. Williston B. Palmer.
Second Lieut. Robert G. Gard.
Second Lieut. Herbert M. Jones.
Second Lieut. Orville W. Martin.
Second Lieut. John P. Kennedy.
Second Lieut. Alexander S. Bennet.
Second Lieut. George S. Price.
Second Lieut. Philip S. Lauben.
Second Lieut. Wyburn D. Brown.
Second Lieut. Robert M. Montague.
Second Lieut. Charles P. Jones.
Second Lieut. Anthony C. McAuliffe.
Second Lieut. Robert L. Johnson.
Second Lieut. Albert R. S. Barden.
Second Lieut. Romeo F. Regnier.
Second Lieut. Louis B. Ely.
Second Lieut. Julius E. Slack.
Second Lieut. Bertram F. Hayford.
Second Lieut. Ernest A. Bixby.
Second Lieut. Robert R. Raymond, jr.
Second Lieut. Ernest J. Riley.
Second Lieut. Thomas B. Hedekin.
Second Lieut. Joseph V. Phelps.
Second Lieut. Charles N. McFarland.
Second Lieut. Charles A. Pyle.
Second Lieut. Alexander G. Kirby.
Second Lieut. Herbert W. Semmelmeyer.
Second Lieut. William W. Barton.
Second Lieut. Maurice P. Chadwick.
Second Lieut. Foster J. Tate.
Second Lieut. Richard T. Bennison.
Second Lieut. Henry J. D. Meyer.
Second Lieut. Elton F. Hammond.
Second Lieut. Francis G. McGill.
Second Lieut. Oscar A. Saunders.
Second Lieut. John J. Burns.
Second Lieut. Leslie E. Jacoby.
Second Lieut. Clarence J. Kanaga.
Second Lieut. Edwin V. Kerr.
Second Lieut. Thomas McGregor.
Second Lieut. James E. Parker.
Second Lieut. Edward L. Strohbehn.
Second Lieut. Maurice K. Kurtz.
Second Lieut. Eugene McGinley.
Second Lieut. Augustine F. Shea.
Second Lieut. Marion P. Echols.
Second Lieut. Francis O. Wood.
Second Lieut. Ellis V. Williamson.
Second Lieut. John B. Murphy.
Second Lieut. Michael G. Smith.
Second Lieut. Henry E. Sanderson, jr.
Second Lieut. Hugh G. Elliott, jr.
Second Lieut. Douglas A. Olcott.
Second Lieut. Walter T. O'Reilly.
Second Lieut. Edward O. Hopkins.
Second Lieut. Urban Niblo.
Second Lieut. John M. Works.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Clarence E. Cotter.
First Lieut. Gordon B. Welch.
First Lieut. Cedric F. Maguire.
First Lieut. Edward E. Murphy.
First Lieut. Marshall M. Williams, jr.
First Lieut. Edward C. Seeds.
First Lieut. Edison A. Lynn.
First Lieut. Guy H. Drewry.
First Lieut. Raphael S. Chavin.
First Lieut. John L. Scott.
First Lieut. Alva F. Englehart.
First Lieut. Harold R. Jackson.
First Lieut. Morris K. Barroll, jr.
First Lieut. Walter W. Warner.
First Lieut. Walter F. Vander Hyden.
First Lieut. Ira A. Crump.
First Lieut. Elbert L. Ford, jr.
First Lieut. James L. Hayden.
First Lieut. Scott B. Ritchie.
First Lieut. George S. Beurket.
First Lieut. Burnett R. Olmsted.
First Lieut. Joel G. Holmes.
First Lieut. James A. Code, jr.
First Lieut. William Sackville.
First Lieut. Leroy H. Lohmann.
First Lieut. Christian G. Foltz.
First Lieut. Aaron Bradshaw, jr.
First Lieut. Harry R. Pierce.
First Lieut. Lawrence C. Mitchell.
First Lieut. Alexander H. Campbell.
First Lieut. Marvil G. Armstrong.
First Lieut. John R. Nygaard.
First Lieut. James L. Keane.
First Lieut. Albert A. Allen.

To be first lieutenants.

Second Lieut. David H. Whittier.
Second Lieut. Clarence E. Burgher.
Second Lieut. Walter E. Bullock.
Second Lieut. Rollin F. Risen.
Second Lieut. William I. Allen.
Second Lieut. George R. Burgess.
Second Lieut. Paul L. Harter.
Second Lieut. Lester DeL. Flory.
Second Lieut. Isaac H. Ritchie.
Second Lieut. Roy A. Moore.
Second Lieut. Hobart Hewett.
Second Lieut. Richard T. Rick.
Second Lieut. Waldemar S. Broberg.
Second Lieut. Nathaniel A. Burnell, 2d.
Second Lieut. James L. Harbaugh, jr.
Second Lieut. Willard G. Wyman.
Second Lieut. John L. Whitelaw.
Second Lieut. Henry B. Nichols.
Second Lieut. Charles F. Wilson.
Second Lieut. George W. MacMillan.
Second Lieut. Dean Luce.
Second Lieut. Frederick B. Dodge, jr.
Second Lieut. William H. J. Dunham.
Second Lieut. Raymond F. Kilroy.
Second Lieut. Thomas L. Waters.
Second Lieut. Charles M. Wolff.
Second Lieut. Robert W. Crichlow, jr.
Second Lieut. James W. Boyd.
Second Lieut. Galen M. Taylor.
Second Lieut. Edgar M. Gregory.
Second Lieut. William R. Bready.
Second Lieut. John C. Hyland, jr.
Second Lieut. Thomas G. Cranford, jr.
Second Lieut. Edwin R. Samsey.
Second Lieut. Horace Speed, jr.
Second Lieut. John H. Madison.
Second Lieut. Halvor H. Myrah.
Second Lieut. David B. Latimer.
Second Lieut. Gordon L. Chapline.

INFANTRY ARM.

To be colonels.

Lieut. Col. William Wallace.
Lieut. Col. Ferdinand W. Kobbe.

To be lieutenant colonels.

Maj. George L. Byroade.
Maj. Edward S. Walton.
Maj. Alfred T. Smith.
Maj. Fred L. Munson.

To be major.

Capt. Gustave A. Wieser.

To be captains.

First Lieut. Hugh P. Schively.
First Lieut. John D. Joanidy.
First Lieut. Gilmer M. Bell.
First Lieut. Roy Sloan.
First Lieut. Bryce F. Martin.
First Lieut. Glenn D. Hufford.
First Lieut. Paul R. Hudson.
First Lieut. Ralph Hall.
First Lieut. Benjamin H. Hensley.
First Lieut. Hawthorne C. Gray.
First Lieut. Donald J. Neumuller.
First Lieut. Jerome Pickett.
First Lieut. Lebbeus M. Cornish.
First Lieut. William S. Rumbough.
First Lieut. Thomas L. McMurray.
First Lieut. Hiram G. Fry.
First Lieut. Richard W. Cooksey.
First Lieut. Edwin W. Grimmer.
First Lieut. George A. Murray.
First Lieut. Joseph E. Young.
First Lieut. Henry T. J. Weishaar.
First Lieut. John E. Stullken.
First Lieut. Herman H. Meyer.
First Lieut. Carleton More.
First Lieut. Edward P. Sheppard.
First Lieut. Henry J. Matchett.
First Lieut. Vincent S. Burton.
First Lieut. Griffith Wight.
First Lieut. Curtis P. Miller.
First Lieut. John W. Bulger.
First Lieut. Roy W. Voege.
First Lieut. Vernon L. Burge.
First Lieut. Simon Fostiak.
First Lieut. Edwin L. Dittmar.
First Lieut. Frank M. Child.
First Lieut. Frederic M. Lee.
First Lieut. Hurley E. Fuller.
First Lieut. Larry McHale.
First Lieut. John P. Horan.
First Lieut. Augustus B. O'Connell.
First Lieut. Charles C. Fitzhugh.

To be first lieutenants.

Second Lieut. Harold W. Gould.
Second Lieut. George B. Barth.
Second Lieut. Harry B. Sherman.
Second Lieut. John T. Newland.
Second Lieut. Carroll Tye.
Second Lieut. Benjamin R. McBride.
Second Lieut. Thomas Q. Donaldson, jr.
Second Lieut. Philip E. Gallagher.
Second Lieut. Carroll K. Leeper.
Second Lieut. Edward N. Jones, 3d.
Second Lieut. Harold B. Lewis.
Second Lieut. Charles Q. Lifsey.
Second Lieut. Hugh McC. Wilson, jr.
Second Lieut. Dwight T. Francis.
Second Lieut. William N. Davis.
Second Lieut. Dorr Hazlehurst.
Second Lieut. Robert T. Foster.
Second Lieut. Edwin D. Dando.
Second Lieut. Frederick von H. Kimble.
Second Lieut. Charles M. Wells.
Second Lieut. William B. Miller.
Second Lieut. Richard C. Babbitt.
Second Lieut. Hammond McD. Monroe.
Second Lieut. John W. Middleton.
Second Lieut. Frank J. Cunningham.
Second Lieut. Edward W. Smith.
Second Lieut. John B. Sherman.
Second Lieut. John J. Breen.
Second Lieut. James A. Kehoe.
Second Lieut. Frederick Pearson.
Second Lieut. Charles F. Colson.
Second Lieut. Donald F. Carroll.

Second Lieut. Robert A. Schow.
Second Lieut. John H. Stokes, jr.
Second Lieut. Jesse E. Graham.
Second Lieut. Jerome D. Cambre.
Second Lieut. Burrowes G. Stevens.
Second Lieut. Alexander T. McCone.
Second Lieut. Thomas M. Brinkley.
Second Lieut. John K. Buchanan.
Second Lieut. Ivins LaR. Browne.
Second Lieut. Kenneth W. Leslie.
Second Lieut. Beverly St. G. Tucker.
Second Lieut. Vincent J. Conrad.
Second Lieut. Reginald W. Hubbell.
Second Lieut. John M. Tatum.
Second Lieut. Paul W. Kendall.
Second Lieut. John F. Farley.
Second Lieut. Charles H. Moore, jr.
Second Lieut. James W. Freeman.
Second Lieut. Alexander J. Mackenzie.
Second Lieut. Wiley V. Carter.
Second Lieut. Wilbur E. Dunkelberg.
Second Lieut. James H. C. Hill.
Second Lieut. Victor C. Broome.
Second Lieut. Thomas R. Denny.
Second Lieut. Frank M. Corzelius.
Second Lieut. Julius L. Piland.
Second Lieut. Arthur Pulsifer.
Second Lieut. Farrin A. Hillard.
Second Lieut. William J. Mason.
Second Lieut. Elliott Watkins.
Second Lieut. Francis J. Gillespie.
Second Lieut. Jessie L. Gibney.
Second Lieut. Robert H. Vesey.
Second Lieut. Clarence M. Mendenhall, jr.
Second Lieut. Kester L. Hastings.
Second Lieut. George McK. Williamson, jr.
Second Lieut. Howard W. Brimmer.
Second Lieut. Charles M. Smith, jr.
Second Lieut. Albert B. Goodin.
Second Lieut. Walter J. Muller.
Second Lieut. Harry L. Rogers, jr.
Second Lieut. George B. Conrad.
Second Lieut. William S. Murray.
Second Lieut. Harry Krieger.
Second Lieut. Raymond W. Odor.
Second Lieut. James C. Welch.
Second Lieut. Miner W. Bonwell.
Second Lieut. John P. Pence.
Second Lieut. Joseph M. Glasgow.
Second Lieut. Elmer M. Jenkins.
Second Lieut. James L. Keasler.
Second Lieut. Rutherford D. McGiffert.
Second Lieut. Richard B. Wheeler.
Second Lieut. Thomas R. Aaron.
Second Lieut. Charles L. Gorman.
Second Lieut. Forrest E. Cookson.
Second Lieut. Carl S. Molitor.
Second Lieut. Harlan N. Hartness.
Second Lieut. Carl Robinson.
Second Lieut. Ernest M. Brannon.
Second Lieut. Luther L. Hill.
Second Lieut. John W. Sheehy.
Second Lieut. John R. Vance.
Second Lieut. Richard P. Ovenshine.
Second Lieut. Leo C. Paquet.
Second Lieut. Thomas M. Crawford.
Second Lieut. Carlisle V. Allan.
Second Lieut. John E. McCarthy.
Second Lieut. Leander D. Syme.
Second Lieut. Leroy C. Wilson.
Second Lieut. Syril E. Faine.
Second Lieut. Arthur M. Parsons.
Second Lieut. Harry W. Barrick.
Second Lieut. William T. Van de Graaff.
Second Lieut. Howard R. Perry, jr.
Second Lieut. Edwin H. Young.
Second Lieut. Nathan A. Smith.
Second Lieut. Gerald St. C. Mickle.
Second Lieut. Benjamin R. Farrar.
Second Lieut. Walter S. Winn, jr.
Second Lieut. Edwin H. Bowes.
Second Lieut. Edwin M. Sutherland.
Second Lieut. Joseph A. Holly.
Second Lieut. Robert F. Carter.
Second Lieut. Nathan F. Twining.
Second Lieut. L. Hoyt Rockafellow.
Second Lieut. Percy E. Hunt.
Second Lieut. Roland W. McNamee.
Second Lieut. John C. Raaen.
Second Lieut. Winfred G. Skelton.
Second Lieut. Lambert B. Cain.
Second Lieut. Edmund B. Sebree.
Second Lieut. Ignatius L. Donnelly.
Second Lieut. Merritt B. Booth.
Second Lieut. Raymond C. Barlow.
Second Lieut. Frank G. Davis.
Second Lieut. Emmett J. Bean.
Second Lieut. Donald A. Fay.
Second Lieut. Kenneth Pierce.
Second Lieut. John Endler.
Second Lieut. John D. Armstrong.
Second Lieut. John V. Domminey.
Second Lieut. James V. Cole.
Second Lieut. Ralph B. Kindley.
Second Lieut. John A. Bruckner, jr.
Second Lieut. Clarence A. Frank.
Second Lieut. Clarkson D. McNary.
Second Lieut. Bernard A. Byrne, jr.
Second Lieut. George L. Dillaway, jr.
Second Lieut. Warren W. Christian.
Second Lieut. Robert B. Hutchins.
Second Lieut. Joseph W. Kullman.
Second Lieut. George D. Rogers.
Second Lieut. Landon G. Daniel.
Second Lieut. Irvin Alexander.
Second Lieut. George E. Bruner.
Second Lieut. Thomas H. Dameron.
Second Lieut. Roger S. Evarts.
Second Lieut. Kenneth S. Olson.
Second Lieut. Robert M. Springer.
Second Lieut. Russell J. Nelson.
Second Lieut. Simon Foss.
Second Lieut. Edward M. Starr.
Second Lieut. Joseph S. Bradley.
Second Lieut. Arthur L. Moore.
Second Lieut. Ralph H. Bassett.
Second Lieut. Harold A. Brown.
Second Lieut. Donald C. Hardin.
Second Lieut. Wayne C. Zimmerman.
Second Lieut. John T. Keeley.
Second Lieut. Joseph C. Odell.
Second Lieut. Josiah T. Dalbey.
Second Lieut. Logan O. Shutt.
Second Lieut. Stuart Little.
Second Lieut. Hilton E. Heineke.
Second Lieut. John F. Lavagnino.
Second Lieut. Royal W. Park.
Second Lieut. Philip McI. Whitney.
Second Lieut. Christopher Hildebrand.
Second Lieut. Joseph H. Warren.
Second Lieut. John D. Frederick.
Second Lieut. Richard R. Coursey.
Second Lieut. Dwight L. Adams.
Second Lieut. Lester G. Degnan.
Second Lieut. Henry B. Sheets.
Second Lieut. Archie W. Cooey.
Second Lieut. William R. McMaster.
Second Lieut. Paul R. Carl.
Second Lieut. Cornelius E. O'Connor.
Second Lieut. Joseph A. Cranston, jr.
Second Lieut. Maurice L. Rosenthal.
Second Lieut. Willard L. Isaacs.
Second Lieut. William B. Kean, jr.
Second Lieut. Harold R. Emery.
Second Lieut. David S. McLean.
Second Lieut. William J. Moroney.
Second Lieut. Russell L. Williamson.
Second Lieut. Howard D. Johnston.
Second Lieut. Franklin L. Rash.
Second Lieut. Edgar H. Snodgrass.
Second Lieut. Claude D. Ferenbaugh.
Second Lieut. Adna C. Hamilton.
Second Lieut. Harold S. Ruth.
Second Lieut. Sterling E. Whitesides, jr.
Second Lieut. Lewis S. Sorley, jr.
Second Lieut. Albert C. Wedemeyer.
Second Lieut. John L. Denny.
Second Lieut. Roswell B. Hart.
Second Lieut. Herbert J. Riess.
Second Lieut. Henry I. Szymanski.

Second Lieut. Ulric L. Fomby.
Second Lieut. Frederick B. Porter.
Second Lieut. Bryan S. Halter.
Second Lieut. Hughes Steele.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be a lieutenant commander.

Harold W. Boynton.

To be a lieutenant.

Bruce G. Leighton.

To be lieutenants (junior grade).

Roy K. Jones,
Robert L. Porter, jr., and
Harold F. Ely.

To be a surgeon with the rank of lieutenant commander.

Irving W. Robbins.

To be an assistant surgeon with the rank of lieutenant (junior grade).

Bernard L. Toothaker.

To be assistant dental surgeons with the rank of lieutenant (junior grade).

Hugh R. Alexander and
John W. Grassl.

To be a naval constructor with the rank of captain.

William P. Robert.

To be a naval constructor with the rank of commander.

Isaac I. Yates.

To be a chief boatswain.

Ralph B. Wallace.

To be chief gunners.

Raymond A. Walker and
Edgar C. Wortman.

To be a chief pay clerk.

Wallace D. Chace.

To be a chief carpenter.

William H. Buchanan.

POSTMASTERS.

ALABAMA.

Hortense Rowe, Camp Hill.
James F. Hodge, Carrollton.
Sophie Harris, Childersburg.
James F. Manley, Citronville.
Rush S. Hickman, Ensley.
James W. Snipes, Florala.
Sidney A. Borom, Hurtsboro.
William C. Starnes, Lanett.
James B. Hamric, Midland City.
Oscar Sheffield, Pine Hill.
Ernest A. Townsend, Tuscaloosa.
William W. Perry, West Blocton.

ALASKA.

Charles H. Scheffler, Cordova.
Zina M. Bradford, Juneau.
William E. Root, Seward.
Martin Conway, Skagway.

ARKANSAS.

Hamlet Goudelock, Eureka Springs.
Joseph W. Cheairs, Tillar.
Robert A. Choate, Tuckerman.
Bishop H. Harper, Wilmot.
Stephen I. Garrett, Altheimer.
Isham V. Echols, Cotton Plant.
Red Thomas, Fordyce.
Bertha E. Millian, Lexa.
Lulu Brown, Stephens.
Roy Wilson, Tyronza.
John W. Pinnell, Walnut Ridge.

CALIFORNIA.

Rufus A. Berry, Berkeley.
Joseph C. Beard, Burlingame.
Arthur F. Donaldson, Bryon.
Cary D. McNeil, Corona.
Melissa B. Wilson, Dixon.
Nell M. Ellis, El Segundo.
Eileen J. Shrieve, Engelmine.
John H. Bacon, Fellows.
Fleming J. Mathews, Fort Jones.
Charles F. Evers, Fortuna.
Edward M. Drury, Fowler.
Merton Blackford, Fullerton.
John E. Nolan, Jamestown.
Charles C. Taylor, Kernville.
Michael G. Gallaghan, Livermore.
Lee Darneal, Los Gatos.
Edna M. Sheridan, Montrio.
Richard L. Dixon, Newman.
John B. Barnard, Niles.
William H. Kelly, Palo Alto.
George W. Nygren, Parlier.
Edgar J. Murphy, Redondo Beach.
Louis P. Miller, Rio Vista.
Ernest R. Rhymes, Sanitarium.
Ralph Cole, Ross.
John J. McGrath, San Mateo.
Mary G. Mails, San Quentin.
George B. Morgridge, Sierra Madre.
Earle R. Hawley, Stockton.
Virginia Mason, Suisun City.
Isidore J. Proulx, Willows.
Ora A. Woods, Winters.
Harry E. Meyers, Yuba City.

COLORADO.

Irving P. Beckett, Craig.
Anna C. Miller, Crested Butte.
Nellie E. Pyles, Fountain.
Llewellyn F. Allen, Littleton.
Charles V. Engert, Lyons.
Edna A. Gates, Sedgwick.
William E. King, Sterling.
James L. Allison, Woodmen.

FLORIDA.

Joseph B. Reed, Daytona Beach.
Rex Holley, Lake Worth.
Richard J. Mays, Monticello.
George W. Brown, New Smyrna.
Ernest C. Mahaffey, Quincy.

GEORGIA.

John C. McAuliffe, Augusta.
Joel F. Fountain, Ray City.
Robert I. Fanning, Washington.
James L. Brooks, Austell.
Dan A. McMillan, Bartow.
Lonnie E. Sweat, Blackshear.
Louis J. Leavy, jr., Brunswick.
Commodore D. Stewart, Buchanan.
Mattie N. Riley, Butler.
John B. Crawford, Cairo.
Stephen B. Pace, Carrollton.
Sam M. Barnett, Chatsworth.
William E. Dunham, Cochran.
Leland H. Williams, Collegepark.
May S. Holmes, Culloden.
Paul Latimer, Fairburn.
Mary A. Rudisill, Forsyth.
Thomas B. Banks, Grantville.
James P. McGriff, Hawkinsville.
John H. Boone, Hazlehurst.
Robert M. Edge, Jasper.
Anna C. Williams, Lumpkin.
Henry C. Hays, Mansfield.
Julian G. Hicks, Reynolds.
Edward B. Oxford, Rutledge.

ILLINOIS.

Walker L. Hylton, Chester.
Andrew R. Tarbox, Gibson City.
John Wacker, Techny.
Arthur Justus, Warren.
Thomas W. Daly, Witt.

IOWA.

Kathryn McGuire, Audubon.
Patience Felger, Afton.
Charles G. Wiley, Bonaparte.
Lloyd S. Meyers, Columbus Junction.
Mabel G. Hart, Farragut.
Sherman I. Rutledge, Iowa Falls.
Charles E. L. See, Laurens.
Edward C. Reindl, Manly.
Nels A. Jensen, Newell.

Earl E. Houdek, Sigourney.
Arthur O. Reinhardt, Van Horn.
Henry G. Kruse, Vinton.

HAWAII.

William E. Smith, Koloa.
William C. Irwin, Waialua.

KANSAS.

George W. Edwards, Alta Vista.
Charles L. Smith, Baxter Springs.
Bessie M. Williams, Belle Plaine.
Jacob H. Hostetler, Belleville.
George E. Bentley, Burr Oak.
William A. Morgan, Burrton.
Thomas A. Stevens, Caney.
Timothy J. Foley, Chapman.
James D. Stevenson, Claflin.
Bessie Young, Dighton.
John H. Rathbun, Downs.
Harry J. Davis, Elkhart.
Alexander Nieruberger, Ellis.
Edward Grauerholz, Esbon.
George W. Long, Galena.
James P. Newman, Galesburg.
William L. Ringo, Girard.
Catherine T. Butler, Glasco.
Daniel G. M. Keen, Greenleaf.
James L. Reeves, Gridley.
Vernon L. Durand, Hoisington.
Burton M. Palmer, Jewell.
Rodney Torrey, La Crosse.
Vardie V. Goeden, Lakin.
Malinda L. Hoerman, Linn.
Fred N. Adam, Longton.
Christina Walker, Moline.
Nell E. Bevans, Mulberry.
Alexander Burgess, Mulvane.
Dale Stark, Perry.
Everett G. Gillidett, Plains.
Cecil Calvert, Quinter.
James E. Leach, Randolph.
Charles E. Van Vleck, Rossville.
Richard W. Moorhead, Sabetha.
George A. Pierce, St. Paul.
John Q. Adams, Stockton.
Ida T. Willis, Troy.
Olive Green, Whiting.
William M. Stehley, Woodston.

KENTUCKY.

Tarleton C. Hobbs, Anchorage.
Cyrus M. Preston, Ashland.
Mattye L. Harris, Auburn.
Joe Ely, Benton.
Garland G. Lanum, Fordsville.
Judith W. Montgomery, Greensburg.
Archie A. Bridwell, Jeffersontown.
John T. Wickersham, Lebanon Junction.
J. Walter Payne, Paris.
Roland T. Huffman, Pikerville.
William A. Dickinson, Trenton.
James L. Chadwick, Vanceburg.

LOUISIANA.

Emile Aubert, Abita Springs.
Albert Nunez, Arabi.
Jesse A. Melton, Coushatta.
Susie Jones, Glenmora.
Edith E. Steckler, Jeanerette.
Octave H. Deshotels, Kaplan.
Charlton Fort, Minden.
John T. Bryant, Monroe.
Clair M. Cazayonx, New Roads.

MARYLAND.

Wilmer L. Barnes, Bel Air.
Rose C. Foreman, Emmitsburg.
John B. Sweeney, Hagerstown.
William T. McPherson, La Plata.
Frank J. Shriner, Union Bridge.
Oscar S. Barrick, Woodsboro.

MASSACHUSETTS.

William P. Lovejoy, Barnstable.
Joseph F. Murrman, Clinton.
J. William Byron, Concord.
William M. Allen, Fairhaven.
James H. Hoar, Fall River.
James E. Sullivan, Gilbertville.
Edmund Daly, Hingham.
James J. Murtaugh, Hopkinton.
John A. Bell, Leicester.
John F. Williams, Marblehead.
Arthur J. Coughlan, Maynard.
Perry F. Brown, Northampton.
William W. McLehose, Norton.
Thomas F. Meehan, Orange.
John P. O'Connor, Palmer.
John Adams, Provincetown.
Joseph L. McGrath, Sharon.
Nancy S. Harley, South Hanson.
Charles T. Farrell, Stoughton.
Stephen C. Luce, Vineyard Haven.
John P. McKay, Wellfleet.
Martin Ratigan, Whitman.
Charles W. Swift, Yarmouth Port.

MICHIGAN.

Roy P. Hallock, Almont.
Ephraim S. Reist, Ashley.
James Cotter, Auburn.
Arthur E. Dann, Beaverton.
William P. Nisbett, Big Rapids.
Miles L. Hadsall, Birch Run.
Clio S. Case, Brighton.
Myron B. Gallagher, Byron.
Nathan C. Thomas, Caledonia.
Frank D. McCaren, Carsonville.
Edwin L. Groger, Concord.
Jerry S. Walling, Coopersville.
Thomas T. Fralick, Copemish.
David R. Brown, Deckerville.
Charles H. Hudkins, East Jordan.
William L. Ferry, Eau Claire.
Alfred F. Skarritt, Edmore.
Harry F. Brainard, Elsie.
Helen A. Collier, Gaylord.
Robert E. Vickers, Gobleville.
Edward J. Marrinane, Grass Lake.
Harold Murphy, Harbor Beach.
William H. Blashfield, Hartford.
Archie D. Himebaugh, Hesperia.
Fred J. O'Melay, Hillsdale.
William O. Van Eyck, Holland.
Patrick J. Scanlan, Hubbell.
George M. Hubbard, Hudsonville.
Samuel Folz, Kalamazoo.
Edward D. Ahearn, Kinde.
Charles Hunter, Marlette.
Andrew H. Campbell, Mattawan.
Elmer Bremer, Montgomery.
Frederick W. Richter, Niles.
Patrick F. Heenan, North Branch.
Thomas Maveety, Olivet.
James A. Hull, Oscoda.
William G. White, Ovid.
Alva McCarty, Oxford.
Albert Steinen, Painesdale.
Riley L. Compton, Rockford.
Charles Powers, Saugatuck.
Harry M. Royal, Shelby.
Evert S. Dyckman, South Haven.
Paul D. Palmer, Sunfield.
Charles L. Bennett, Thompsonville.
Emanuel Wilhelm, Traverse City.
Fred Gibbs, White Cloud.
Willa A. Flinn, Whitehall.

MINNESOTA.

Joseph F. Ashbaugh, Murdock.

MISSISSIPPI.

Will N. Guyton, Blue Mountain.
Emma L. Whyte, Bond.
Benjamin F. Hill, Canton.
George S. Neal, Clinton.
Harry L. Callicott, Coldwater.
Minnie Davis, Duncan.
William C. Tyler, Duck Hill.
Mary L. Taium, Edwards.
Cornelius T. Sweatt, Ethel.
Bennett A. Truly, Fayette.
Malcolm S. Graham, Forest.

Mary F. Johnston, Friar Point.
Jefferson D. Fogg, Hernando.
Robert B. Waldrop, Houston.
Walter W. Holmes, McComb.
Hugh M. Drane, McCool.
James L. Copper, Maben.
Thirza I. Clarke, Marks.
Maggie E. Sullivan, Meadville.
Hubert R. Tatum, Merigold.
William T. Smith, New Albany.
Thaddeus C. Barrier, Philadelphia.
Robert W. Magruder, Port Gibson.
Coke B. Wier, Quitman.
Tamora C. Epperson, Raymond.
John A. Smallwood, Ripley.
Tommie A. Hamill, Sturgis.
James H. Crawford, Tylertown.
Andrew V. Lamar, Vardaman.

MISSOURI.

Carl E. Davis, Ewing.
William W. Reese, Ironton.
Essie Ward, King City.
Alma C. Dobbins, Laredo.
Clate Cox, Princeton.
Arthur C. Jones, Queen City.
Arthur L. Wilson, Waynesville.

MONTANA.

Alban C. Sipe, Broadview.
Philip B. C. Goodwin, Butte.
Thomas Dowen, Chinook.
John P. Heaton, Dodson.
Frank K. Hollenbeck, Forsyth.
Fred B. Hedge, Grassrange.
Carl E. Bowman, Hardin.
Charles E. Mullikin, Hingham.
Maurice J. Keenan, Hobson.
Joseph A. Lemire, Ronan.
Bernelda A. Miller, Terry.
John C. Tipton, White Sulphur Springs.

NEBRASKA.

Melvin A. Brinegar, Alexandria.
Loren W. Harper, Allen.
James C. Badger, Arlington.
William C. Rosecrans, Ashland.
Garrett H. Lorenz, Ashton.
William S. Morgan, Atkinson.
John H. Grosvenor, Aurora.
Xander Y. Zuhlke, Bancroft.
Martin G. Doering, Battle Creek.
Harry A. Crosby, Beemer.
Calvin A. Demarest, Bethany.
Thomas J. Lane, Bloomington.
John W. Henthorn, Blue Springs.
William F. Nick, Cedar Bluffs.
Benjamin A. Brewster, Chadron.
Francis A. Thompson, Clay Center.
Charles A. Payne, Clearwater.
Louis H. Deaver, Cody.
James M. Crews, Culbertson.
Thomas J. Hinds, David City.
George W. Nicholas, De Witt.
William A. Nyrop, Elgin.
Daniel Kavanaugh, Fairbury.
Owen T. Thompson, Farnam.
John Wilson, Franklin.
Henry P. Wilson, Geneva.
Samuel A. Tobey, Gresham.
Patrick J. Melia, Gretna.
Orla C. Lamb, Guide Rock.
Ethel Chubb, Haigler.
James R. Durrie, Laurel.
William C. Rusmisell, Mason City.
Edwin C. Pickett, Mullen.
Grover C. Hoback, Nehawka.
Oscar E. Swanson, Oakland.
John J. McCarthy, Ogallala.
Michael H. McCarthy, O'Neill.
Thomas O. Norman, Oxford.
Anton B. Helms, Randolph.
Otto S. Larson, Shickley.
George M. Sandusky, Sterling.
Emmor C. Ratcliff, Stratton.
Anthony R. Kovanda, Table Rock.
William D. Day, Ulysses.
Carl Carlson, Valparaiso.
Ernest J. Kaltenborn, Waco.
Carl P. Lundgren, Wausa.
David D. O'Kane, Wood River.
Charles F. Gilbert, York.

NEVADA.

Edna M. George, Battle Mountain.
George W. Likes, Fallon.
Mildred Robison, Overton.
James J. McQuillan, Tonopah.
Michael E. Nevin, Virginia City.
Merritt A. Macfarlane, Winnemucca.

NEW JERSEY.

Katherine A. Cooney, Pedricktown.

NEW YORK.

Louis W. Noland, Saratoga Springs.
Walter C. Burton, Brooklyn.

NORTH CAROLINA.

Miley C. Glover, Bailey.
L. Estelle Jones, Bethel.
James P. Parker, Blue Ridge.
William C. Gillespie, Burnsville.
Frank R. Mease, Canton.
John F. Hunsucker, Conover.
Millard F. Bond, Edenton.
Martin L. Fogleman, Gibsonville.
Everette R. Crawford, Hayesville.
James J. Farriss, High Point.
George K. Snow, Mount Airy.
Sarah L. Whitson, Oteen.
William R. Badgett, Pilot Mountain.
Luther F. Tillery, Rocky Mount.
Frank W. Miller, Waynesville.

OHIO.

Albert E. Kroske, Arlington.
Lee R. Carman, Belmont.
Oscar D. Ellenwood, Belpre.
James M. Phillips, Bethesda.
Fred H. Hart, Beverly.
Gideon Locher, Bluffton.
Thomas M. Duncan, Bridgeport.
Peter J. Blank, Canal Fulton.
Augustus S. Tuttle, Creston.
William E. Haas, Delaware.
John E. McFarland, Dresden.
Michael E. Miskall, East Liverpool.
Justus D. Smoots, Fredericktown.
James A. Angus, Genoa.
Frederick B. Mowery, Kingston.
George M. Galbraith, Lexington.
Homer G. Hansel, Logan.
Lewis G. Barton, Millersburg.
Robert L. Hagerty, Mingo Junction.
Karl H. Sherman, Minster.
Charles W. Hodges, Mount Sterling.
Franklin Harper, Mount Vernon.
Daniel A. Muskoff, Navarre.
John I. Norris, New Matamoras.
James B. Beard, Newton Falls.
Alfred L. Richar, Niles.
William H. Flach, Piqua.
Claren T. Shively, Rogers.
Ross S. DeMuth, Rossford.
Henry H. McFadden, Steubenville.
George W. Lathrop, Toledo.
James Connor, Toronto.
Charles H. Dale, Troy.
Glenn B. Rodgers, Washington Court House.
Theresia M. Beacham, Williamsburg.
Thomas N. Swearingen, Winchester.
Harry E. Rice, Xenia.

OREGON.

John W. Leneve, Coquille.
Katherine B. Veatch, Cottage Grove.
Chester Noland, Creswell.
Warren A. Heylman, Estacada.
Robert P. Wirtz, Forest Grove.
William P. Quinlan, Grants Pass.
Homer S. Wood, Independence.
Fitzhugh G. Lee, Junction City.
Walter L. Hembree, McMinnville.

James A. Watkins, Philomath.
Joseph Lyons, Reedsport.
Oscar Kendall, Richland.
James W. Dunn, St. Benedict.
Frank H. Laighton, Seaside.

PENNSYLVANIA.

Louise Martin, Koppel.
William M. Carter, Punxsutawney.
Matthew Storey, South Brownsville.

PORTO RICO.

Carlos F. Torregrosa, Aguadilla.

RHODE ISLAND.

Samuel W. Smith, jr., Jamestown.
Emory H. Desilets, Manville.
Frank P. Lamb, Natick.
Sumner Mowry, Peace Dale.
Howard F. Briggs, jr., Saunderstown.
John McPike, Warren.

SOUTH CAROLINA.

James M. Byrd, Branchville.
Clinton G. Rowland, Central.
James A. Barrett, Clover.
Clara A. Bonner, Due West.
Almon C. Turbeville, Lake City.
Maxcy J. Spears, Lamar.
John W. Willis, Lynchburg.
Ellen M. Williamson, Norway.
William B. Wright, jr., Shelton.
Marie C. Harley, Williston.
Bruce K. Arnold, Woodruff.
Martha E. Nichols, York.

SOUTH DAKOTA.

Dana N. Bonesteel, Artesian.
Raymond B. Breed, Brookings.
Guy A. Miller, Conde.
Edward McDonald, Deadwood.
Frank E. Riley, Dupree.
Lydia Oldewurtel, Freeman.
John A. Stromme, Garretson.
Anna M. Damberger, Herreid.
James S. Slaughter, Herrick.
Harry K. Sanborn, Hurley.
Tazewell M. Simmons, Huron.
Frelen Riley, Parker.
Francis M. Crain, Redfield.
Leroy F. Lemert, Spencer.
James E. Burns, Timber Lake.
James R. Dunlap, Vermilion.
James M. Rasmussen, Viborg.
John W. Martin, Watertown.

TENNESSEE.

Charles M. Reed, Athens.
John I. Cox, Bristol.
Shadrach E. Byler, Collinwood.
Richard H. Green, Covington.
Charles C. Berry, Dyer.
Hugh H. Gouchenour, Greeneville.
James S. Pritchett, Jonesboro.
Mary B. Buford, Lynnville.
Dossie O. Thompson, McEwen.
James C. Walker, Monterey.
John M. Jones, Newport.
Leander N. Alley, Oakdale.
S. R. Robinson, Tazewell.

TEXAS.

Albert B. Seale, Beaumont.
William L. Hayley, Bronte.
Hugh M. Bryan, Burton.
Rudolph Flach, jr., Comfort.
Harvey E. Williams, Desdemona.
Howell L. Piner, Denison.
Henry C. Bailey, Detroit.
William R. Dickens, Eden.
Walter N. Ramsay, Eldorado.
James H. Richey, Hedley.
Willis D. Holman, Hutto.
Theodore W. Lueders, Lagrange.
Wilson B. Russell, Liberty Hill.
Otto J. Lang, Lufkin.
Percy L. Walker, Luling.
Charles J. January, jr., McAllen.
Mary R. Manning, Madisonville.
Claud W. Warren, Matador.
George F. Nelson, Mount Calm.
Edgar A. Stripling, Mount Vernon.
Joseph W. Holland, New Waverly.
Osceola G. Wilson, Nixon.
Abundio Contreras, Riogrande.
Mary M. Ferrel, Roby.
Herschel C. Connally, Rosebud.
Roy C. Lattimore, Roxton.
James W. Longley, San Saba.
Virgil T. Williams, Thornton.
Wiley H. Lowrey, Weimar.
Charles P. Zapalac, West.
Aaron H. Russell, Willis.

UTAH.

Robert D. Halladay, Grantsville.
Heber J. Sheffield, jr., Kaysville.
Jedediah M. Blair, Logan.
Richard T. Fry, Morgan.
William S. Anderson, Moroni.
George A. Allen, Nephi.
Leonard C. Sargent, Panguitch.
William A. Jones, Spanish Fork.

VERMONT.

Alfred A. Durkee, Pittsford.
Claude C. Duval, West Burke.

VIRGINIA.

William G. Stevenson, Accomac.
Nannie B. Campbell, Amherst.
A. Sidney Francis, Boykins.
Everett S. Kendrick, Bristol.
Sidney Sheltman, Christiansburg.
Henry L. Munt, City Point.
Eugene C. Hurt, Clover.
Ruth C. Mankin, Falls Church.
Robert L. Dudley, Rural Retreat.
Samuel R. Gault, Scottsville.
William A. Coates, South Washington.
John L. Henley, Tappahannock.

WEST VIRGINIA.

Samuel A. Christie, Keystone.
William A. Burgess, St. Albans.
Charles G. Price, Smithfield.

WISCONSIN.

George Crawford, Mineral Point.

REJECTION.

Executive nomination rejected by the Senate June 4, 1920.

POSTMASTER.

ALABAMA.

John M. Parrish, Clanton.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 4, 1920.*

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

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

O Thou Great Spirit, through whose wisdom, power, and goodness Thou didst bring order out of chaos in a vast and stupendous universe, of which we are a part, and who hast created us to fulfill a destiny so grand, noble, and holy, of which we have not thought or dreamed.

We are finite, Thou art infinite; we are weak, Thou art mighty; we know but little, Thou knowest all things.

Let Thy influence be upon us, to guide us on our way toward that goal which is manifest in the incomparable life, character, and teachings of Thy Son Jesus Christ, our Lord and Master. Amen.

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

LEAVE TO EXTEND REMARKS.

Mr. YATES. Mr. Speaker, at Grant's Tomb on Decoration Day I had the honor of making some remarks, and I ask unanimous consent to extend them in the RECORD, with the assurance

that they do not refer to the bonus or any other problems or political matters.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 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.

The message also announced that the Senate had passed with amendments the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, had requested a conference with the House of Representatives, and had appointed Mr. TOWNSEND, Mr. STERLING, and Mr. BECKHAM as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the 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 thereform to the United States.

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 House of Representatives to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, in which the concurrence of the House of Representatives was requested.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that June 3 they had presented to the President of the United States, for his approval, the following bills:

H. R. 13108. An act making appropriations for the naval services for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 2, 1920:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

On June 3, 1920:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

On June 4, 1920:

H. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

REENROLLMENT OF S. 1005 AND S. 1222.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 26, requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, and so forth.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 26.

Resolved by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives be requested to cancel his signature to the enrolled bills:

S. 1005. An act for the relief of the owner of the steamship *Matoa;* and

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett;*

That upon the cancellation of such signature the Secretary of the Senate be directed to reenroll said bill S. 1005, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owner of said steamship *Matoa,* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided.*"

And further, that the Secretary of the Senate be directed to reenroll the said bill S. 1222, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett,* the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided.*"

Mr. EDMONDS. There is an amendment.

Mr. GARD. Mr. Speaker, reserving the right to object, do I understand that there has been any change in the language of the bills, or is this just a correction owing to an error in enrolling?

Mr. EDMONDS. I propose to change the language of the bills, if the gentleman will allow me to offer this amendment. This will put the two bills in exactly the form that we agreed was the proper form. These bills have passed the House and passed the Senate. We are now asking the withdrawal of the signatures of the presiding officers of the two Houses in order to put the bills in proper form.

Mr. GARD. The gentleman must first obtain unanimous consent before he can offer an amendment.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDMONDS. I move that the House concur in the resolution of the Senate with the following amendment.

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

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: Strike out all after the resolving clause of the Senate concurrent resolution, and insert the following in lieu thereof:

"That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1005) 'for the relief of the owner of the steamship *Matoa*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"'Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"'That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the U. S. tug *Lucille Ross,* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship, may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided,* That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further,* That said suit shall be brought and commenced within four months of the date of the passage of this act.'

"2. That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1222) 'for the relief of the owners of the schooner *Henry O. Barrett*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"'Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"'That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the U. S. monitor *Ozark,* off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States Court for the District of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided,* That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further,* That said suit shall be brought and commenced within four months of the date of the passage of this act.'"

Mr. GARD. Do I understand that this correction of the bill is to put it in proper enrolling form?

Mr. EDMONDS. Yes.

Mr. GARD. It authorizes the cancellation of the signature of the Speaker?

Mr. EDMONDS. It does.

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

The amendments were agreed to.

The resolution was agreed to.

RECLASSIFICATION OF POST-OFFICE SALARIES.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 14338, for the reclassification of post-office salaries, disagree to the amendments of the Senate, and agree to the conference asked for.

The SPEAKER. The gentleman from Minnesota calls up the bill H. R. 14338, for the reclassification of post-office salaries, asks unanimous consent that the Senate amendments be disagreed to, and agree to the conference asked for. Is there objection?

Mr. GARD. Reserving the right to object, has the gentleman conferred with the minority of the committee as to the course of procedure?

Mr. STEENERSON. I have conferred with some members of the committee, but I was not able to find the ranking member, Mr. MOON. But as he is to be one of the conferees probably there would be no objection.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. STEENERSON, Mr. MADDEN, and Mr. MOON.

THE THIRD DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina.

COMMITTEE ON IMMIGRATION AND NATURALIZATION.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, in November the House gave the Committee on Immigration and Naturalization a resolution with broad provisions, including permission to sit in Washington and elsewhere during the sessions and recesses of Congress. During the discussion of the resolution I agreed with the gentleman from Tennessee [Mr. GARRETT] that outside sessions should not be held except in New York, unless I should later give notice to the House. After consultation recently with the gentleman from Tennessee I thought it well to state to the House that during the summer it is expected to send a subcommittee to Montreal, perhaps a subcommittee to Detroit and to other places. That the Members of the House may know of these tentative plans, I make this statement.

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.

The SPEAKER. The Clerk will read the report.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

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 agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 10, 20, 24, 25, 26, 33, 35, 38, 40, 49, 50, 53, 56, 70, 71, 76, 82, 83, 84, 85, 87, 88, 97, 104, 105, 106, 112, 114, 115, 117, 119, 124, 125, 126, 128, 129, 130, 134, 142, 143, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 27, 28, 31, 32, 34, 36, 37, 39, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 55, 57, 58, 59, 60, 61, 64, 65, 66, 68, 69, 72, 73, 75, 77, 78, 79, 80, 81, 86, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 102, 103, 107, 108, 109, 110, 111, 116, 120, 121, 122, 127, 131, 132, 133, 135, 138, 140, 141, 144, 145, 147, 149, 150, 151, 152, and 154, 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 the matter inserted by said amendment insert the following:

"That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, only, namely:

"Appropriations for the fiscal year ending June 30, 1921, heretofore or hereafter made in other acts and chargeable in any proportion against the revenues of the District of Columbia, shall be paid in the proportions of 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia.

"If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1921, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however*, That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$76,900"; 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 sum proposed insert "$3,500"; 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 sum proposed insert "$614,200"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 1 $1,080, 1 $960, 7 at $900 each; in all, $8,340; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 34 of the bill, in lines 1 and 2, strike out "2,183" and insert in lieu thereof "2,208"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$50,000"; 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 sum proposed insert "$220,050"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$28,680"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,540"; 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 inserted by said amendment insert the following:

"Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

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 lieu of the sum proposed insert "$19,400"; 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 lieu of the sum proposed insert "$218,400"; 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: In lieu of the matter inserted by said amendment insert the following: "All moneys received at said school, as income from sale of products and from payment of board or of instruction, or otherwise, shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia"; 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 inserted by said amendment insert the following:

"Hereafter the commissioners are authorized under such regulations as they may prescribe, to sell the surplus products of the workhouse and the reformatory. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled 'An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes,' approved April 22, 1904, are hereby increased from $1.25 to $2 and $1 to $1.50, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1921"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment after the word "employees" insert the following: "of the District of Columbia"; and the Senate agree to the same.

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 District of Columbia 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 conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1, relating to the method of making appropriations for the District of Columbia: Inserts a substitute for the provisions of the Senate and House bills which substitute provides that all appropriations for the District of Columbia for the fiscal year 1921, whether contained in the District of Columbia appropriation act or in other acts, shall be paid 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia. The substitute also provides that if the estimated net revenues for 1921 are not sufficient to meet the proportion of the appropriations charged against them the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference, with a limitation that the rate of taxation shall not be more than 2 per cent.

On Nos. 2, 3, 4, and 5, relating to the Executive Office: Appropriates $128,670 for salaries of employees as proposed by the Senate, instead of $124,670, as proposed by the House.

On Nos. 6 and 7: Appropriates $1,800 for a chief inspector of personal property in the personal tax board as proposed by the Senate.

On Nos. 8, 9, and 10: Strikes out the additional clerks, proposed by the Senate, in the license bureau.

On Nos. 11 and 12: Provides two additional clerks, as proposed by the Senate, for the teachers' retirement section of the auditor's office.

On Nos. 13, 14, and 15: Provides for an additional foreman at $1,200 in lieu of two foremen at $900 each, as proposed by the Senate, for the Engineer commissioner's office.

On Nos. 16, 17, 18, and 19: Appropriates $40,840 as proposed by the Senate, instead of $49,640 as proposed by the House, for the public utilities commission.

On Nos. 20, 21, 22, and 23, relating to the department of insurance: Increases the compensation of two clerks and a stenographer as proposed by the Senate, and strikes out the increase proposed by the Senate in the compensation of a statistician.

On Nos. 24 and 25: Strikes out the appropriation of $1,200, proposed by the Senate, for a stenographer in the minimum wage board.

On Nos. 26 to 30, inclusive, relating to the Public Library: Strikes out the increases proposed by the Senate in the pay of the director of reference work; increases the compensation of the supervisor of school work and the librarian's secretary as proposed by the Senate; and appropriates $3,500, instead of $3,000 as proposed by the House and $4,000 as proposed by the Senate, for substitute and temporary services.

On No. 31: Increases the amount which may be used for street car fares from $5,000 to $6,000 as proposed by the Senate.

On No. 32: Increases the amount for advertising notice of taxes in arrears from $4,000 to $4,500 as proposed by the Senate.

On No. 33: Strikes out the appropriation of $50, proposed by the Senate, for the enforcement of game and fish laws.

On No. 34: Inserts the appropriation of $6,000, proposed by the Senate, for rent of offices for the recorder of deeds.

On No. 35: Strikes out the increase of $5,000, proposed by the Senate, in the amount for purchase of tags for vehicles.

On No. 36: Reduces from $500 to $200, as proposed by the Senate, the appropriation for supplies for the office of the veterinary surgeon.

On No. 37: Increases the appropriation for purchase of supplies for the office of superintendent of markets for use in connection with the investigation of sales of short weights and measures from $200 to $500, as proposed by the Senate.

On Nos. 38 to 48, inclusive, relating to street improvements: Restores the appropriations, stricken out by the Senate, for paving Girard Street and Sixth Street NW.; strikes out, as proposed by the Senate, the appropriations for Belmont Road, Upshur Street, and Harvard Street; inserts the appropriations, proposed by the Senate, for paving Connecticut Avenue and repaving G Street; and transfers from the appropriation for "Repair of suburban roads" to the appropriation for "Street improvements" the items of $51,000 for Bladensburg Road, $21,000 for Alabama Avenue, $9,000 for Thirty-eighth Street.

On No. 49: Strikes out the paragraph, inserted by the Senate, authorizing the commissioners to close upper Water Street between Twenty-first and Twenty-second Streets NW.

On No. 50: Strikes out the paragraph, proposed by the Senate, authorizing the commissioners to close Rock Creek Ford Road between Broad Branch Road and Rittenhouse Street.

On No. 51: Inserts the paragraph, proposed by the Senate, changing the designation of McPherson Place NW., between I and K Streets, to Fifteenth Street.

On No. 52: Inserts the appropriation of $3,820, proposed by the Senate, to pay Thomas W. and Alice N. Keller.

On No. 53: Appropriates $50,000, as proposed by the House, instead of an indefinite amount, as proposed by the Senate, for opening, extending, or widening streets.

On No. 54: Reduces the appropriation for sidewalks and curbs from $25,000 to $20,000, as proposed by the Senate.

On No. 55: Transfers to the appropriation for "Street improvements" the appropriations for repairing Bladensburg Road, Alabama Avenue, and Thirty-eighth Street; and strikes out, as proposed by the Senate, the appropriation of $39,000 for repairs to Central Avenue.

On No. 56: Strikes out the increase of $5,000, proposed by the Senate, for operation and maintenance of the sewage pumping plant.

On No. 57: Inserts the paragraph, proposed by the Senate, repealing section 9 of the act providing for the collection and disposal of garbage in the District of Columbia.

On Nos. 58 and 59: Increases, as proposed by the Senate, the compensation of four inspectors in the electrical department.

On Nos. 60 and 61: Reduces the compensation of one assistant superintendent of schools from $4,000 to $3,750 and increases the compensation of the other assistant superintendent from $3,500 to $3,750, as proposed by the Senate.

On No. 62: Appropriates $8,340, as proposed by the Senate, instead of $7,300, as proposed by the House, for salaries of attendance officers for the public schools.

On Nos. 63 and 64: Provides for 384 teachers in group A of class 6, as proposed by the Senate, instead of 359, as proposed by the House.

On No. 65: Inserts the paragraph, proposed by the Senate, providing that no teacher, clerk, or librarian in classes 1 to 5 shall, because of any promotion, receive less longevity pay than such employee received at the time of his most recent promotion.

On No. 66: Makes provision in the appropriation for longevity pay for the principal and teachers in Americanization work, as proposed by the Senate.

On No. 67: Appropriates $50,000 instead of $60,000, as proposed by the Senate, for teacher annuities; and inserts the paragraph, proposed by the Senate, transferring from the Secretary of the Treasury to the Commissioners of the District of Columbia the duties of executing the teachers' retirement act.

On Nos. 68 to 74, inclusive: Appropriates $220,050 instead of $219,270, as proposed by the House, and $220,650, as proposed by the Senate, for janitors and care of school buildings and grounds.

On No. 75: Inserts the language, proposed by the Senate, prohibiting the board of education from using for office space the rooms in the Franklin School Building occupied by grades 1 to 4, inclusive.

On No. 76: Appropriates $35,000, as proposed by the House, instead of $25,000, as proposed by the Senate, for expenses of community forums and civic centers.

On No. 77: Inserts the paragraph, proposed by the Senate, authorizing teachers of the public schools during the summer vacation of 1920 to be employed by any department or establishment of the Government, notwithstanding the provisions of the act of May 10, 1916.

On No. 78: Inserts the language proposed by the Senate authorizing the children of employees of the United States stationed outside of the District of Columbia to be admitted to the public schools without payment of tuition.

On Nos. 79, 80, and 81, relating to the Petworth school: Strikes out the provisions for an assembly hall; reduces the appropriation from $85,000 to $50,000, and increases the limit of cost from $192,000 to $218,000, as proposed by the Senate.

On Nos. 82, 83, and 84, relating to the Deanwood School: Provides for an eight-room addition, as proposed by the House; appropriates $40,000 as proposed by the House, instead of $25,000 as proposed by the Senate; and restores the limit of cost to $190,000, as proposed by the House.

On Nos. 85, 86, 87, and 88, relating to the Burrville School: Provides for an eight-room building, as proposed by the House; strikes out the provision for an assembly hall; appropriates $40,000 as proposed by the House, instead of $25,000 as proposed by the Senate; and restores the limit of cost to $190,000, as proposed by the House.

On Nos. 89, 90, and 91, relating to the new building between Eighteenth and Twentieth Streets NE.: Strikes out the provision for an assembly hall; reduces the appropriation from $30,000 to $20,000, and increases the limit of cost from $190,000 to $218,000, as proposed by the Senate.

On No. 92: Strikes out the appropriation of $30,000 additional for the erection of an addition to the Phelps School and appropriates $20,000, as proposed by the Senate, for remodeling that school.

On Nos. 93, 94, and 95, relating to the J. R. West School: Strikes out the provision for an assembly hall; increases the appropriation from $100,000 to $110,000, and the limit of cost from $190,000 to $218,000, as proposed by the Senate.

On No. 96: Appropriates $15,000, as proposed by the Senate, for an additional amount for an eight-room addition to the Takoma School, and fixes the limit of cost at $218,000, as proposed by the Senate.

On No. 97: Strikes out the paragraph, inserted by the Senate, authorizing the sale of certain property of the District of Columbia in square 3064.

On Nos. 98, 99, and 100, relating to the police department: Provides, as proposed by the Senate, for an additional driver of class 2, to be transferred from the appropriation for "Transportation of prisoners."

On Nos. 101, 102, and 103, relating to the house of detention: Appropriates $45,620, as proposed by the Senate, instead of $25,000, as proposed by the House.

On Nos. 104 and 105: Strikes out the increase of $500, proposed by the Senate, for the harbor patrol.

On No. 106: Strikes out the increase of $1,000, proposed by the Senate, for the disinfecting service under the health department.

On No. 107: Makes a verbal correction in the bill.

On No. 108: Changes the designation of the "Washington Diet Kitchen" to the "Child Welfare Society," as proposed by the Senate.

On Nos. 109 and 110: Reduces the appropriation for pay of the probation officer of the supreme court from $2,400 to $2,200, as proposed by the Senate.

On Nos. 111, 112, and 113, relating to the juvenile court: Increases the pay of the chief probation officer from $1,800 to $2,000, as proposed by the Senate, and strikes out the increase in the pay of assistant probation officers.

On Nos. 114 and 115, relating to the courthouse: Strikes out the provision for two additional charwomen at $240 each.

On Nos. 116, 117, 118, and 119, relating to the Board of Charities: Increases the pay of the clerk and stenographer from $1,200 to $1,400, as proposed by the Senate; strikes out the provision for an additional inspector at $840; and appropriates $1,800, as proposed by the House, for maintenance of motor ambulance.

On Nos. 120, 121, and 122, relating to the jail: Strikes out the appropriation of $1,000 for the salary of a driver, transferred to the police department by another paragraph of the bill.

On No. 123: Inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Home for the Aged and Infirm.

On Nos. 124, 125, 126, and 127, relating to the National Training School for Girls: Strikes out the salary for a treasurer and provides that on and after July 1, 1920, appropriations for the institution shall be disbursed in the manner provided by law for other appropriations of the District.

On Nos. 128, 129, 130, 131, and 132: Restores the reductions, proposed by the Senate, in the appropriations for the Children's Hospital, Providence Hospital, and Garfield Hospital, and reduces, as proposed by the Senate, the appropriations for the Emergency Hospital and the Eastern Dispensary.

On No. 133: Strikes out, as proposed by the Senate, the appropriation for the Gallinger Municipal Hospital and inserts a paragraph fixing the limit of cost of such hospital at not to exceed $1,500,000.

On Nos. 134, 135, 136, 137, and 138, relating to the Board of Children's Guardians: Strikes out the assistant agent at $1,260; provides for an additional placing and investigating officer at $1,200; and inserts a paragraph, proposed by the Senate, authorizing the disbursing officer to advance funds to the agent of the Board of Children's Guardians for expenses in placing and visiting children.

On No. 139: Inserts the paragraph, proposed by the Senate, relative to the use of proceeds received by the Industrial Home School for Colored Children modified so as to require such proceeds to be covered into the Treasury instead of being used for the support of the school.

On Nos. 140 and 141: Inserts the appropriations of $5,000 and $1,500, respectively, for the National Library for the Blind and the Columbia Polytechnic Institute, as proposed by the Senate.

On Nos. 142 and 143: Fixes the pay of the superintendent of the Workhouse and Reformatory at $4,000, as proposed by the House, instead of $3,600 as proposed by the Senate.

On Nos. 144, 145, and 146, relating to the Reformatory: Reduces the appropriation for fuel from $10,000 to $8,000 as proposed by the Senate, and inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Workhouse and Reformatory.

On No. 147: Reduces, as proposed by the Senate, the appropriation for rent for the militia.

On No. 148: Restores the paragraph, stricken out by the Senate, providing for increased water rates of not less than 25 per cent.

On Nos. 149, 150, 151, 152, and 153, relating to the water department: Increases, as proposed by the Senate, the compensation of the master mechanic; inserts appropriations of $70,000 and $20,000, respectively, for water mains in Illinois Avenue NW. and F Street NW.; and restores the paragraph, stricken out by the Senate, providing for an increase in the rates of assessment for laying or constructing water mains and service sewers, modified so that the rates per linear front foot for water mains shall be increased from $1.25 to $2 and for service sewers from $1 to $1.50, and limits the operation of the paragraph to the fiscal year 1921.

On No. 154: Inserts the paragraph, proposed by the Senate, granting leave of absence with pay for legal holidays to per diem employees and day laborers regularly employed by the District of Columbia for 15 working days next preceding such legal holidays.

On No. 155: Inserts the paragraph, proposed by the Senate, granting to officers and members of the police and fire departments the increased compensation provided in the legislative, executive, and judicial appropriation act for 1921 at one-half the rate allowed to other employees.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

Mr. DAVIS of Minnesota. Mr. Speaker, finally the District appropriation bill in all of its details has been agreed to by the Senate conferees and the House conferees. [Applause.] This, I wish to assure you, gentlemen, has not been without considerable exertion on the part of all, the House and the Senate. In fact, we completed the writing up of the bill yesterday about 6 o'clock. The writing of the report and statement is quite an extensive job, and we succeeded in getting the report and statement written up last evening before 12 o'clock.

The Senate passed the conference report without any trouble whatever, without the crossing of a "t" or the dotting of an "i." Now, it is up to this body to say whether or not the bill, which, in my judgment, is the best bill concerning the District of Columbia that has ever been passed, shall be approved by you, and I trust that you will do what the Senate did. [Applause.]

Briefly, I will state that the bill as it passed the House carried $18,305,484.87. The bill that was agreed upon last evening carries $18,373,004.87. The Senate and the conferees have only increased the House bill $67,520, an unprecedented transaction as far as my memory goes.

If the present tax rate and the present 50-50 plan were in force, and continued in force next year, the District of Columbia would have a deficiency under that tax system of $2,546,000.

Now, gentlemen, let me tell you what has been accomplished. The conferees of the Senate and the House have now agreed to change the 50-50 proposition to 60 on the part of the District and 40 on behalf of the Government. [Applause.]

Your conferees have insisted, and the Senate has agreed, on raising the tax upon real estate and tangible personal property to what some of us consider a limited degree. The present tax law is 15 mills on both real and tangible personal property. If that system continued in vogue, the District of Columbia would raise about $2,546,000 less than its share of the appropriation asked for. So they have agreed, and I am thankful for it, that the tax shall be raised; that the commissioners shall during the next fiscal year raise the rate of taxation to a sufficient amount to raise the 60 per cent on behalf of the District, and in order to do so they have agreed that it may go up to 20 mills instead of 15 mills.

I state now upon the best authority that it would require fully 20 mills, or 2 per cent, to raise that amount. They have agreed to that, and that puts us on a good, fair working basis under all of the circumstances.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. McLAUGHLIN of Michigan. Are assessments to continue at two-thirds of the actual value?

Mr. DAVIS of Minnesota. I would state to the gentleman from Michigan that we have left that law as it is; but that is immaterial under the drafting of this bill. They have to raise this amount of money—60 per cent of all of the estimates and allowances.

Mr. WOODS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. WOODS of Virginia. I would like to ask the gentleman if any provision is made for increasing the taxes on intangibles?

Mr. DAVIS of Minnesota. Nothing in this bill.

Mr. WOODS of Virginia. I would like to say that that is only 3 mills, whereas in many of the States it is 10 mills, and it results in making the District to a large extent a Mecca for the tax dodgers throughout the various States.

Mr. DAVIS of Minnesota. I do not care to go on record as corroborating all the gentleman has said, but some of the things he has said are very familiar to many Members of Congress, and especially the older ones, who have been here for some time. I do not wish to predict, but possibly in the near future some agitation may be made legislatively along that line, if the District of Columbia legislative committee sees fit to take up the subject.

I wish to say in closing that this bill takes care of the school-teachers of the District of Columbia and gives them all that they asked for, not only in respect to good, big salary increases, but they have not asked for a teacher that we have not granted. The bill also takes care of all of the policemen of the District of Columbia. We have given them all they asked for and all that they need. We have taken care of the firemen, and have also given them all of the firemen asked and increased the salaries of the firemen, so that they are perfectly satisfied.

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

Mr. DAVIS of Minnesota. Yes.

Mr. HUDSPETH. In the matter of the school-teachers in the District, what is the rate of increase in the pay—not, of course, with the view that Congress could raise the pay of school-teachers throughout the country, but from the point of view that it will act as an example?

Mr. DAVIS of Minnesota. I could not give you the exact rate of increase, but I would state that the lowest teacher in the lowest grade when this bill passes will receive $1,240, and the salaries run from that up to $2,750 and longevity pay besides.

Mr. MAPES. It is $1,440, including the bonus.

Mr. MILLER. Will it take care of the building program for the schools?

Mr. DAVIS of Minnesota. It certainly does, possibly with one or two exceptions. The committee struck out what some of us considered were show propositions, assembly halls, and so forth, in order to keep the thing down to where they could actually build the buildings under contract as soon as the bill is passed.

Mr. WILLIAMS. What improvement is made in the water system?

Mr. DAVIS of Minnesota. We have given them all they asked. As the bill passed the Senate originally it was $23,000 less than our bill, but we have added that so that now we have increased the Senate bill to $67,520 more than the original House bill. That is a matter that should be self-sustaining from the revenue received from the property owners, and has been so intended under the law. For the last year or two there has been a deficit. Hence the commissioners recommended and we have increased it, have provided that the rate to the property owner shall be raised from $1.25 to $2 on public-service mains in the middle of the street and from $1 to $1.50 on private mains. That is amply taken care of and the commissioners are perfectly satisfied.

As we have quite an extensive statement here setting out in full what the bill contains—and it took many hours yesterday and last night to prepare that—I suggest that gentlemen read it, for it is certainly clearly stated.

I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I do not expect to go into the merits of this conference report, because I could not do that in this short time, but what I want to say to the House is in reference to the successful work of our conferees. I especially want to congratulate the chairman of the committee [Mr. DAVIS of Minnesota], as well as the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Texas [Mr. BUCHANAN]. Gentlemen who have never been on conference committees having in charge the District of Columbia appropriation bill do not really know just what it is to be on a conference committee. I have served on a good many conference committees, but I never served on one in which there was so much bickering, so little reasoning, and so little discussion of real justice and fairness in applying rules of taxation as there has been on the many conferences I have been on with respect to

the District of Columbia appropriation bill. We have repeatedly by an overwhelming vote passed through this House a proposition to abolish the half-and-half, which has outlived its day of usefulness and which is now a scandal in the minds of the people of the country who understand thoroughly the question. The Senate has never discussed this matter but once, and when they did discuss it it was only for a few minutes, and the Senator from Iowa and the Senator from Kentucky got about a third of the votes of the Senate on the proposition. They have never discussed it there since that time. Your committee made up a good bill and the House passed it and your conferees on this occasion stood for this good bill and made up their minds that they would no longer be treated with contempt and contumely by the Senate. The Senate has at last yielded on the sacred so-called half-and-half, and the gentleman from Minnesota [Mr. DAVIS], the gentleman from Texas [Mr. BUCHANAN], and the gentleman from Michigan [Mr. CRAMTON] deserve the thanks of the country and especially of this House. [Applause.] This is especially true of the gentleman from Minnesota, who has been with us in this fight for a long 12 years, and who has at last succeeded in doing that which ought to have been done a number of years ago. I also must mention my good friend the gentleman from Kentucky [Mr. JOHNSON], who was a pioneer in this fight. I want to thank him for the valuable aid he has given. In fact, he began the fight on this iniquity. I am sure that the whole House will join with me in congratulating these men for making this fight for years and finally bringing back to the House this good bill.

I want to say before I conclude that, in my judgment, it is going to make an infinitely better atmosphere for the people who live in the District of Columbia, for Congress, and the officials of the Federal Government. The gentleman from Minnesota and the other members of the subcommittee who have brought about this result deserve the approval of their constituents. When we were discussing this matter we had before us men representing the real business interests of this District. When we reminded them that they were demanding great increases for school-teachers, for firemen, for policemen, and street improvements, and asked them how they expected to get them without an increase in taxes, these business men looked us straight in the eye, and one of them said:

> We are getting tired of being looked upon as mendicants at the door of the Treasury of the United States.
> What you gentlemen in Congress ought to do is to fix a tax rate sufficient to raise these moneys. We people in the District of Columbia have no right to ask these things unless we shall pay taxes like other constituencies in the United States.

[Applause.]

Now, these gentlemen were patriots. One was a man whose wealth is estimated in the millions, and the other man is looked upon as one of the rich men. They are real business men in this District. They are not men who want to profit by having a rate of taxation so as to induce men to come from the other sections of the country in order to avoid personal taxes and in order to thus induce them to buy real estate, but they were real, honest business men of the community who would have only a square deal. I would like to talk just a minute or two longer, but I do not want to trespass further upon the time of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. I yield the gentleman an additional minute.

Mr. SISSON. I have talked about this matter so much, I have talked about it so long, and I have wearied the House so much that I want to say now there is not a man in the House who feels better over this result, because it is a recognition of the principle I have been contending for here for 10 long years, and I am beginning to have some little hope, and I believe we will finally work out a good system of taxation here in the District of Columbia that will not only aid these people in their efforts but relieve them from the continued assaults made upon them in Congress, because the real people of the District of Columbia do not want a special privilege and, so far as I am concerned, the bad ones shall never have it. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield 5 or 10 minutes to the gentleman from Michigan [Mr. CRAMTON], a member of the subcommittee.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, the conference which has just ended in a complete agreement between the House and the Senate has been a strenuous one by reason of the disagreement on this half-and-half proposition joined with the question of taxation. But apart from that issue I think it is just to the gentlemen of the Senate to say that they have never sent back to the House any better bill than the one they sent back this year, and when an agreement on the question of taxation and apportionment of the appropriations had been secured we had no difficulty whatever in coming to an agreement with them on the balance of the bill. In fact, the amendments which the Senate had made to the House bill were nearly all of them so reasonable and so justifiable that the House conferees accepted nearly 100 of such amendments.

As to the item that was in such serious controversy, the half-and-half, I have no desire to make a speech about its merits, but there are one or two observations, I think, I ought to offer at this time. That question really involves three phases. First, the apportionment of the payment of the expenses of the District government out of the Federal and District revenues; second, the tax rate that shall be levied upon District property, tangible, personal, and real property, to meet the District's share of such expenses; and, third, there is in the Treasury a balance of three or four million dollars which it is alleged belongs to the District. In controversy on this question those matters all come in.

In the compromise that has been brought to the House the sacred half-and-half is a thing of the past. A new division has been secured, and instead of the fifty-fifty it is a division of sixty-forty, 60 per cent out of the revenues of the District and 40 out of the revenues of the Federal Government.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. CRAMTON. I will.

Mr. JOHNSON of Mississippi. What proportion of the property here is owned by the Government?

Mr. CRAMTON. I could not say offhand; but there is a large proportion. They have claimed that half of it is, but that includes streets, avenues, and everything else. I really do not want to get into a discussion of the merits of the question, as I do not care to take up the time.

Mr. JOHNSON of Mississippi. My information is that only about one-eighth of the property belongs to the Government.

Mr. CRAMTON. The gentleman may be entirely correct. The present arrangement agreed upon, of 60 per cent out of the District revenues and 40 out of the Federal, is not a permanent provision, and I think it should be stated that it is not the view of the conferees either of the House or the Senate that we have in this agreement created a new sacred cow hereafter to be worshipped. Some of us believe that the apportionment should be different. Personally I believe the District should stand a larger proportion than 60 per cent—at least two-thirds—but others of the conferees, perhaps, think it should be less. In any event it is distinctly understood that we have not agreed upon the 60–40 as a new sacred rate to remain untouched for another half century. In other words, on this proposition and on the tax rate and on the whole question the Appropriations Committee have made a temporary compromise in order to get this appropriation bill through, and are leaving the permanent proposition to the legislative committee in the House, headed by my colleague [Mr. MAPES]. It is our hope that with the abandonment of the half-and-half the House and Senate may be able to get together upon the Mapes bill now in conference and make a satisfactory permanent settlement.

Now, the tax rate as fixed by this report is a maximum of 2 per cent for the present year instead of 1½ per cent, as heretofore. In that connection, while it is said that it shall not be more than 2 per cent, it is my opinion that the appropriations are so liberal that it will be necessary to levy the full 2 per cent. The appropriations for 1921 in this bill and in the others heretofore passed that are to be paid on this 60–40 basis are $20,500,000, of which the District's share would be $12,300,000. The revenues of the District for 1921 have been estimated at $9,754,000. That includes not only the revenues from the tax of 1½ per cent on real and tangible personal property, but also upon intangible property and all other revenues of the District. As I say, it is estimated to amount to $9,754,000. Now, it is estimated by the very efficient clerk of the Committee on Appropriations, Mr. Sheild, that the additional one-half per cent that we are raising from tangible personal and real property will bring an additional $2,700,000. The appropriations now made for 1921 total $20,500,000. The 60 per cent chargeable to the District will be $12,300,000, and under the old system the revenues would amount to $9,754,000, which would leave a deficit of $2,546,000. To meet that comes this additional one-half per cent, which will yield $2,700,000, so that you can see there is only about $154,000 as a balance left. So on the 2 per cent tax basis there is going to be a narrow margin. Now, that brings up one thing I wish to express also.

There will be other appropriations made in the next session of Congress for the District for this same year 1921. Those will come in the deficiency bills of the next year. Those deficiency appropriations are included in this arrangement, and it is distinctly understood by the conferees that the whole appropriations for the District for the coming year, including those

deficiency items, are to be handled on this same basis and are to be paid 60 per cent out of the revenues of the District. Hence it is well for the commissioners to take notice in fixing their tax rates that even if they fix the 2 per cent rate under this law they will have only——

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

Mr. CRAMTON. Mr. Speaker, I would like to have five minutes more.

Mr. DAVIS of Minnesota. I yield five minutes more to the gentleman.

Mr. CRAMTON. Even if they fix the limit, as they can under the law, at 2 per cent, they have a margin of only $154,000 to work on to take care of the deficiency appropriations the coming year. The new plan, in my mind, is of chief importance to the District in that it assures, as the gentleman from Mississippi [Mr. SISSON] has said, a better condition of things. The city is growing with great rapidity. Its needs are like the needs of all great, growing cities. They have great needs in many directions, and with this new arrangement that is going to involve a larger taxation in the District and make more money available it means a more rapid advance for the District.

It seems to me that the permanent plan when it is adopted might well include something like this: First, the removal of the limit upon estimates. Let the commissioners file their estimates for what they think the District needs.

There should be a removal of the limit upon the estimates so that the commissioners can honestly estimate what they think the District needs. Second, there should be an apportionment of the expense between the Federal Government and the District that is just, and that is recognized as just by the Congress as well as by the District. Third, there should be authority given the commissioners to fix the tax rate each year at a figure that will raise the revenues necessary to care for the District's share of the appropriations.

If that is done, it will enable the Congress to make appropriations under those estimates on a liberal basis. On the other hand, the commissioners and the people of the District, knowing that the tax rate is going to be dependent upon the appropriations made, may hesitate about extravagance in their estimates, and they may look with a little more concern upon extravagance in District matters. The needs of the District include schools, library facilities, roads and streets, and so forth. All those things are greatly in need; and I only express the wish that is common among Members of Congress when I declare we want this in truth the model city of the Nation and the world's greatest Capital. Abolition of the half-and-half does not mean the beginning of a reign of Federal parsimony. I strongly contend that the new day now opening means a brighter day for the District and more rapid advance for the Capital City of our Nation.

As to the matter of teachers, because the question was asked here, I want to emphasize what was said by the chairman of the subcommittee [Mr. DAVIS] as to what the Congress of the United States is doing for the teachers in the District, because I hope it may be something of a standard for the whole country.

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

Mr. CRAMTON. May I have one minute more?

Mr. DAVIS of Minnesota. I yield one minute more to the gentleman.

Mr. CRAMTON. Twelve hundred dollars is the lowest salary, to which is added $240 bonus, and then is added their longevity pay, and then, finally, comes the retirement allowance. Congress desires a local educational system built on the only sure foundation, a competent teaching force, justly compensated.

In concluding these few remarks I want to emphasize to the House the splendid service rendered by the gentleman from Minnesota [Mr. DAVIS], chairman of the subcommittee, in the settlement of this important question that has hung on so many years and has so long disturbed the relations between the Congress and the District. He is more familiar, perhaps, with the affairs of the District than any other man in the House with one or two exceptions. [Applause.] That experience and knowledge did much to bring about the result so greatly desired. He has stood like a rock, and he has won a victory that is worth while, not only to the Federal Government but to the District. [Applause.] Also I want to congratulate those long-time leaders of this fight on the minority side, the gentleman from Kentucky [Mr. JOHNSON], who started it and shares in the victory; the gentleman from Mississippi [Mr. SISSON], who has fought incessantly for this reform; and the gentleman from Texas [Mr. BUCHANAN], without whose sturdy cooperation nothing could have been accomplished.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield four minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I am sure that everyone is pleased that this very important question, so long known as the half-and-half proposition, has been settled. I am sure the Congress and the entire country and, I think, the District of Columbia are to be congratulated upon its settlement. The District of Columbia is to be congratulated not only because through this settlement it receives the appropriations necessary for the administration of District activities during the next fiscal year, but for the reasons which have been so clearly and forcibly set forth by the gentleman from Michigan [Mr. CRAMTON]. It is not settled as the House desired, but it serves to do away with this idea which seems to have been entertained by some that the so-called half-and-half plan of public expenditure in the District is something too sacred to be disturbed, and it is a good compromise of the differences existing between the House and Senate.

Too much praise can not be uttered in behalf of the gentleman from Minnesota [Mr. DAVIS], the able chairman of the committee, the gentleman from Michigan [Mr. CRAMTON], and the gentleman from Texas [Mr. BUCHANAN] for their successful efforts in the settlement of this question. [Applause.] There are but few of us, probably, who appreciate the very great struggle that they have had to bring this matter to a successful conclusion. They have rendered a real service to the country, and are entitled to the thanks of Congress and of the country for their splendid, able, and patriotic work, and in which, while acting for the best interest of the District, they have not lost sight of the interest of the taxpayers of the entire country. They have made a record to which they can point with pride and satisfaction and which I am sure will be appreciated by their constituencies. [Applause.]

Great commendation and praise is also due to the gentleman from Mississippi [Mr. SISSON], who began this fight so many years ago, and which he has followed through all these years with that ability and courage of his convictions which characterize him in all of his official duties in the Congress, and with that pertinacity for which he is distinguished in the advocacy of those things in which he believes. [Applause.] He witnesses to-day the successful culmination of his efforts by a settlement which means that next year there will be saved to the United States Treasury more than $2,00,000, and from the action taken by the Senate and the House in adopting this new principle of taxation and division of expenditures it means that through all the succeeding years there will be saved not only this much each year, but more, as the appropriations for the District increase. [Applause.]

The gentleman from Mississippi and I entered Congress together, and it has been my good fortune to have served with him on the important Committee on Appropriations for the past nine years. I have an intimate knowledge, therefore, of the great value of the services which he has rendered. The value of the work performed by the committee appears in the reports which are made to Congress on the large appropriation bills over which it has jurisdiction. But the arduous work and infinite care and patience required of its membership does not appear to the public. It is performed in the committee room in hearings on estimates and cross-examination of witnesses which frequently last for months of daily, and, very often, night sessions, where the estimates are examined and considered in the greatest detail.

No member of the committee has been more faithful in this service than the gentleman from Mississippi. It can be truly said that no member has served with greater ability or with greater fidelity to the country. [Applause.] Since he has been a member of the committee the sum total of reductions made by the committee in estimates for appropriations amounts to more than $11,000,000,000, and in this great saving to the people the gentleman from Mississippi has had his full share. He is recognized as one of the real economists of the Congress, and has the courage to stand by his convictions regardless of personal consequences to himself. And this well-recognized fact, coupled with his ability, his natural abhorrence of injustice, and his warm sympathy for the people, has served to make him a powerful factor in the shaping of legislation not only in the committee but also in the House. [Applause.] I have been moved to say this much, Mr. Speaker, in view of the splendid service rendered by the House conferees in finally solving this problem, which has been a bone of contention between the House and Senate for so many years, and in which the gentleman from Mississippi has played such a conspicuous part. [Applause.]

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

Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER. The gentleman from Alabama is recognized for one minute.

Mr. OLIVER. Mr. Speaker, I can heartily indorse the many complimentary references made on the floor of the House to-day to the excellent work of the gentleman from Mississippi [Mr. SISSON], whose long-continued fight for a fair, just, and equitable law for the District of Columbia is now to be at least partially realized. While bringing a large saving to the Federal Treasury, it will impose no unjust burden on the property owners of the District. This accomplishment but reminds us that the essential qualifications after all of a useful Member of this House are ability, industry, perseverance, and courage to assert and maintain against all odds individual convictions on great public matters. Certainly no one possesses these qualifications in a higher degree than does the distinguished gentleman from Mississippi [Mr. SISSON]. [Applause.] Because of these qualities no one to-day more than he deservingly enjoys the esteem, respect, confidence, and affection of his colleagues. [Applause.] I have watched with peculiar pleasure his successful career in the House, having been attracted to him when I first came to Congress, since he so ably represents the district in which my mother was born and reared to womanhood. His splendid legislative work entitles him not alone to the thanks of Congress but of the country at large. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. GARD].

The SPEAKER. The gentleman from Ohio is recognized for two minutes.

Mr. GARD. Mr. Speaker, I, too, desire to make known my appreciation of the work of the conferees on this bill, who have had the accumulated strength of the conferees who have represented the House on the District of Columbia appropriation bill for the last several years, especially upon the matter of the so-called half-and-half, its retention or abolition. They have at this time shown a rare courage in dealing with this embarrassing local situation, and I am sure that it will prove of local and national benefit. I have always believed and now believe that the true rule should be a fair and equitable response in taxation on all privately owned property in the District and the payment of such additional sums as may be required for the best upkeep of the District by the Federal Government.

I can not refrain at this time from saying that I think the House and the country owe a debt of remembrance, at least, to the man who has had the courage to stand up for true and honest rules of taxation in the District for years and years—the gentleman from Kentucky [Mr. JOHNSON]. [Applause.] In addition to the work of Mr. JOHNSON of Kentucky, I would say that there was courage in the position taken by the present Speaker of this House when he spoke before an organization of Washingtonians and told them that the time had come when the half-and-half policy was no longer necessary and that it should be repealed. The courage to speak the truth is always a thing to be commended. [Applause.]

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

Mr. DAVIS of Minnesota. Mr. Speaker, I yield to the gentleman from Ohio [Mr. KEARNS].

The SPEAKER. The gentleman from Ohio is recognized.

Mr. KEARNS. Mr. Speaker, in the beginning, I desire to say I have no quarrel with the great masses of loyal and patriotic men who make up the Democratic Party. These men have been misled by the pretense of a false leadership. The present Democratic administration was conceived in falsehood and deceit and ever since has reveled in graft and wild extravagances. By a false pretense it secured the confidence of the electorate of the Nation, and it has never since overlooked an opportunity to violate its trust. It has chosen to pile needless burden after burden upon the weary shoulders of the tax-paying public rather than stay the profiteer in his mad rush to riches. It has compelled the 110,000,000 men, women, and children of this country to pay constant tribute to this lawless band of profiteers. While the war was on, and the young manhood of the country was baring the breast to the dangers of battle and loyal men and women at home were exerting their energies to get needed supplies to our soldiers at the front and in camp, the profiteer preyed unhindered upon the vitality of the country. The administration sometimes rebuked but never punished this the greatest domestic foe. Since peace has come, this enemy at home still plies his nefarious trade in every household of our land. This is done in defiance of a pitifully weak and vacillating administration. This band of highway robbers boldly and successfully defy the law, and go unjailed.

So well do they recognize the helpless impotency of the Department of Justice that they go unmasked into every household in every State of the Union and loot and plunder. The profiteer has brought want and misery and suffering into a countless number of homes; yet it seems he has not yet reached the zenith of his wild career. The red danger pales into nothingness compared to this great evil of the hour. With laws so thick and drastic that no honest man dare turn to right or left for fear of violation, the lawless continue in their mad rush unafraid. Attorney General Palmer did take a decided stand against the coal miner and stopped what might have been a national disaster. Some say, for this, he must be called to higher duties. I believe, before the people call him into a wider field, they will first ask him to put handcuffs on the wrists of those who have their hands in the pockets of every home throughout our land. It is true the miners' strike was partly stopped in the early stages of its development, but the operator was never hindered and is still allowed to make, in many instances, 1,000 per cent upon his investment. Such dishonest pretense as this and kindred acts is what gives impetus to the great unrest to-day.

There is no place in the American politics for the blatherskite or hypocrite. There is a demand, however, for the brave and courageous leader of men and public thought who will meet all questions with a courage that only fears the wrong. The man who shapes his thoughts in soft and pleasing speech to attract the masses to his leadership, regardless of the justness of his cause, is a traitor to right and a menace to our institutions of government. The country is calling aloud to-day for a leader who can turn a face of flint against the masses regardless of their numbers when their demands are selfish and unjust. The controversies between labor and capital have been coaxed and encouraged by the present-day demagogue until their estrangement presents another grave danger of the present hour. Labor and capital should be bosom friends. The prosperity of the Nation depends upon their companionship. The happiness of the one depends entirely upon the contentment of the other. Neither can prosper when the other fails. If I have counted accurately the pulse beats of the Nation or read aright the public mind, I have learned that the whole people are looking with field glasses for the man who can espouse that side of our domestic disputes that is right and just and with an equal firmness spurn the side of wrong regardless of the numbers for or against. There is wanted a Goliath in our modern-day politics who hews straight to the line, letting the chips fall where they may. Whoever this leader is to be he must be a man imbued with love for his own country. His chief mission must be here and not abroad meddling in the affairs of strangers and permitting strangers to have a voice in ours—a man who believes in a league of Americans. When such leadership is found our domestic questions will be readily solved.

I can not help but think that the best patriotic thought of America is opposed to the proposed Wilsonian entangling alliance that would forever take away from nations the right to mind their own business.

I am forced to the belief that America, through a reckless and ambitious leadership, has drifted far afield in the year just past. Persuaded by the false allurements of a union of governments, national rights and independence of action would be bartered and frittered away forever. The price is more, vastly more, than the patriotism of America would ever be willing to pay. My belief is that when the people of this country realize and understand the hypocrisy and deceit contained in the unreserved covenant of this proposed alliance they will speak in unmistakable fashion. Briefly, let me say, it is an attempt to pull down the Stars and Stripes and unfurl instead the flag of internationalism.

England wants this particular League of Nations because she now controls, by virtue of this treaty, more than one-fourth of all the globe. Much of this territory has been taken by force from unwilling peoples; has been taken from peoples who will loosen the British yoke when some day they have found opportunity and strength. This will mean war, and England wants to now forswear the great nations of the world to help her in her fight to retain her domination when that time comes. Other countries of the Old World join with her in an attempt to bind the United States in this unholy alliance because they, too, have, by the terms of this same treaty, become the beneficiaries of territories and peoples to which they have no color of right. They, too, fear the time when the day of reckoning will come; for that time must come, because the sins of nations, like the evil that men do, will some day find them out.

At the close of the World War a new map of Europe was drawn by hands that often cared but little for human rights. Peoples and territories were moved about from government to

other sovereignty much as pawns are moved from place to place on the chessboard. The high ideals of those who, when war raged, asserted the principles of self-determination became mockeries at the peace table. Those who gave expression to these lofty thoughts when the blood of the universe flowed from a million wounds and more were the same men who made mockery of their own speech at the first opportunity. For many months behind closed doors, where the world could not look on, they filched from friend and foe alike.

Not until the curtains were drawn and the public was allowed to look in upon their work was the rape of China known—China, big, honest, yet unaroused China that had looked upon us as a friend in any hour of need. The pity is that America stood by and refused to interfere while this big friendly country struggled for release from those who committed this cowardly, dastardly assault. Even to this day the President and those who blindly followed him say the Senate of the United States must not write words into this treaty that would at least disclaim consent on our part to the outrage. This treaty takes Shantung, a rich and populous Province, from the greatest Republic in the East, a trusting, loyal, and confiding friend of ours, and gives it to Japan, the most overbearing and autocratic monarchy on the face of the globe. Think you the day of retribution will never come? Great and glaring sins never go unpunished, and when the hour comes for this great nation of the Orient to strike, conscience will impel every country that loves right and justice and truth to blend their arms with hers.

As hateful and unthinkable as the Shantung affair may appear to all men of honor and integrity, it can not overshadow England's treachery to Egypt and her people. When that country was coaxed and influenced to enter into the whirlpool of blood she was promised not only her release from Turkish interference but absolute independence, provided the allied arms should win.

The treaty of peace was written and signed and Egypt's representatives were never allowed admittance to the peace conference. They knocked but were denied their seats. In their enforced absence the following sentence relating to Egypt was incorporated into the treaty and is found on page 68 of the Senate print of that document and is numbered article 147:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the capitulations in Egypt.

Thus did our peace delegates become a party to another outrage, and the Senate of the United States is told that it must not write into the treaty a reservation which would say to England and to the Old World, "Do as you please with Egypt, but we do not lend to you our approval or consent."

Another provision vitally affects our own country. I refer to that clause that gives the British Empire six times the voting strength that is given to the United States. I can not understand how it is possible that any true American could ever agree that any nation should become six times greater than our own. Yet there are men who would sacrifice this principle in order that we might enter into these entangling alliances against which we have been warned by a whole line of distinguished men in the past.

I want to say here and now that this covenant of the League of Nations and the treaty, embodied as it is into one document as it stands to-day, is the most treacherous and un-American instrument of writing that was ever attempted to be fastened for all time upon the American people. Out of it all, however, comes a ray of hope and that is the great majority of the rank and file of the Democratic Party denounce it in unmistakable terms.

This document without reservations would mean an end to our national independence. It would mean a supergovernment composed of certain nations of the world of which we would be at best only a member state. It would surrender our right to independent self-government by transferring these powers and rights, in part at least, to alien councils. The very thought is so abhorrent and unthinkable to the real and true American mind that the wonder is that Woodrow Wilson, in his selfish ambition to create this new world power, could find one sympathetic mind in all the United States. He says the very heart and life of this covenant is found in article 10. Destroy or weaken it by reservations or otherwise, he says to the Senate, and you will break the great, big, throbbing heart of the world. Perhaps he mistakes his own heart for that of the universe.

God forbid that any man or set of men may ever grow so great and powerful that he or they can betray into strange and unsympathetic hands national rights that were wrenched from a despotic country by those who fought and bled a century and a half ago—rights, I submit, that were baptized in the blood that flowed from patriotic veins all along that seven years' pathway that led from Lexington to victory at Yorktown.

Article 10 takes from Congress the right to make war or not, and lodges this function in a council of nations. And neither would we have the poor privilege of selecting the side on which we could cast our lot. Under this deceitful document millions of American lads, at the command of alien authority, would be carried thousands of miles from home to fight in a stranger's war and perish in a foreign land in a cause not his or ours. This League of Nations is given by its authors a life perpetual, and this means that American boys throughout all the countless ages to come and go would fight and die in all the quarrels of Europe—quarrels in which they could have not even the remotest interest.

The proponents of this league claim it will put an end to war. They know that the nerves of the world are now unstrung and that the big and brave heart of our Nation is torn and mangled and bleeding and is hungry for a perpetual and everlasting peace. They take advantage of this state of mind and promise freedom for all time from the ravages of war. This promise is as false and deceitful as was the slogan, "He kept us out of war," about which you and I have heard so much. If not, why is it that every paragraph of the covenant points not the way to peace but the path that leads directly to war? If not, why is it that while our President absented himself from Washington assisting in its making, his Secretary of War was at that very time at home writing a proposed Army reorganization bill that provided for the most astounding and gigantic military system that the world had ever known? While the war raged and our brave and courageous men laid down their lives on a foreign battle field, we consoled the grief-stricken mother that her son had made the sacrifice that Germany's military system and its kind might perish from the earth. Notwithstanding this promise so solemnly made and at a time when men should speak the truth, the President and his Secretary of War have brought this Prussian military system to us many times multiplied. They have brought it to us all and more, only leaving behind the Kaiser himself.

The great mass of the people, be they Democrats or Republicans, are neither fools nor knaves and can not always be led astray by promises that are false. To keep the United States out of war is only a piker's job, so the President now desires to extend his field of activities to the entire universe. This statement, I fear, follows too closely upon the heels of his former pledge to carry with it the weight of credulity. That wing of the Democratic Party that asks us to join our fortunes and our lives with strange and alien nations seeks to allay our fears by promises of universal and perpetual peace. At the same time they seek to place within our midst an armed camp of nearly 600,000 Regular soldiers, augmented annually by a force of nearly a million of compulsorily trained 19-year-old boys. Away with such hypocrisy. It is so rotten that its stench penetrates every home throughout our beloved country. If this military machine is necessary, if danger is lurking in the near future, or if, indeed, we must become the policemen of the world, let us say so. Be honest and candid with the masses who are entitled to the truth. I do not know what the future, be it far or near, may hold, but I can not believe at this present moment, when the world is taking stock, that we should write into any law mandatory authority for compulsory military training. This may be necessary in the very near future, but surely this burden should not be placed upon the taxpayers and the boys until with a better vision we can penetrate the needs of the future.

Yes, many of the countries of Europe want this particular League of Nations, because in its covenant or constitution our country agrees to go to their aid when summoned with its millions of men and its billions of weath. Standing, as we do to-day, at the dawn of a new era, let me appeal to you, let me appeal to your hearts and your reason, regardless of partisan politics, to close your ears to the call of the rotton monarchs of the Old World who fear the crumbling of their thrones.

Let us listen only to the voice of America as she calls aloud for a league of her own nationals, whose dominant thought will be the preservation of America and her soul-inspiring traditions. Let us listen to the voices of Washington, Jefferson, Madison, Monroe, Lincoln, and McKinley. These men are dead, but their advice and judgment and warning still live. Their lives stand out in our history to-day as monuments to the immortality of constitutional America. Their lives stand out to-day like guideposts pointing out the road to safety and perpetuity and warning against the pitfalls and intrigues of Europe and her quarrels.

We stand to-night awaiting the approach of two great national conventions, where presidential candidates will be selected and party platforms written. The people, having grown weary of false promises and this new internationalism, have

turned their eyes and rest their hopes upon the Chicago convention. At that convention war lords may occupy seats as delegates and try to force a nomination and party platform that would wed the Republican Party to a militaristic program. There will be men in both the Republican and Democratic conventions who will attempt to fasten upon the Republic this monstrous and costly military machine to which I have just referred—a system that would conscript each year nearly a million of our young men for military training; would, after training, place them in reserve for future service; would, for this purpose, keep intact throughout our land our draft boards. Under this plan these young men would be taken out of the industries where they are so much in demand. They would be taken from farm, and factory, and mine, and shop, and mill, and every other place of human endeavor. This would be done notwithstanding they are all calling for more help now. These men base their judgment upon the demands of 4,000,000 boys who have so recently laid down their arms. They claim these young men are demanding that this military machine be kept alive, and are clamoring for high-up military officials for public office.

If I have listened and understand aright their story, these boys are asking for nothing of the sort. When I say this I mean the real soldier, the private and the junior officer who fought in trench and out in no man's land, where bullets flew, where shells went screeching and screaming and bursting by, carrying with them their cruel messages of death, out there where their comrades fought with them and fell. I mean, too, these boys who were called into camp and were made to do military duty at home. These men who passed through this hell and lived, I am told, will never vote for their superior officers, who never smelled the smoke of battle, but in places of comfort and safety wore the insignia of a high-up officer, an insignia that only meant a class distinction between him and them.

But why waste time on this question? I predict that the Republicans at Chicago will select a big, broad-minded, patriotic man, who is a real statesman, to lead them to victory this fall; an American who pays homage to no king or potentate, whose love for this country is so great and constant that he can not share with any other a divided allegiance; a man who will be safe and sane and universally loved for his loyalty to country and admired for his courage and transcendent ability.

I do not know what the platforms of political parties will contain, but I do know that Americanism unalloyed is going to be forced into the campaign of every candidate by the people, whether that candidate would have it so or not. My opinion is that the people of the Nation demand more nationalism and less internationalism. My opinion is that the people of this country desire to attend unhelped to their own business and allow other countries to do the same. And for this reason my belief is that the League of Nations without strong and clear-cut reservations will be distasteful to them.

They are not now, and never will be, misled by promises of universal and everlasting peace. They pray for this, it is true, because they hate war. It leaves in its wake broken homes and heartaches and deep sorrow, and if they had their way they would banish it from the world forever. They can not forget, either, that the same men who are now making these promises are the same men who a few years ago, before the Great World War commenced, were saying that the world had grown too enlightened to ever again be deluged in war. These are the same men who were so sure at that time that the dogs of war had been so securely chained that they could never break their fetters, that they had even coaxed the dove of peace to build her nest and hatch her brood in the very mouths of cannon that only yesterday were belching forth a destruction to all the world's civilization.

We pray for peace and pray again that our prayers may be answered, but we can not help but remember that ever since time began down to the present hour there has never been an age but what some country has been grappling at the throat of some other country in a death struggle for national existence.

I fear this will be true as long as the greed of nations and nationals are allowed to be controlling factors. But surely we can not escape war by agreeing in this covenant to defend with our resources the boundary lines of Europe as they were made by this treaty. But our great danger is that too many in our midst are mindful of other interests, forgetting our own. In this connection, let me say that as horrible and distasteful as war is to the well-thinking mind, we can not be led astray by bartering away our country into alien hands. The President has said himself that this particular League of Nations sets up a supergovernment that far overshadows our own. I quote his language exact in a speech at Kansas City, September 6, 1919. I am quoting now:

> I have, let me say without the slightest affectation, the greatest respect for the United States Senate; but, my fellow citizens, I have come to fight for a cause. That cause—the League of Nations—is greater than the Senate. It is greater than the Government. It is as great as the cause of mankind.

I am quite sure that the President has spoken the truth, and without reservations our country, as a free and independent Nation, would cease to exist. This being true, is it not time for all real lovers of their country to place here and now upon this monster's head an iron heel and crush out its life before it can sink its poisonous fangs deep into our Nation's flesh?

"It is greater than the Government." God forbid. The tears and the heartaches of every American mother who ever gave a son in battle from Bunker Hill all along that long and winding path that leads from there into the battle fields of France cry out against it. If this is true, and we should enter into this arrangement, then we have falsified the tongue of old Liberty Bell and have made a lie out of Bunker Hill. Perry's victory becomes a farce. In doing this we write deceit all over the face of the entire story of Appomattox.

If this be true, San Juan Hill was a mockery and Chateau-Thierry was a meaningless and unprovoked tragedy—Chateau-Thierry, where the American boys threw themselves into the vortex of blood and battle, snatching victory from the greedy grasp of the German hordes; Chateau-Thierry, where these same unconquerable khaki-clad lads turned the face of the German Army toward home, and they never stopped until they had planted the flag of freedom upon the ramparts, I hope, of an everlasting liberty.

Two paths open up before us, so let us choose now, that our choice may live among traditions immortal. Let us have nothing of this new internationalism, but dedicate anew our old nationalism, and we will challenge the admiration of those in our midst who love liberty and its cause. Do this and America will, with a renewed hope and abiding faith, welcome the unborn generations.

Let us put men in office who are Americans—men who can withstand the smiles and blandishments of king and queen, of prince and princess, and stand as immovable as the towering peaks of the everlasting hills for the perpetuity of our own Government and its institutions.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the conference report.

Mr. KEARNS. It is not on the conference report.

Mr. WALSH. On what?

Mr. CALDWELL. Reserving the right to object, Mr. Speaker, on what subject? Is it the bonus?

Mr. KEARNS. No; it is not the bonus.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. FIELDS].

The SPEAKER. The gentleman from Kentucky is recognized for one minute.

Mr. FIELDS. Mr. Speaker and gentlemen of the House, I desire to join in the sentiment expressed by other gentlemen in regard to the splendid work done by the House conferees on this bill. Everyone knows that in view of the obstacles that they have encountered in another body in their former efforts to accomplish a like result, this agreement was not reached without effort on their part. Therefore, in view of the splendid achievement to which they have attained through years of effort, the House and the country are under heavy obligations to each of them and under additional obligations to the gentlemen who have led this fight for so many years with an eye single to the general welfare through the establishment of an equitable distribution of the burdens of taxation for the District of Columbia and the enactment of other statutes necessary to cure evils of long standing in the affairs of the District, and especially in its relations to the General Government.

When I entered Congress almost 10 years ago, my attention was attracted by the efforts of my colleague from Kentucky [Mr. JOHNSON] and the gentleman from Mississippi [Mr. SISSON] to write into our statutes these necessary and much needed reforms, the former directing his attention and effort to questions of general legislation for the District, and the latter directing his energies to the correction of the taxing system, by which the Federal Government was paying more than its proportionate share of the revenues necessary to the maintenance of the District government. These two gentlemen started their

respective fights single-handed and for a time received but little support and less encouragement from the membership of the House. But that did not deter them. Each of them continued the fight, with the result that new and additional support was added each year until the evils of which they complained, and to which they have called the attention of the House and the country, have been corrected in large measure, in some instances in their entirety, by the enactment of appropriate statutes.

Mr. Speaker, it required both sacrifice and courage on the part of these two gentlemen to carry their fight over a period of years as they did—sacrifice because their efforts in the beginning did not attract the attention of their respective constituencies, who were not particularly interested in the character of legislation to which their Representatives were devoting their efforts for the reason that they, like the rest of the country, were not familiar with the conditions that existed and therefore did not realize the necessity for, or the importance of, the efforts that their Representatives were exerting. It required courage because they were confronted for the first few years of their effort with the overwhelming opposition of the House and the almost unceasing fire of the press of the District and the bitter critisism of the entire population of the District. But conscious of the correctness of their position and the justice of their cause, they fought on, meeting arguments and dissipating them, encountering obstacles and overcoming them, until success has crowned their efforts, by which millions of dollars have been saved and additional millions will be saved to the Federal Treasury. I therefore congratulate the gentleman from Mississippi [Mr. SISSON] and my colleague [Mr. JOHNSON] for the work that they have done and the splendid victory that each of them has won, for which their constituencies, the country, and the Congress owe them an everlasting debt of gratitude. [Applause.]

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

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the final adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on this conference report.

The SPEAKER. The gentleman from Michigan asks unanimous consent to revise and extend his remarks on the conference report. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of economy and the national defense.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his own remarks in the RECORD on economy and the national defense. Is there objection?

Mr. CRAMTON. Reserving the right to object, does that include a discussion of the bonus?

Mr. TILSON. It does not.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the conference report.

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

Mr. WALSH. Unless this is done within two days I shall object, and I shall object to all future extensions unless they are made within two days.

The SPEAKER. Does the gentleman from Kentucky make the request with that limitation?

Mr. FIELDS. Yes.

Mr. CRAMTON. I will ask the gentleman from Massachusetts [Mr. WALSH] whether he includes Sunday in the two days?

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

There was no objection.

The SPEAKER. The Chair would state that a number of gentlemen have spoken to the Chair and said they could not be present all the while and they objected to extensions on the bonus, and they requested that the Chair would ask, when requests were made to extend, on what subject it was desired to extend. On what subject does the gentleman from Virginia intend to extend?

Mr. FLOOD. Not on the bonus.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the part that the State of Colorado took in the World War.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD on the part that his State took in the World War. Is there objection?

There was no objection.

Mr. WOODS of Virginia. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the conference report just adopted.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend remarks in the RECORD on the conference report just adopted. Is there objection?

There was no objection .

Mr. KREIDER. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD, not on the bonus.

Mr. WALSH. Well, on what?

Mr. KREIDER. On the national defense and economy.

The SPEAKER. Is there objection.

There was no objection.

Mr. RAKER. I ask unanimous consent to extend my remarks in the RECORD on Asiatic immigration, with a letter from the Secretary of State and a letter from the Secretary of Labor.

The SPEAKER. The gentleman from California asks unanimous consent to extend remarks in the RECORD on Asiatic immigration and to publish the letters referred to.. Is there objection?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

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, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906;

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

H. R. 6222. An act to remove a certain tract or lots of land in Cristobal, 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. 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;

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

H. R. 14384. An act to amend the penal laws of the United States.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, 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. 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.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. CUR-

TIS, and Mr. UNDERWOOD as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 30.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of 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, the Clerk be, and is hereby, authorized and directed to number the sections thereof in consecutive order.

The message also announced that the Senate had passed without amendment 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.

JAMES MILLS—LEAVE TO WITHDRAW PAPERS.

Mr. FESS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of James Mills, Sixty-sixth Congress, no adverse report having been made thereon.

DISTRIBUTION OF WAR TROPHIES.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the present consideration of S. 643, to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and the District of Columbia.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State or Territory and the District of Columbia bears to the total number of men so serving from all States and Territories and the District of Columbia, all cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies captured by the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies as may be required for experimental purposes or for actual use by the armed forces of the United States; and the further exception of such of the devices aforementioned as may be required for display in museums of a national character or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

SEC. 2. That the apportionment and distribution provided for in this act shall be undertaken and completed as soon as practicable after the return of the aforementioned war devices and trophies to the United States; and that for the purposes of this act the Secretary of the United States Navy, or such person as he may direct, and The Adjutant General of the United States Army, shall separately or jointly compile or cause to be compiled a report or reports showing the number of men in the armed forces of the United States accredited to each State or Territory of the United States and to the District of Columbia, either by enlistment or by the process of the selective-service act or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period hereinafter specified, and that such report or reports shall be laid before the Secretary of War as soon as practicable after the passage of this act, and in no event later than six months from date hereof, and shall serve as the basis for the pro rata apportionment and distribution among the several States, Territories, and the District of Columbia as hereinbefore provided.

SEC. 3. That in the case of the States and Territories the apportionment and distribution, as provided for in this act, shall be made through the governor or chief executive of each of the several States and Territories.

SEC. 4. That for the purposes of this act the term "in the armed forces of the United States," wherever used in this act, shall be construed to include all men enlisted, drafted, or otherwise drawn into and becoming an integral part of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, and all other armed forces of the United States whatsoever; and that the period of service in the armed forces of the United States, as hereinbefore provided, shall be construed to begin with the effective date of the declaration of a state of war between the United States and Germany on April 6, 1917, and to end on the effective date of the armistice between the United States and Germany at 11 o'clock on November 11, 1918; and that the report or reports of men accredited to each of the several States and Territories and the District of Columbia shall be confined to the period between those two dates, inclusive.

SEC. 5. That all transportation charges on war devices and trophies, as indicated from point of shipment to point of final delivery within the several States, Territories, and counties thereof, and the District of Columbia, shall be borne by the United States Government, but not the expenses or costs incident to erection in local communities.

SEC. 6. That on and after the passage of this act no award or distribution of war devices or trophies captured during the period specified shall be made except as herein provided, and all legislation conflicting herewith is hereby repealed.

SEC. 7. That to carry out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $1,000,000, or so much thereof as may be necessary, to be administered by the Secretary of the Treasury.

With the following committee amendments:

On page 2, line 2, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"SEC. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State Delegations in Congress from each State; in the case of the several Territories, through the Delegate to Congress from each Territory; and in the District of Columbia, through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 4, lines 2 and 3, strike out the words "United States" wherever they appear on said lines.

On page 4, line 16, after the word "to," insert the word "a."

On page 4, line 17, strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On page 4, line 18, strike out the words "counties thereof."

On page 4, line 19, after the word "expenses," insert the words "of final delivery."

On page 4, line 24, after "captured," insert "or surrendered."

On page 5, line 6, strike out the figures "$1,000,000" and insert the figures "$100,000" in lieu thereof.

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

There was no objection.

The SPEAKER. The question is on the committee amendments.

Mr. GARRETT. Will the gentleman yield?

Mr. KAHN. I yield to the gentelman from Tennessee.

Mr. GARRETT. Mr. Speaker, the confusion in the Hall while the bill was being read was quite considerable. It is a bill in which there is a considerable amount of public interest. I suggest to the gentleman from California that I think it would be well if he would give us just a few minutes of explanation of the bill.

Mr. KAHN. I will be very glad to do that. There has been a great deal of interest manifested in these relics by the country and by the Members of the House. Some 4,000 bills have been introduced and referred to the Committee on Military Affairs calling for the distribution of some of these war relics.

This bill provides that these relics shall be distributed by the governors of the different States in proportion to the number of soldiers, sailors marines, and coast guard men who entered the war from their respective States. The House committee, however, changed by amendment the method of distribution and provided for the distribution by the congressional delegations, including the Senators and Representatives, of the different States.

There are a great many of these relics, and I feel confident that every Member of the House will be able to get some trophy, even for the smallest village in his district. Of course, the large pieces are fewer in number. There are about 2,195 large cannon. There are about 100,000 rifles. There are about 10,000 machine guns, and gentlemen will remember that a machine gun is a very respectable trophy. There are a great many caissons which can be distributed, two-wheeled vehicles upon which these trophies can be mounted. There are a great many of the German fur knapsacks, which make very respectable-looking relics. So I feel that the Members of this House will have an ample opportunity to provide some relics of the World War, something captured by our troops or surrendered by the enemy, to every one of the different communities of the country.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. BRIGGS. Will the gentleman tell me how soon these things will be available for distribution? Does the gentleman know?

Mr. KAHN. They are ready for distribution now, and it will be a good thing to have the distribution begin at once, because a great deal of storage space is in use to store this material, which storage space can probably be used to better advantage.

Mr. BRIGGS. Can the gentleman further tell me upon what conditions they will be delivered, whether the Government will deliver them at certain points with the freight paid or not?

Mr. KAHN. The bill provides that they shall be delivered for each State at some one point in that State. The Government will pay the freight charges to that point, but from that point to the local communities the freight charges will be paid by the communities themselves.

Mr. BRIGGS. This bill, therefore, is practically an omnibus bill, incorporating all the provisions of the other bills relating to this subject.

Mr. KAHN. Exactly so.

Mr. GARD. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Ohio.

Mr. GARD. The bill has for its first effect the distribution of these relics pro rata to the States?

Mr. KAHN. Yes.

Mr. GARD. Then, it has as a second effect the distribution within the States through the Senators and Representatives?

Mr. KAHN. Yes.

Mr. GARD. Under rules and regulations to be prescribed by the Secretary of War?

Mr. KAHN. The gentleman is correct.

Mr. GARD. Have the committee in their minds any purpose as to the proportion of the distribution to be made by Senators and the proportion to be made by Representatives in each State, or is that a matter of regulation by the Secretary of War?

Mr. KAHN. That is a matter of regulation, but possibly in some of the States the Senators and Members will be able to agree among themselves. At any rate, the Secretary of War has authority to make the regulations.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. KAHN. Yes.

Mr. BANKHEAD. The distribution as between the States will not be based upon the fact whether or not a special bill was introduced in Congress?

Mr. KAHN. Oh, no. I should imagine that the Members from the different States will get together and agree among themselves that they will distribute to the communities in their States in proportion to the number of soldiers, sailors, and marines who come from the community.

Mr. BEE. Will the gentleman from California yield?

Mr. KAHN. Yes.

Mr. BEE. Will it be possible under this bill for a Member who wants to distribute these things in his district to ascertain from the War Department the number to which he will be entitled?

Mr. KAHN. In the report on the bill—Report 279—the gentleman will see a number of tables which apportion the various articles to the States in proportion to the number of soldiers, sailors, and marines who went from those States.

Mr. BEE. But, if the gentleman will permit, that is not quite the question.

Mr. KAHN. I was coming to that. Of course, a State having received so many of each class of relics, the delegation can figure out among themselves how much each Member is entitled to for his district.

Mr. SIMS. Will not the gentleman have the report printed in the RECORD?

Mr. KAHN. I should be very glad to ask unanimous consent to do that, although the report is very full.

Mr. JAMES. Will the gentleman yield?

Mr. KAHN. I will.

Mr. JAMES. According to the provisions of the bill, no cannon can be distributed in any State unless the delegation decides on the program, and that would postpone the distribution until next December.

Mr. KAHN. I imagine the delegations of the different States can get together before we adjourn and decide on a program tentatively.

Mr. JAMES. Even if they do, there will not be any distribution immediately.

Mr. KAHN. They will be held in storage for the States until the delegation does meet. I imagine that every State delegation will find it convenient to meet in the near future and agree about the local distribution.

Mr. MILLER. Will the gentleman yield?

Mr. KAHN. I will.

Mr. MILLER. The appropriation in this bill is reduced from $1,000,000 to $100,000.

Mr. KAHN. The bill originally provided for the sending of these relics to different parts of the States. Of course, under the amendment of the House they will be sent to one central point in the State, and so we felt that $100,000 would be ample to pay the freight charges and packing charges.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HULL of Iowa. It is true, is it not, that if the State delegations want to they can delegate this distribution to the governor of the State or the adjutant general of the State if they desire not to have the distribution themselves?

Mr. KAHN. That can be done.

Mr. TILSON. Will the gentleman yield?

Mr. KAHN. I will be glad to.

Mr. TILSON. I would like to ask the gentleman if it was intentional or an oversight that the Resident Commissioners of Porto Rico and the Philippine Islands are not included?

Mr. KAHN. It was not an oversight. The War Department recommended this legislation and made no provision for them, and I assume that they have some extra pieces which they intend to send to those two possessions.

Mr. TILSON. I notice in the gentleman's report he speaks of 75s; is that a misprint for 77s?

Mr. KAHN. That is what the War Department sent down to me. Probably most of them are 77s; and yet, the Germans themselves captured a good many 75s and then bored them so that they were 77s. They were really 75s. I do not know how that matter came about, but I took the figures that the War Department sent.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DAVIS of Tennessee. Does the bill provide for the distribution of all the artillery available for distribution?

Mr. KAHN. Not only artillery, but machine guns, rifles, bayonets, scabbards, knapsacks, and dozens of other war relics.

Mr. DAVIS of Tennessee. As a matter of fact, there are not enough to give one fieldpiece to each congressional district, are there?

Mr. KAHN. I think there are enough to give two or three to each congressional district. There are 2,195 of these fieldpieces. There are only 435 congressional districts—and then the Senators will come in on the distribution.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. KAHN. I will.

Mr. TAYLOR of Colorado. What arrangement is there between the Senate and the House as to the distribution?

Mr. KAHN. There is no arrangement.

Mr. TAYLOR of Colorado. How soon will this material be available for distribution?

Mr. KAHN. It is available now. I believe it is stored over in New Jersey.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DYER. The gentleman, I am sure, did not include Porto Rico through an oversight.

Mr. KAHN. No; I just answered that question. I took the figures and the bill that the War Department sent down here, and assume that the War Department has some extra pieces which they propose to send to the Philippines and Porto Rico.

Mr. DAVILA. Will the gentleman yield?

Mr. KAHN. I will yield to the gentleman from Porto Rico.

Mr. DAVILA. I am not sure that the Territory of Hawaii is included in this provision. Porto Rico should have been included, and the Secretary of War given discretion in the distribution. If there is any discrimination, I think it should not be made in the matter of Porto Rico.

I want to remind the Members of the House that Porto Rico was loyal and did her part in the Great War as well as other portions of the United States. I think an amendment should be adopted giving Porto Rico a part of this distribution.

Mr. KAHN. I will say that the Philippine Islands were also very loyal during the war. The Porto Rico Regiment went down to Panama and served there faithfully during the war. They allowed us to withdraw our Regulars from the Canal Zone by their patriotism. They gave splendid service; but, of course, this bill refers to the Territories and the States, but the insular possessions are not referred to.

Mr. HULL of Iowa. They are referred to in the report, and they will get their proportion of the distribution.

Mr. KAHN. I think there will be no difficulty about that; they will get it directly from the War Department.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. I will.

Mr. BRIGGS. The bill provides that they shall be apportioned according to the number of troops. Have the adjutants general completed the records yet?

Mr. KAHN. Yes.

Mr. BRIGGS. Were compiled by The Adjutant General, and he has not yet completed those records, as I understand it.

Mr. KAHN. I think the gentleman will find them on the first and second pages of the report. They are all complete and apportionment has been made on those figures.

Mr. OGDEN. Mr. Speaker, will the reduction in the appropriation from $1,000,000 to $100,000 retard the distribution?

Mr. KAHN. I do not believe it will. Originally the bill intended to spread them out everywhere. Now we only send them to a central point in every State.

Mr. HUDSPETH. Mr. Speaker, the gentleman has explained that the congressional delegations should distribute these guns; but if, for instance, I wanted for my district all cannon and my neighbor Mr. BEE should also make the request, who would be the arbitrator as between us?

Mr. KAHN. I think it would be the duty of the gentleman as a Representative to explain to the people of his district that this is property that ought to be distributed evenly.

Mr. HUDSPETH. I do not think the gentleman catches my point. If we had a disagreement, if there was a disagreement between Congressmen, who would be the arbitrator—the Secretary of War?

Mr. KAHN. I think so.

Mr. HUDSPETH. That is the question that I was trying to get at.

Mr. KAHN. I think he has the right to make regulations. The report on the bill is as follows:

[House Report No. 979, Sixty-sixth Congress, second session.]

DISTRIBUTION OF WAR DEVICES AND TROPHIES.

Mr. KAHN, from the Committee on Military Affairs, submitted the following report to accompany S. 643:

The Committee on Military Affairs, to whom was referred the bill (S. 643) to provide for the equitable distribution of war devices and trophies to the States and Territories of the United States and to the District of Columbia, has had the bill under consideration and reports the same to the House with the recommendation that it do pass with the following amendments:

On page 1, line 13, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"SEC. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State delegations in Congress from each State; in the case of the several Territories through the Delegate to Congress from each Territory; and in the District of Columbia through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 3, lines 15 and 16, strike out the words "United States" wherever they appear on said lines.

On page 4, line 4, after the word "to," insert the word "a."

On line 5 strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On line 6 strike out the words "counties thereof."

On line 7, after the word "expenses," insert the words "of final delivery."

On line 17 strike out the figures "$1,000,000" and insert the figures "$100,000" in lieu thereof.

It is the intention of this legislation to give authority to the War Department to distribute the field guns, howitzers, and trench mortars, as well as the machine guns and other material captured by or surrendered to the American Army in the war with Germany, to the various States, Territories, and the District of Columbia in proportion to the total number of troops furnished by each during the World War between April 7, 1917, and November 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards. There are also a considerable number of rifles, machine guns, and other matériel that can be distributed.

The bill as passed by the Senate provided that the distribution shall be made through the governor or chief executive of each State of the several States and Territories. Your committee recommends that the distribution shall be made through the Senators and Representatives comprising the State delegations in Congress from each State, from the several Territories by the Delegate to Congress from each Territory, and in the District of Columbia through the Board of Commissioners of the District of Columbia.

The Secretary of War is also authorized and empowered to make all rules and regulations to carry the act into effect.

The following letter of the Secretary of War explains the attitude of the War Department upon the legislation:

WAR DEPARTMENT,
Washington, March 12, 1920.

The CHAIRMAN MILITARY AFFAIRS COMMITTEE,
House of Representatives, Washington, D. C.

MY DEAR MR. KAHN: There was forwarded to you on March 9 a confidential statistical report (Special Report No. 144) showing the amount of captured enemy matériel now on hand in this country and the allocation of the matériel as provided by the Wadsworth bill (S. 643).

* * * * * * *

I wish to urge that the bill as now written be passed. It is the opinion of the War Department that the distribution by the War Department and the allocation and distribution after arriving in each State by the governor thereof is simplified as provided for in the bill.

I beg further to inform you that the War Department is ready to distribute the matériel, as provided for in the Wadsworth bill, as soon as funds are made available.

The War Department will be pleased to furnish you any other information you may desire on this subject.

Very truly, yours,
NEWTON D. BAKER,
Secretary of War.

The following is a list showing the total number of troops furnished by each State and Territory during the war:

Total troops furnished by each State and Territory during the war, Apr. 7, 1917, to Nov. 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards.

State.	Total troops.	Per cent of total.
New York	493,892	10.37
Pennsylvania	370,961	7.79
Illinois	320,228	6.72
Ohio	243,548	5.11
Texas	198,228	4.16
Massachusetts	193,415	4.06
Michigan	168,131	3.53
Missouri	163,700	3.44

Total troops furnished by each State and Territory, etc.—Continued.

State.	Total troops.	Per cent of total.
California	154,930	3.26
New Jersey	138,691	2.91
Indiana	130,670	2.74
Minnesota	123,325	2.59
Wisconsin	122,215	2.56
Iowa	119,792	2.51
Georgia	102,786	2.16
Oklahoma	95,100	2.00
Virginia	93,499	1.96
Kentucky	91,821	1.93
Tennessee	91,386	1.92
North Carolina	88,168	1.85
Alabama	86,916	1.82
Louisiana	80,834	1.70
Kansas	78,733	1.65
Arkansas	71,862	1.51
Connecticut	67,092	1.41
West Virginia	65,127	1.37
Mississippi	64,758	1.36
South Carolina	64,739	1.35
Washington	63,775	1.34
Maryland	61,839	1.30
Nebraska	59,287	1.24
Colorado	44,802	.94
Montana	44,048	.92
Florida	42,301	.89
Oregon	41,671	.87
South Dakota	34,662	.73
Maine	31,887	.67
North Dakota	30,033	.63
Rhode Island	26,468	.56
District of Columbia	24,853	.52
Idaho	23,571	.49
Utah	22,571	.47
Porto Rico	18,477	.39
New Hampshire	18,404	.39
New Mexico	15,162	.32
Arizona	13,377	.28
Wyoming	13,209	.28
Vermont	11,923	.25
Delaware	9,379	.20
Hawaii	6,557	.14
Philippine Islands	6,535	.14
Nevada	5,972	.12
No residence	3,834	.08
Alaska	2,381	.05
Samoa	2,211	.044
Guam	262	.005
Virgin Islands	67	.001
Total	4,764,071	

The following is a list of the field guns, howitzers, trench mortars, and other war material to be distributed and the number of each class of materials apportioned to the various States, etc.:

Distribution of artillery and trench mortars, by States.

	Guns and howitzers.									Trench mortars.				Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	210 mm.	4.2 in.	76 mm.	170 mm.	240 mm.	245 mm.		
Alabama	7			8			8	3		8	3		3	40	73
Alaska	1													1	2
Arizona	1		1	1			1			1		1		6	11
Arkansas	6		1	7			6	2		6	2		3	33	60
California	13		1	14	1		14	5		14	5		5	72	130
Colorado	4	1		4			4	1		4	1	1	1	21	38
Connecticut	6			6	1		6	2		6	2		2	31	56
Delaware	1			1			1			1				4	8
District of Columbia	2			2			2	1		2	1		1	11	21
Florida	4			4	1		4	1		4	1		1	20	35
Georgia	9			10			9	3		9	3		4	47	86
Idaho	2			2			2	1		2	1		1	11	20
Illinois	27			30	2	2	29	10		28	9		11	148	269
Indiana	11			12			12	4		11	4	1	5	60	110
Iowa	10			11			11	4		11	4		4	55	101
Kansas	7			7			7	2		7	2	1	3	36	66
Kentucky	8			9			8	3		8	3		3	42	77
Louisiana	7			8			7	2		7	2	1	3	37	68
Maine	3			3			3	1		3	1		1	15	27
Maryland	5			6	1		6	2		5	2		2	29	52
Massachusetts	16			18		2	17	6		17	6		7	89	162
Michigan	14			16	1		15	5		15	5	1	6	78	141
Minnesota	10			12			11	4		11	4	1	4	57	103
Mississippi	5			6			6	2		6	2	1	2	30	54
Missouri	14			15		1	15	5		14	5	1	6	76	137
Montana	4			4			4	1		4	1		2	20	37
Nebraska	5			6			5	2		5	2		2	27	50
Nevada				1			1			1				3	5
New Hampshire	1			1			2	1		1	1		1	8	15
New Jersey	13			14			12	4		12	4		5	64	116
New Mexico	1			1		1	1			2		1		7	13
New York	41	4		49			44	15		43	15		17	228	423
North Carolina	7			8		1	8	3		8	3		3	41	74
North Dakota	3			3			2	1		3	1		1	14	25
Ohio	20			23		2	23	7		21	7		9	112	204
Oklahoma	8			9		1	9	3		8	3		3	44	80
Oregon	3	1		4			4	1		4	1		1	19	35
Pennsylvania	31	3		35			33	11	1	33	11		13	171	311
Rhode Island	2			2			2	1	1	2	1		1	12	22

Distribution of artillery and trench mortars, by States—Continued.

	Guns and howitzers.								Trench mortars.				Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	210 mm.	4.2 in.	76 mm.	170 mm.	240 mm.	245 mm.		
South Carolina	5	.....	.....	6	.....	.....	6	2	1	6	2	.....	2	30	54
South Dakota	3	.....	.....	3	.....	.....	3	1	1	3	1	.....	1	16	29
Tennessee	8	.....	.....	9	.....	.....	8	3	.....	8	3	.....	3	42	76
Texas	17	.....	.....	19	.....	.....	18	6	2	17	6	.....	7	92	166
Utah	2	.....	.....	2	.....	.....	2	1	.....	2	.....	.....	1	10	19
Vermont	1	.....	.....	1	.....	.....	1	.....	2	1	.....	.....	.....	6	10
Virginia	8	.....	.....	9	.....	.....	8	3	1	8	3	.....	3	43	78
Washington	5	.....	.....	6	.....	.....	6	2	.....	6	2	.....	2	29	53
West Virginia	5	.....	.....	6	.....	.....	6	2	1	6	2	.....	2	30	55
Wisconsin	10	1	.....	11	.....	.....	10	4	1	11	4	.....	4	56	103
Wyoming	1	.....	.....	1	.....	.....	1	.....	2	1	.....	.....	.....	6	11
Guam	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Hawaii	1	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	3	5
Philippine Islands	1	.....	.....	1	.....	.....	1	.....	.....	.....	.....	.....	.....	3	5
Samoa	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	2
Virgin Islands	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Porto Rico	2	.....	.....	2	.....	.....	2	1	.....	2	.....	.....	.....	9	15
Total	404	10	3	449	7	10	427	144	13	418	141	10	161	2, 197	4,000

Distribution of artillery and trench mortars, by caliber.

[Artillery issued to the service is for technical use and for the National Museum. In addition to items shown, 1 German tank, 4 German tractors, 43 German motor trucks, and 347 airplanes have been issued to the service. There are included in the artillery issued to the service 51 pieces of artillery sold to the Navy. In addition to the 3,242 pieces of artillery received there are 51 pieces of calibers 7, 62, 77, 120, 155, 210 mm. and 4.2, 6, and 8 inch awaiting decision as to ownership, as they were originally allied pieces captured by the enemy and then later taken by the United States Army.]

	For issue to States.	Issued to service.	Retained by Ordnance Department.	Total.	Per cent for States.	Per cent issued to service.	Per cent retained by Ordnance department.
245 mm. tractor mortar	161	7	2	170	95	4	.....
76 mm. tractor mortar	418	32	2	452	93	7	.....
170 mm. tractor mortar	141	13	2	156	91	8	.....
120 mm. gun	7	1	.....	8	88	12	.....
150 mm. gun	427	43	29	499	85	9	6
77 mm. gun	404	71	12	487	83	15	.....
210 mm. gun	144	20	23	187	77	11	12
4.2-inch gun	13	.....	10	23	57	.....	43
135 mm. gun	10	2	7	19	53	10	37
240 mm. tractor mortar	10	8	2	20	50	40	10
88 mm. gun	10	2	13	25	40	8	52
105 mm. gun	449	51	651	1,151	39	4	57
100 mm. gun	3	2	4	9	33	22	45
Total guns	2,197	252	757	[1] 3,206	.....	.....	.....
Vehicles	4,000	.....	550	4,550	.....	.....	.....

[1] In addition, 36 guns are being held to furnish missing parts on guns allocated to States.

Distribution of small articles, by States.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, mussette, paper.
Alabama	1,260	142	894	40	22	191	92	9	10	136
Alaska	35	5	25	1	1	5	3	1	1	4
Arizona	197	28	138	6	3	30	14	2	2	21
Arkansas	1,050	151	739	33	17	158	76	8	9	113
California	2,272	325	1,593	71	37	341	163	17	18	243
Colorado	654	94	461	21	11	99	47	5	5	70
Connecticut	983	141	690	31	16	148	71	7	8	105
Delaware	138	20	97	4	3	21	10	1	1	15
District of Columbia	353	52	256	11	6	55	26	3	3	39
Florida	621	89	435	20	11	93	45	5	5	65
Georgia	1,523	216	1,057	40	25	226	108	11	12	161
Idaho	346	50	243	11	6	52	25	3	3	37
Illinois	4,722	672	3,294	148	77	726	337	34	38	501
Indiana	1,920	274	1,344	60	31	288	138	14	15	205
Iowa	1,760	252	1,232	55	29	264	126	13	14	188
Kansas	1,155	165	820	36	19	173	83	9	8	124
Kentucky	1,348	192	944	42	22	202	97	10	10	144
Louisiana	1,187	169	832	37	19	178	85	9	9	128
Maine	468	67	328	15	8	70	34	4	4	50
Maryland	908	129	636	29	15	136	65	7	7	97
Massachusetts	2,890	416	1,989	89	47	426	252	21	23	304
Michigan	2,466	352	1,729	78	40	370	177	19	20	264
Minnesota	1,810	259	1,269	57	30	272	130	14	15	193
Mississippi	950	136	666	30	16	143	68	7	8	102
Missouri	2,402	343	1,684	76	39	360	172	18	19	257
Montana	644	93	453	20	11	97	46	5	5	69
Nebraska	871	125	620	27	14	130	62	7	7	93
Nevada	87	12	61	3	1	13	6	1	1	9

Distribution of small articles, by States—Continued.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, mussette, paper.
New Hampshire	270	38	189	8	4	40	19	2	2	29
New Jersey	2,035	291	1,426	64	33	305	146	15	16	218
New Mexico	222	31	156	7	4	33	16	2	2	24
New York	7,300	1,046	5,080	238	119	1,087	510	55	59	768
North Carolina	1,295	185	907	41	21	194	93	10	10	138
North Dakota	441	63	309	14	7	66	32	3	4	47
Ohio	3,585	521	2,515	113	59	536	256	27	29	381
Oklahoma	1,397	200	963	44	20	209	100	11	11	149
Oregon	611	87	429	19	10	92	44	5	5	65
Pennsylvania	5,452	789	3,826	171	89	814	359	41	44	576
Rhode Island	389	57	272	12	6	58	28	3	3	42
South Carolina	950	136	666	30	16	143	68	7	8	102
South Dakota	510	73	357	16	8	76	37	4	4	54
Tennessee	1,343	192	940	42	22	201	96	10	11	143
Texas	2,910	417	2,049	91	48	436	209	22	24	311
Utah	342	48	232	10	5	50	24	3	3	36
Vermont	175	25	123	5	3	26	13	1	1	19
Virginia	1,374	197	962	43	23	206	99	10	11	147
Washington	933	134	656	29	15	140	67	7	8	124
West Virginia	956	137	670	30	16	144	69	7	8	102
Wisconsin	1,795	257	1,257	56	29	269	129	15	15	192
Wyoming	194	28	136	6	3	29	14	1	2	21
Guam	4	5	2	1	1	1	1	1	1	1
Hawaii	97	14	68	3	2	14	7	1	1	10
Philippine Islands	96	14	67	3	2	14	7	1	1	10
Porto Rico	271	39	190	8	4	41	19	2	2	29
Samoa	32	5	23	1	1	5	2	1	1	3
Virgin Islands	1	2	1	1	1	1	1	1	1	1
Total	70,000	10,000	49,000	2,197	1,147	10,497	5,023	531	567	7,479

	Bits, assorted.	Boxes, machine-gun belt.	Breeching, horse, paper.	Buckles and hooks, belt.	Cans, small round tin.	Cans, machine-gun water.	Canteens, assorted.	Carriers, assorted.	Cases, assorted.	Cases.
Alabama	48	52	16	2,043	14	102	169	5	8	132
Alaska	1	1	1	81	1	3	5	1	1	4
Arizona	7	8	3	469	2	17	26	1	1	20
Arkansas	42	43	13	1,515	11	93	141	4	7	109
California	85	93	29	1,423	24	202	301	8	15	235
Colorado	25	27	8	1,569	7	58	87	2	4	68
Connecticut	37	40	12	1,348	11	92	131	3	7	115
Delaware	5	6	2	329	2	12	18	1	1	14
District of Columbia	14	15	5	871	4	32	48	1	2	38
Florida	23	25	8	1,482	7	55	82	2	4	64
Georgia	56	68	19	1,599	16	134	200	6	10	156
Idaho	13	14	4	867	4	31	46	1	2	36
Illinois	175	193	59	10,219	50	417	623	17	31	486
Indiana	72	79	24	3,573	20	170	254	5	13	198
Iowa	66	72	22	3,196	16	156	233	5	12	182
Kansas	43	47	14	1,758	12	103	153	4	8	120
Kentucky	50	55	17	3,115	14	120	179	5	9	139
Louisiana	44	49	15	2,731	13	105	157	4	8	123
Maine	18	19	6	1,015	5	42	65	2	3	48
Maryland	34	37	11	2,066	10	81	127	3	6	94
Massachusetts	106	116	36	6,670	30	252	377	11	19	294
Michigan	92	101	31	5,783	26	219	327	9	16	255
Minnesota	68	74	23	4,211	20	161	240	5	12	187
Mississippi	35	39	12	2,270	10	84	126	4	6	98
Missouri	90	98	30	5,629	25	213	319	9	16	241
Montana	24	27	8	1,443	7	57	86	2	4	61
Nebraska	32	36	11	2,050	9	77	115	3	6	90
Nevada	3	4	1	2,015	1	8	12	1	1	9
New Hampshire	10	11	3	639	3	24	36	1	2	28
New Jersey	76	83	25	4,816	22	181	270	8	14	210
New Mexico	8	9	3	5,188	2	19	29	1	1	23
New York	271	297	91	17,290	77	642	961	27	48	750
North Carolina	48	53	16	3,078	14	115	172	5	9	134
North Dakota	16	18	6	1,051	5	39	58	2	3	46
Ohio	133	146	45	8,516	38	317	472	13	24	369
Oklahoma	51	57	17	3,320	15	124	185	5	9	144
Oregon	23	25	8	1,455	7	54	81	2	4	63
Pennsylvania	203	223	68	12,991	58	493	721	20	36	563
Rhode Island	15	16	5	927	4	35	52	1	3	40
South Carolina	35	39	12	2,266	10	84	126	4	6	98
South Dakota	19	21	6	1,215	5	45	68	2	3	53
Tennessee	50	55	17	3,200	14	119	178	5	9	139
Texas	109	119	36	6,938	31	258	386	11	19	301
Utah	12	14	4	791	4	29	44	1	2	34
Vermont	7	7	2	4,080	2	16	23	1	1	18
Virginia	51	56	17	3,275	15	122	182	5	9	142
Washington	35	38	12	2,236	10	83	124	3	6	97
West Virginia	36	39	12	2,290	10	85	127	4	6	99
Wisconsin	67	73	22	4,278	19	159	238	7	12	185
Wyoming	7	8	2	462	2	17	25	1	1	20
Guam	1	1	1	8	1	1	1	1	1	1
Hawaii	4	4	1	231	1	9	13	1	1	10
Philippine Islands	4	4	1	223	1	9	13	1	1	10
Porto Rico	10	11	3	644	3	24	36	1	2	28
Samoa	1	1	1	75	1	3	4	1	1	3
Virgin Islands	1	1	1	2	1	1	1	1	1	1
Total	2,611	2,867	877	162,835	746	6,208	9,273	259	466	7,238

Distribution of small articles, by States—Continued.

	Chevrons, medical.	Containers, food, assorted.	Covers, assorted.	Fillers, grain sack.	Forks and spoons, folding.	Grenade throwers.	Halters, assorted.	Helmets, assorted.	Helmets, ornamental, eagle.	Kits, machine-gun repair.
Alabama	42	251	38	46	12	27	109	218	132	5
Alaska	1	7	1	1	1	1	3	6	4	1
Arizona	8	39	6	7	2	4	17	34	20	1
Arkansas	35	219	32	38	10	22	90	180	122	4
California	75	450	68	81	22	48	194	388	235	6
Colorado	22	130	20	23	6	14	56	112	68	3
Connecticut	32	195	30	35	9	21	84	168	102	4
Delaware	5	27	4	5	1	3	12	24	14	1
District of Columbia	12	72	11	13	3	8	31	62	38	1
Florida	21	123	19	22	6	13	53	106	64	2
Georgia	49	299	45	54	14	32	129	258	156	3
Idaho	12	69	10	12	3	7	30	59	36	1
Illinois	154	940	141	168	45	99	400	800	485	18
Indiana	63	380	58	60	18	41	164	328	198	7
Iowa	58	348	53	63	17	37	150	300	182	7
Kansas	38	229	35	41	10	24	99	198	120	5
Kentucky	44	267	43	48	13	28	115	230	139	5
Louisiana	39	235	36	42	11	25	102	203	123	5
Maine	16	93	14	17	4	10	40	80	48	2
Maryland	30	190	27	35	9	19	78	155	94	4
Massachusetts	93	561	85	101	27	62	243	485	294	11
Michigan	81	484	74	88	23	52	211	435	255	10
Minnesota	59	368	55	65	17	38	155	309	187	7
Mississippi	31	188	29	34	9	20	81	162	98	4
Missouri	79	476	72	86	23	50	205	410	248	9
Montana	21	128	19	23	6	14	55	120	67	3
Nebraska	28	182	26	31	8	18	74	148	90	3
Nevada	3	17	3	3	1	2	7	15	9	1
New Hampshire	9	53	8	10	3	6	23	46	28	1
New Jersey	67	401	61	73	19	43	173	347	210	8
New Mexico	7	44	7	8	2	5	19	38	23	1
New York	238	1,435	218	258	69	153	620	1,238	749	28
North Carolina	42	265	39	46	12	27	111	221	134	5
North Dakota	14	87	13	16	4	9	38	75	46	2
Ohio	117	707	108	128	34	75	306	610	369	14
Oklahoma	46	276	42	50	13	30	132	239	144	5
Oregon	20	121	18	22	6	13	52	101	63	2
Pennsylvania	179	1,078	164	194	52	115	466	931	562	21
Rhode Island	13	77	12	14	4	8	33	66	40	2
South Carolina	31	188	29	34	9	20	81	162	98	4
South Dakota	17	101	15	18	5	11	44	87	53	2
Tennessee	44	266	40	48	13	28	115	229	139	5
Texas	95	576	88	104	28	61	259	497	301	11
Utah	11	66	10	12	3	7	38	56	34	1
Vermont	6	35	5	6	2	4	15	30	18	1
Virginia	45	272	41	49	13	29	117	234	142	5
Washington	31	185	28	37	9	20	80	160	97	4
West Virginia	31	189	29	38	9	20	81	163	99	4
Wisconsin	59	355	54	64	17	38	153	306	185	7
Wyoming	6	38	6	7	2	4	17	33	20	1
Guam	1	1	1	1	1	1	1	1	1	1
Hawaii	3	2	3	3	1	2	8	16	10	1
Philippine Islands	3	2	3	3	1	2	8	16	10	1
Porto Rico	9	54	8	10	3	6	23	46	28	1
Samoa	1	6	1	1	1	1	3	6	1	1
Virgin Islands	1	1	1	1	1	1	1	1	1	1
Total	2,297	13,848	2,106	2,497	666	1,478	5,984	11,951	7,235	273

	Knapsack, fur covered.	Knapsack, plain.	Knots, saber, assorted.	Lances, Uhlan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
Alabama	125	88	1,753	11	31	4,560	5	12	8	13
Alaska	3	2	48	1	2	125	1	1	1	1
Arizona	19	14	270	2	5	702	1	2	1	2
Arkansas	103	73	1,450	9	25	3,770	4	10	7	10
California	221	158	3,125	19	53	8,130	9	20	14	23
Colorado	64	46	935	6	15	2,350	3	6	4	7
Connecticut	96	68	1,353	8	23	3,520	4	9	6	10
Delaware	13	10	189	1	4	493	1	1	1	1
District of Columbia	35	25	521	3	9	1,305	2	3	2	4
Florida	61	43	853	5	15	2,220	3	6	4	6
Georgia	146	105	2,072	13	35	5,395	6	10	9	15
Idaho	34	24	476	3	8	1,238	2	3	2	3
Illinois	456	326	6,459	40	112	16,805	20	43	31	47
Indiana	186	133	2,636	16	45	6,858	8	15	12	17
Iowa	171	122	2,416	15	42	6,287	7	16	11	15
Kansas	112	80	1,588	10	27	4,133	5	11	7	11
Kentucky	132	94	1,852	11	32	4,817	5	12	8	13
Louisiana	115	82	1,631	10	28	4,243	5	11	7	12
Maine	45	32	643	4	12	1,673	2	4	3	5
Maryland	88	63	1,247	8	22	3,245	4	8	6	9
Massachusetts	275	197	3,900	24	67	10,150	13	25	18	26
Michigan	239	171	3,397	21	58	8,822	11	20	16	25
Minnesota	176	126	2,488	15	43	6,475	7	15	11	10
Mississippi	92	66	1,306	8	22	3,397	4	9	6	9
Missouri	234	167	3,320	20	56	8,590	11	20	15	22
Montana	63	45	889	6	15	2,312	3	6	4	6
Nebraska	85	60	1,195	7	20	3,110	4	8	5	9
Nevada	8	6	120	1	2	313	1	1	1	1
New Hampshire	26	19	370	2	6	965	1	2	2	3

Distribution of small articles, by States—Continued.

	Knapsack, fur covered.	Knapsack, plain.	Knots, saber, assorted.	Lances, Uhlan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
New Jersey	198	144	2,798	17	48	7,277	9	17	13	20
New Mexico	22	15	306	2	5	795	10	18	14	20
New York	702	506	9,960	62	170	25,917	33	61	43	72
North Carolina	125	90	1,778	11	30	4,627	6	12	8	13
North Dakota	43	31	625	4	10	1,575	2	4	3	4
Ohio	346	248	4,910	30	84	12,780	16	33	20	34
Oklahoma	135	100	1,918	12	33	4,990	6	13	9	14
Oregon	59	42	841	5	14	2,188	3	6	4	6
Pennsylvania	528	378	7,480	46	128	19,467	25	50	35	54
Rhode Island	38	27	534	3	9	1,390	2	4	2	4
South Carolina	92	66	1,306	8	22	3,397	4	9	5	9
South Dakota	49	35	700	4	12	1,820	2	5	3	5
Tennessee	130	93	1,843	11	32	4,795	6	10	7	13
Texas	282	202	4,095	25	68	10,402	12	26	18	27
Utah	32	23	455	3	8	1,185	2	3	2	3
Vermont	17	12	240	1	4	625	1	2	1	2
Virginia	133	95	1,855	12	32	4,907	5	12	9	14
Washington	91	65	1,286	8	22	3,347	4	9	6	9
West Virginia	93	66	1,314	8	22	3,417	4	9	6	9
Wisconsin	174	124	2,464	15	41	6,412	7	16	6	18
Wyoming	19	13	256	2	5	693	1	2	1	2
Guam	1	1	5	1	1	13	1	1	1	1
Hawaii	9	7	133	1	2	345	1	1	1	1
Philippine Islands	9	7	132	1	2	343	1	1	1	1
Porto Rico	26	19	373	2	6	970	1	2	2	3
Samoa	3	2	44	1	1	115	1	1	1	1
Virgin Islands	1	1	1	1	1	3	1	1	1	1
Total	6,780	4,857	96,154	595	1,646	249,798	318	637	444	695

	Stirrups, assorted.	Surcingles.	Torches, blow.	Traces, harness, assorted.	Trimming for helmets.	Empty shells, 150 mm.	Empty shells, 170 mm.	Brass cartridge cases.
Alabama	96	8	10	12	130	371	747	100
Alaska	3	1	1	1	4	10	20	3
Arizona	15	1	2	2	20	57	115	15
Arkansas	79	6	9	10	108	307	618	83
California	171	13	19	22	232	662	1,332	170
Colorado	49	4	5	6	67	191	385	52
Connecticut	74	6	8	10	100	287	577	77
Delaware	10	1	1	1	26	40	81	11
District of Columbia	27	2	3	4	37	106	214	29
Florida	47	4	5	6	63	181	364	49
Georgia	103	9	12	15	154	439	884	110
Idaho	26	2	3	3	35	101	203	27
Illinois	350	28	38	46	479	1,367	2,753	370
Indiana	144	11	16	19	195	558	1,124	151
Iowa	132	10	10	17	179	512	1,030	138
Kansas	87	7	9	11	118	336	677	91
Kentucky	101	8	11	10	137	392	790	106
Louisiana	89	7	10	12	131	348	695	93
Maine	35	3	4	5	48	136	306	37
Maryland	68	5	7	9	93	264	532	71
Massachusetts	213	17	23	28	290	826	1,762	223
Michigan	185	15	20	24	251	718	1,445	194
Minnesota	136	11	15	18	185	527	1,060	142
Mississippi	71	6	8	9	97	276	607	75
Missouri	180	14	20	23	245	700	1,407	189
Montana	49	4	5	6	66	188	379	51
Nebraska	65	5	7	8	89	253	510	68
Nevada	7	1	1	1	9	25	51	7
New Hampshire	20	2	2	3	28	78	158	21
New Jersey	153	12	17	20	207	593	1,192	160
New Mexico	167	1	2	2	23	65	130	17
New York	543	43	59	71	739	2,134	4,345	570
North Carolina	97	8	11	13	132	377	500	102
North Dakota	33	3	4	4	45	128	258	35
Ohio	268	21	29	35	364	1,040	2,090	281
Oklahoma	105	8	11	14	142	406	818	110
Oregon	46	4	5	6	62	178	359	48
Pennsylvania	409	32	44	53	555	1,585	3,190	429
Rhode Island	29	2	3	4	40	113	228	31
South Carolina	71	6	8	9	97	276	557	75
South Dakota	38	3	4	5	52	148	298	40
Tennessee	101	8	11	13	127	390	783	105
Texas	218	17	24	28	296	846	1,705	229
Utah	25	2	3	3	34	96	194	26
Vermont	13	1	1	2	18	51	102	14
Virginia	103	8	11	13	140	400	854	106
Washington	70	6	8	9	95	272	549	74
West Virginia	72	6	8	9	97	278	560	75
Wisconsin	135	11	15	17	183	522	1,050	141
Wyoming	15	1	2	2	20	56	113	15
Guam	1	1	1	1	1	1	2	1
Hawaii	7	1	1	1	10	28	57	8
Philippine Islands	7	1	1	1	10	28	56	8
Porto Rico	20	2	2	3	28	79	159	21
Samoa	2	1	1	1	3	9	19	25
Virgin Islands	1	1	1	1	1	1	1	1
Total	5,381	421	571	681	7,137	20,356	40,995	5,500

Distribution of small articles, by items.

	For issue to States.	Issued to service.	Total available for issue.	Per cent for States.	Per cent issued to service.
Carriers, assorted	259		259	100	
Cases, assorted	466		466	100	
Covers, assorted	2,106		2,106	100	
Surcingle	421		421	100	
150-mm. empty shells	20,356		20,356	100	
170-mm. empty shells	40,995		40,995	100	
Knots, saber, assorted	96,154	200	96,354	99.8	
Bits, assorted	2,611	11	2,622	99.6	
Bags, large feed	5,023	23	5,046	99.5	
Brass cartridge cases	5,500	25	5,525	99.5	
Cans, small tin	746	6	752	99	
Bayonets and scabbards	49,000	500	49,500	99	
Bags, saddle, paper	531	5	536	99	
Bags, mussette, paper	7,479	50	7,529	99	
Breeching, horse, paper	877	7	884	99	
Stirrups, assorted	5,381	50	5,431	99	
Traces, harness, assorted	781	10	691	99	
Cases	7,238	100	7,338	99	
Containers, food, assorted	13,848	200	14,048	99	
Knapsacks, fur covered	6,780	150	6,930	98	
Machine guns	10,000	200	10,200	98	
Badges, wounded	10,497	250	10,747	98	
Bags, surplus kit, paper	567	10	577	98	
Canteens, assorted	9,273	200	9,473	98	
Fillers, grain sack	2,497	50	2,547	98	
Grenade throwers	1,478	25	1,503	98	
Halters, assorted	5,984	100	6,084	98	
Helmets, assorted	11,951	300	12,251	98	
Lances, Uhlans	595	10	605	98	
Ropes, picket	637	10	647	98	
Saws, flexible handled	444	10	454	98	
Spurs	695	10	705	98	
Torches, blow	571	10	581	98	
Knapsacks, plain	4,857	150	5,007	97	
Rifles	70,000	2,000	72,000	97	
Cans, machine gun, water	6,203	200	6,403	97	
Helmet, ornaments, eagle	7,235	200	7,435	97	
Lanterns, trench	1,646	50	1,696	97	
Plates, body, armor	318	10	326	97	
Chevrons, medical	2,297	100	2,397	96	4
Kits, machine gun, repair	273	10	283	96	4
Ornaments, helmet, side	249,798	10,000	259,798	96	4
Trimming, for helmets	7,137	300	7,437	96	4
Buckles and hooks, belt	162,835	10,000	172,835	94	6
Boxes, machine gun, belt	2,867	200	3,067	93	7
Arm insignia, assorted	2,197	250	2,447	90	10
Fork and spoon, folding	666	100	766	87	13
Badges, machine gun	1,147	250	1,397	82	18
Total	841,117	26,342	867,459	97	3

Mr. KAHN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

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

The question was taken; and on a division (demanded by Mr. CAMPBELL of Pennsylvania) there were—ayes 82, noes 22.

So the amendments were agreed to.

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

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

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

WOMAN'S BUREAU IN THE DEPARTMENT OF LABOR.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call from the Speaker's table the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the woman's bureau, with Senate amendments thereto, and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Kansas calls up a House bill (H. R. 13229), with Senate amendments thereto. The Clerk will report the Senate amendments.

The Clerk reported the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

Mr. GARD. Mr. Speaker, will the gentleman explain what the amendments are?

Mr. CAMPBELL of Kansas. The language in the bill as it passed the House was "shall make an investigation." The Senate amended that by inserting the words "shall be authorized to make" investigations. In the provisions about equipment the words "and so forth" are used, and those words were stricken out by the Senate. Those are the only two Senate amendments. I move to concur in the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

BONITA, LA.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a bill (S. 3244) to authorize the Secretary of the Interior to issue a patent to R. L. Credille, mayor of the village of Bonita, La., in trust for certain purposes, a similar House bill having been favorably reported from the Committee on the Public Lands.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to consider the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That upon payment to the United States of $1.25 per acre, the Secretary of the Interior be, and is hereby, authorized to issue patent to R. L. Credille, mayor of the village of Bonita, La., for the south half of the southwest quarter, section 5, township 22 north, range 8 east, Louisiana meridian, situated in Morehouse Parish, La., in trust for the use and benefit of the persons, estates, firms, or corporations now claiming said lands or parts thereof under or by virtue of titles derived from or through the State of Louisiana or its grantee, L. S. Neighbours, of which said lands the present claimants and their grantors have had the actual possession as owners by virtue of titles derived from said State and its grantee for more than 30 years: *Provided*, That application for the purchase of the said described tract of land under this authorization shall be filed at the United States land office at Baton Rouge, La., within 60 days from the passage and approval of this act.

The true intent of this act is hereby declared to be to concede and abandon all right, title, and interest of the United States to those persons, estates, firms, or corporations who would be the true and lawful owners of said lands or parts thereof under the laws of Louisiana, including the laws of prescription, in the absence of said interest, title, and estate of the United States.

The SPEAKER. Is there objection?

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

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, is this the same bill which was reached on the Unanimous Consent Calendar recently?

Mr. WILSON of Louisiana. No; this bill has never been called up. A similar House bill has been reported favorably by the Committee on the Public Lands.

Mr. LONGWORTH. Mr. Speaker, reserving the right to object, it occurs to me that the price is very low—$1.25 an acre. What sort of land is this?

Mr. WILSON of Louisiana. This is one of those swamp-land grants, and went to the State of Louisiana. These people purchased it and secured title from the State and have been in possession for more than 40 years, but the State's selection was held for rejection by the United States, and that is the cause of the legislation. There is a school and two churches on this particular land.

Mr. GARD. Mr. Speaker, reserving the right to object, I gather from the reading of the bill that this is a matter affording proper relief to persons who have been occupying land for 30 or 40 years.

Mr. WILSON of Louisiana. Yes; under a patent from the State of Louisiana.

Mr. GARD. These allotments must be filed within a certain time?

Mr. WILSON of Louisiana. Within 60 days of the passage of the bill.

Mr. GARD. Are the applications open, or are they restricted to persons who thought they had title.

Mr. WILSON of Louisiana. To those persons who thought they had title and to no one else.

Mr. GARD. And $1.25 is merely fixed by the department as a nominal price to protect these people in what they have always believed was their property.

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Owing to some difference in survey or some error it is necessary to correct it in this way?

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Is that the idea?

Mr. WILSON of Louisiana. The gentleman is exactly correct.

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

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

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

Mr. WILSON of Louisiana. Mr. Speaker, I ask that a House bill of similar tenor be laid on the table.

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

RELIEF OF WATER USERS' ASSOCIATION, GARDEN CITY, KANS.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3852 for consideration.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table the bill which the clerk will report.

The Clerk read as follows:

A bill (S. 3852) for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes.

Be it enacted, etc., That the contracts heretofore entered into between the Finney County Water Users' Association, of Finney County, Kans., or with individual landowners, and the Secretary of the Interior for the supply and use of water for the irrigation plant of the United States be, and the same are hereby, canceled and relieved; and the liens upon the lands in said county created by such contracts are hereby released and discharged.

SEC. 2. That the Secretary of the Interior shall make to Congress a statement of the expenditure connected with this reclamation project and the amount received from its sale.

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

Mr. STEVENSON. Mr. Speaker, I object.

Mr. TINCHER. Will the gentleman withhold his objection for a moment?

Mr. STEVENSON. I will reserve the right to object.

Mr. TINCHER. Mr. Speaker, I want to explain this to the gentleman and I do not believe he will object. There was one reclamation project where the Government undertook to produce water from wells, and that was at Garden City, Kans. There were 14,000 acres of land signed up in the contract for irrigation. They did not get the water and the Government has sold all its equipment, as shown in this report, and for the last three sessions of Congress the Senate has passed this bill releasing the lien of $37 an acre on the land, which is not worth exceeding $10 an acre. The Committee on Irrigation of the House has had a unanimous report in favor of this bill. Former Secretary Lane and the present Secretary have recommended its passage, and it simply operates to keep about 14,000 acres of land under a cloud as to title, and this is the only way of relieving it, and it does not do anyone any good. The reclamation was a failure, and it is the only occasion where they tried to bring the water out of wells.

Mr. STEVENSON. Who holds the lien to be released?

Mr. TINCHER. There was the usual reclamation contract. It is the only one where they did not get the water, so that the man signing the contract with the Government could get that for which he agreed to pay. There is a mortgage, I suppose you could call it, to the Government of $37 an acre on the land. If they had got the water like they did in other reclamation projects that land would be worth $200 an acre, but now the land is not worth exceeding $10 an acre because there is no way of irrigating it. It is arid land. I hope the gentleman will not object.

Mr. STEVENSON. I hate to interfere with a local matter, but I do not like to see at this time a Government lien being released without——

Mr. TINCHER. Every Secretary has recommended this bill.

Mr. STEVENSON. I will object. I will look into it and I may withdraw it.

Mr. TINCHER. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Kansas moves to suspend the rules and pass the bill. Is a second demanded?

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

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

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

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

The SPEAKER. The Chair will count.

Mr. GARD. Mr. Speaker, I do not desire to embarrass the business of the House; I will withdraw the point of no quorum if the gentleman can explain the bill to my satisfaction. I did not hear the explanation of the bill and I desire the gentleman to make one.

Mr. TINCHER. I want to say this is one of the reclamation projects, and the only one, where the Government tried to reclaim arid land by irrigation by digging wells, and that was at Garden City, Kans., some 18 or 19 years ago. There are 14,000 acres of land for which the man signing the usual reclamation contract agreed to pay $37 an acre on the land. It was the only reclamation project of which I am familiar where the Government failed to get water.

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

Mr. TINCHER. I have yielded to the gentleman from Ohio [Mr. GARD] and am answering his question.

Mr. McKEOWN. Is it not a fact that it is the only time the Government has failed to get water?

Mr. TINCHER. According to my understanding you are quite right. My understanding is that the Government decided or that the reclamation officers decided after this experiment not to try to get water for irrigation in that way through that whole section of country. Now, here was what happened: The Government has sold its plant. They had a plant there—machinery, and so forth—and the report here shows that they sold it under act of Congress passed by the Congress and there was no effort made to carry out the transaction. Two or three times the Secretary of the Interior has rather faltered as to whether or not he did not have the right to release this lien, and the Secretary has reported favorably on this bill to the Committee on Irrigation.

Mr. TAYLOR of Colorado. Will the gentleman yield for another question?

Mr. TINCHER. Yes; I will gladly yield.

Mr. TAYLOR of Colorado. Is it not true that the Government has been trying for a good many years to get rid of this project and give it away to the people there and get it off its hands?

Mr. TINCHER. By selling it. I think the report I just handed the gentleman will show the amount of cash the Government received.

Mr. SINNOTT. Will the gentleman yield for a question in the nature of a statement?

Mr. TINCHER. I will.

Mr. SINNOTT. Is it not true that the Government abandoned the project and abandoned the contract and is not furnishing the water for which the lien was made?

Mr. TINCHER. Absolutely. For many years the Government has not attempted to furnish any water to it; in fact, never furnished any water to speak of——

Mr. CALDWELL. Will the gentleman state how many years this bill has been on the calendar?

Mr. TINCHER. For several years, but it never was reached.

Mr. CALDWELL. Why was it not brought up before?

Mr. TINCHER. There was no objection to it. I am quite sure there was no objection to it. It passed the Senate, and so there is no political significance to the bill.

Mr. BLAND of Indiana. There was an arrangement with the Government for certain things to be done, but those things were not done, and therefore the obligation was not performed by the Government?

Mr. SINNOTT. For water to be delivered.

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I am familiar with the bill of the gentleman from Kansas and discussed the matter with him yesterday, and I have no objection to the bill. But I do want to say this: I do not feel—and I say it with some degree of reluctance, because of my personal regard for the gentleman—I do not feel that we ought to acquiesce in the suspension of the rules and pass private bills at this stage of the session. Now, there are upon the Private Calendar innumerable bills that have not been reached. The very philosophy of the rule that provides for suspension during the last six days of the session is to enable the House quickly and rapidly to do the business that it is essential to the country should be done. And it is a bad practice for the House to enter upon the suspension of the rules for passing a purely private bill. Numerous gentlemen—I have none myself—have private bills on the calendar. All the rest of the time—every minute of it from now until the gavel of the Speaker falls to-morrow afternoon—could be taken up in considering those private bills. I have made no objection to the gentleman getting the matter up by unanimous consent; but taking up the time by moving to suspend the rules, with always the possibility of the no-quorum point being made, seems to me is very bad practice, and I can not acquiesce in it.

Mr. TINCHER. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I agree with the gentleman who has just spoken, that ordinarily the rules should not be suspended, except in an extraordinary case, in the passage of a private bill. But this is not exactly or entirely a private bill. This is a bill affecting individuals, it is true. It is a bill involving a question of public policy and affecting the fortunes of about 100 farmers organized into a water users' association. From their standpoint it might be said that it is a private bill. On the other hand, it is a bill affecting a general matter of public policy.

Mr. GARRETT. Will the gentleman yield?

Mr. MONDELL. If the gentleman will first allow me to make an explanation.

Mr. GARRETT. I wanted to ask if it was not on the Private Calendar?

Mr. MONDELL. Well, we have curious rules in regard to the Private Calendar, under which some private bills go to the Union Calendar and some public bills go to the Private Calendar.

The situation is this: Irrigation, in the main, the world over, is by gravity, but in some parts of the world conditions are such as to make it possible to irrigate land by pumping water. After the national reclamation law passed, there was a general demand throughout the country that somewhere in the semiarid region we should make the experiment of irrigation by pumping. The experiment was tried at Garden City, Kans., in the semiarid zone, under conditions that were considered fairly representative and reasonably favorable. The experiment was a failure, as many expected that it would be.

But that experiment had to be tried somewhere in America. People would not have been satisfied until somewhere in that great zone we tried out the question as to whether or not you can pump water a reasonable distance, apply it to lands, grow the ordinary crops, and make it pay. Well, we found that at the price of farm products—at the average cost under ordinary conditions—it did not pay. We have made our experiment. We entered into a contract with a lot of farmers in making the experiment. We were never able to deliver to them an abundant amount of water, for one thing. We delivered it to them, when we did deliver it, under conditions under which they could not afford to use it. And the result is that the Government abandoned the project, sold the machinery, and we are left with a contract covering some hundred farms, laying them under obligations for the estimated cost of the enterprise. It is an experiment that failed. It is the one experiment under the reclamation law that has failed, except one small project, where we found the reservoir would not hold water.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLAND of Indiana. Does the gentleman know whether the $1.25 will pay the expense the Government put on the land?

Mr. MONDELL. I do not think there is any $1.25 involved here. This is a case where they were obligated to pay the cost of a project. The project has failed. The Government loses whatever its investment was. That is practically admitted by everybody, and you can not get away from it. We made an experiment that did not pan out. We had to try it out somewhere. We tried it out under conditions that were believed to be representative of a general region.

Now, there is no reason on earth why the Government should keep forever a lien on the farms of these farmers to whom we are not furnishing water, to whom we can not furnish water. We can not fulfill our part of the contract, and there is no reason why the contract should not be abrogated and the matter closed and forgotten. It is one of those things we have tried out in good faith, tried out properly; all that ought to have been done was done, and we have settled one question that had to be settled, and now we are straightening the matter out.

Mr. TAYLOR of Colorado. There is no reason why these farmers should pay the United States for the money it has lost in this unfortunate experiment, is there?

Mr. MONDELL. I do not think anybody would say they should.

Mr. TAYLOR of Colorado. The contract entered into between the Government and these farmers to deliver water to them has not been carried out at all?

Mr. MONDELL. It has not.

Mr. TAYLOR of Colorado. And so there is no reason why we should penalize these farmers for what the Government was unable to accomplish.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. CHINDBLOM. Do I understand correctly that this bill has passed the Senate in two former Congresses?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. And has not been reached in due course in the House simply because of the pressure of business?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. Would it not seem that when the matter has now reached the House and we have spent a few minutes upon it, and it is apparent that the Government is simply righting a wrong to these men, we ought to go through with it and pass it?

Mr. MONDELL. Well, I do not want to leave the matter without the statement being accurate and fair both to the Government and the men. The Government did no wrong. There is no wrong to be righted. Everybody, the farmers and the Government, did what was done in the best of faith, but it was not possible to carry out the enterprise. The Government has abandoned it, and now Congress is called upon to restore the original condition.

Mr. TAYLOR of Colorado. I do not want to be misunderstood. The wrong is in the lien attached to this property.

Mr. MONDELL. The wrong will result if we do not now, having abandoned the project, abandon the claim. [Cries of "Vote!"]

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

The SPEAKER. The gentleman from South Carolina is recognized for five minutes.

Mr. STEVENSON. Mr. Speaker, it is very unusual that I ever object to any of the unanimous-consent requests. I am satisfied now that I was right in objecting when this request was made; not that I desire in any way to deprive the gentleman from Kansas [Mr. TINCHER] of any of his rights, but because this involves, as I caught it, a release by the Government of a claim which it has on the property, about which, I think, we should have some clear and definite explanation; and I realized when I made the objection that he could make a motion to take it up and pass it under a suspension of the rules, and that if it was a good-enough measure to bring up here on the last day of the session, and under these extraordinary circumstances, it certainly is good enough to commend itself to two-thirds of the Members who are present.

Now, the gentleman from Wyoming [Mr. MONDELL] says that it is a determination of policy. That is another reason why I object to its being determined by unanimous consent. Whenever we go to determine the policy of the Government as to these projects, we ought to have full information and full discussion. For that reason I regret to have to inconvenience the gentleman from Kansas. I have to stand by my objection to his having unanimous consent.

There is another matter about this. These gentlemen say that these farmers are subject to a great hardship because they have a lien on that land; that the Government has not been able to carry out its contracts. Well, a failure of consideration certainly prevents the enforcement of the lien, and certainly the farmers are not suffering from the fact that the Government has a paper which recites that the lien will be enforced, when the Government fails to carry out the terms of the contract. If this measure does not pass to-day, the gentleman will have the opportunity next December, long before the end of the year, to get it up in the regular way and pass it.

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

Mr. STEVENSON. Yes.

Mr. TINCHER. The farmers of Kansas find that farming is a very uncertain business. Last year and the year before, in this very vicinity, there was a crop failure. They have a habit there of mortgaging their farms to "get by" until they can get another crop. That is one reason why I have had so many letters asking me to favor this measure.

Mr. STEVENSON. If they desire to mortgage their farms, and the Government will come along and fulfill its contract so as to furnish the water to these farms, which it contracted to do, and thereby make the lien a valid lien, then the lien will be a valuable paper; and if not, certainly the lien that the Government has is not enforceable until it has complied with the terms of the contract.

Mr. TINCHER. The Government has absolutely abandoned the proposition there, as I stated to the gentleman from Massachusetts.

Mr. STEVENSON. I am not questioning that. I am merely justifying my position and requiring an explanation before the bill passes. I think when we come here to ask that a Government lien be discharged there ought to be some discussion of it before we turn loose the claim of the Government.

Mr. HERSMAN. Does not that constitute a cloud on the title?

Mr. STEVENSON. It does. But if the Government does not go on and complete its contract that cloud will not amount to anything. The land will be very valuable if the Government completes its contract, and there will be no trouble about it.

Mr. GARD. Mr. Speaker, the complaint I have about this bill is not a complaint that would apply to the Garden City Water Users' Association but applies to the kind of legislation that we are bringing out here under the extraordinary rule of suspending all rules.

My own idea about legislation is that those who participate in it should have some ordinary opportunity of knowing what it is. As to this bill, I do not yet know what it is. I have tried vainly for the last 10 or 15 minutes to get a copy of it. It is not at the distribution desk. I have obtained but one copy of the report, and, so far as I am advised, I suspect that I have

as much information on this as the average Member of the House has. I know but little about this proposition. I do not think—and I say it in all seriousness—that we should enter upon the discussion under a suspension of the rules and consideration at a time when we can not amend a proposition about which there may be differences of opinion, about which there may be a propriety of amendment.

Now, this bill is one which can have for its purpose only the removal of what might be technically characterized as a cloud upon the title of this land. I gather from the reading of the report—and I regret that I have been unable to obtain the bill, and therefore do not understand it as well as I possibly should—that there has been no operation of this irrigation system for this Garden City Water Users' Association since 1909, I believe.

Mr. TINCHER. That is right.

Mr. GARD. How long was it in use?

Mr. TINCHER. It never was used, because they did not get the water.

Mr. GARD. The matter is one where, from the report, which is all I have, it would seem that this association was formed for the purpose of getting water by some process of pumping for irrigation, I presume, on these semiarid lands or dry lands in Kansas; that the Government invested a considerable sum of money and undoubtedly did the best it could for the farmers to establish this irrigation project, and because they did not get a sufficient supply of water the proposition failed, and thereafter from time to time, from 1909 to 1917, the different elements of the property, finally including the railroad tracks, were sold, so that there is not anything out there now. The machinery is sold, and the railroad that was necessary for the work has been sold. In fact, there is nothing upon which the Government could make a lien now if it wanted to. There is no water; there is nothing which would affect any property owner down there except a bare legal obligation which those people made with the Government, which no court in the world would enforce, which the Government surely would not even attempt to enforce, because there is an entire lack of equity, owing to the failure of the consideration, namely, the water, which was the consideration in the matter of the contract.

Mr. TINCHER. I want to thank the gentleman for presenting the matter so much better than I could have presented it.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. HARDY of Texas. Does it not seem to the gentleman that no harm could come in this matter by letting it lie over? There is no movement by the Government, no real cloud on the title, no anything.

Mr. GARD. That is just what I am trying to say. While I have no opposition to the intent of the bill, and certainly no opposition to the gentleman from Kansas [Mr. TINCHER] or his excellent constituents in the Garden City Water Users' Association, whom I would desire to relieve as much as I could, yet I do not think this bill is of a character which should be brought up at this time, because there is no policy laid down and there is no pressing need of affirmative action. The only thing we possibly do here is by a congressional enactment to relieve these people from something that does not amount to anything anyhow.

Mr. HARDY of Texas. There is nothing in it.

Mr. GARD. As the gentleman from Texas so well expresses it, there is nothing in it.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Surely the gentleman from Ohio would not want to deprive our friend of the opportunity of having something to talk about when he goes home.

Mr. GARD. I put this upon a higher level than any political advantage. I do not think bills should be called up under a motion to suspend the rules where they are for any local interest or because of any partisan or political advantage. I am sure the idea of the Speaker of the House is entirely foreign to that. It seems to me the only bills we should pass under suspension of the rules are those which are so apparently necessary that they need not be amended at all. This bill may have some advantage that other bills of its character may not have, but I think that bills of this kind should be considered under the ordinary procedure of the House, where they may be taken up and discussed and amended if necessary, and that this is not the kind of a bill to take up at this time under the extraordinary rule suspending all rules. If we are going to adhere to this policy of suspending the rules for every bill, we are going to make absolutely correct the statement of the former Speaker of the House [Mr. CLARK of Missouri] that the present Speaker will be embarrassed day by day with the importunities of men who seek to present bills which are strictly and entirely private bills and for the benefit of one man or a limited number of men. It is upon this statement, which I have tried to make as clear as I could, that I base my opposition to the enactment of this bill in its present form at this time.

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. GARRETT) there were—ayes 58, noes 15.

Accordingly, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

MESSAGE FROM THE SENATE.

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

Resolved, That a committee of two Senators be appointed by the Vice President, to join a similar committee appointed by the House of Representatives, to notify the President of the United States that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, California, and for other purposes.

AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on 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.

The SPEAKER. The gentleman from Massachusetts calls up a conference report on H. R. 10378, which the Clerk will report.

Mr. GREENE of Massachusetts. I ask unanimous consent that the reading of the statement be dispensed with.

Mr. GARD. Is this the conference report on the merchant marine bill?

The SPEAKER. It is.

Mr. GARD. I understood that the gentleman from Tennessee desired to be present when this was considered.

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

The SPEAKER. There is no right to object to the consideration of the conference report.

Mr. McKEOWN. To the request for unanimous consent.

Mr. CLARK of Missouri. I object to the request made by the gentleman from Massachusetts [Mr. GREENE].

The SPEAKER. The whole report was read yesterday, and the Chair understands there are only two changes. Of course, anybody has the right to object.

Mr. EDMONDS. Will the gentleman reserve the right to object——

Mr. CLARK of Missouri. I will compromise on reading the new part.

Mr. EDMONDS. Will the gentleman allow me to explain it?

Mr. CLARK of Missouri. I would rather hear it read—the new part.

The SPEAKER. The gentleman asks unanimous consent that only the new part of the report be read. Is there objection?

Mr. GARD. Reserving the right to object, it is understood that that also includes reading the statement.

Mr. McKEOWN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McKEOWN. After the new part is read, will it then be in order to make points of order against the conference report?

The SPEAKER. Certainly.

Mr. McKEOWN. I have no objection to the request, if I may have an opportunity to make points of order.

The SPEAKER. The gentleman has that right. The Chair understands the gentleman from Ohio desires the reading of the statement.

Mr. GARD. Yes; if we may have the new part of the report read, and the statement read.

The SPEAKER. Is there objection to reading the new part of the report and the statement?

There was no objection.

Mr. McKEOWN. Mr. Speaker, another parliamentary inquiry. Will points of order be in order against the parts not read?

The SPEAKER. Against the whole report.

Mr. WINGO. Why not have it understood that points of order are reserved, and that as soon as the reading is concluded, then points of order can be made?

The SPEAKER. Without objection it is understood that points of order are reserved. The Clerk will read.

The Clerk 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 House recede from its disagreement to the amendments of the Senate numbered 15 and 24.

Mr. McKEOWN. Mr. Speaker, I make a point of order——

The SPEAKER pro tempore (Mr. WALSH). The present occupant of the chair was not in the chair when request for the reading of the statement was preferred. Was the entire statement to be read?

Mr. McKEOWN. No.

The SPEAKER pro tempore. The Chair understood that the new part of the report was to be read and that the gentleman from Ohio asked that the statement be read.

Mr. McKEOWN. No; I think the request was that the new part of the report should be read and the new part of the statement, and the point of order was to be made after that.

The SPEAKER pro tempore. The Chair is advised that the gentleman from Massachusetts had preferred a request that the statement be read in lieu of the report; that the gentleman from Missouri [Mr. CLARK] asked that the new part of the report be read, and thereupon the gentleman from Ohio [Mr. GARD] asked that the statement be read and the new part of the report. That is the way the request was left. Of course, the entire statement should be read.

Mr. CLARK of Missouri. The Chair has stated it exactly as it occurred.

The SPEAKER pro tempore. The Clerk will read the statement.

The Clerk read the statement.

Mr. McKEOWN. Mr. Speaker, I make a point of order against the amendments numbered 52 and 128. The new matter as reported is found on page 4 of the report, in which they set out that at the end of the matter proposed by the Senate amendment they change the period to a comma 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.

Mr. BANKHEAD. What is the gentleman's specific point of order?

Mr. McKEOWN. That the conferees have exceeded their authority by inserting matter not covered by the bill or amendments of the Senate.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I would like to call the gentleman's attention to the fact that this section was transferred from section 22 of the Senate bill and placed here where it properly belongs. It is word for word taken out of section 22 and placed here. The words are identical with those in the Senate bill.

Mr. McKEOWN. Mr. Speaker, that section reads as follows:

SEC. 22. That the board shall ascertain and determine the need for vessels between the ocean terminal of the Government railroad in Alaska and Pacific and other ports, and if suitable and satisfactory arrangements can not be perfected to meet such need through vessels privately owned and operated the board is directed to furnish suitable service until it can be taken over and supplied by private capital and enterprise: *Provided, however*, That whenever the board shall determine, as provided under this section or any other section, 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.

The purpose of that amendment was that where the United States found the condition in reference to the ports between Alaska and the Pacific ports was so that they could establish shipping transportation facilities wherever the circumstances required or wherever it was needed, that they should charge rates sufficient to indemnify the Government against loss.

Then the provision in the conference report requires that they shall take the boats off whenever the returns are not sufficient to pay the transporttaion charges—not the establishment of a new service that would grow and develop, but to absolutely take out of the service the Government-owned ships unless they are paying the expenses and where the rate is less than other transportation. That means, instead of doing what was the purpose of the Senate provision, to establish service by the Government, but that wherever the transportation rates on other lines were such that the United States Government could not operate, then they must take them off immediately and not give an opportunity for a fair trial.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I call the gentleman's attention that this provision was transferred to section 7 because it was more applicable to the terms of section 7 than it was to section 22, and we considered it was proper to place it where it belonged. The wording has not been changed in any form and it was applicable to any section of the act, and it might as well be placed where it belonged as to be where it was.

Mr. McKEOWN. Does the gentleman deny that the effect of this provision is that immediately they must take the vessels off if it is shown that they can not compete with railroad transportation or other transportation?

Mr. EDMONDS. The gentleman is talking about legislation and not on the point of order. The gentleman is making a point of order.

Mr. McKEOWN. Yes; because you have transferred it around and made it apply to all ships.

Mr. EDMONDS. It was applicable to every section in the act, and therefore it was just as applicable to the one section as another.

Mr. McKEOWN. Now, Mr. Speaker, I want to call attention to a point of order I make against amendment 128, which reads as follows:

SEC. 25. That the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the first taxable year ending after the enactment of this act, 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 of the revenue act of 1918 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 board: *Provided*, That 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 the board in a trust fund for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by the board, an amount, to be determined by the Secretary of the Treasury and certified by him to the 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: *Provided further*, That at least two-thirds of the cost of any vessel constructed under this paragraph shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.

This amendment 128 undertakes to set out new sections, and I will call the attention of the Chair to the fact that the first paragraph, commencing with section 207 down to the words "invested capital," is to be found in the bill, and is covered by the Senate bill, and that the last paragraph on page 11, commencing with paragraph (f) is also covered by the bill and was within the jurisdiction of the conference committee. But all of the language commencing with "invested capital," on down through paragraph (e), is entirely new matter, and is not within the jurisdiction of this committee because it is not covered by either the House or the Senate bill. I call the Speaker's attention to this fact that the language commencing with "invested capital," through paragraph (e), is the language that I complain of in this report in this point of order, and I will say, in conclusion, that I hesitate to make a point of order against an important bill like this at this stage of the proceedings, but it is a bill that involves $3,000,000,000 worth of property, and I think the point of order is well taken as to amendment No. 128.

Mr. EDMONDS. Mr. Speaker, would the Chair like further enlightenment on the point of order on amendment No. 52?

The SPEAKER pro tempore. The Chair would like to have the gentleman from Pennsylvania discuss the point of order made against the language involved in amendment No. 128.

Mr. EDMONDS. When the conferees arrived at amendment No. 128, we did not like the wording of the sentences or the paragraphs. We immediately had our legislative experts and the Treasury experts get together. We gave them the meaning in the bill. We told them that we would like to have the proper amendment drawn up, that would be in the terms of the Senate bill, that that was satisfactory to us, and this is what they have returned to us as carrying out the provisions of the Senate bill. We have gone over them, and we believe they are absolutely correct, in accordance with the terms of the bill, and that they are now in workable order. In the Senate bill they were not in workable order. There is absolutely no change in the meaning of amendment No. 128 over what was put into the bill originally by the Senate.

The SPEAKER. The Chair would like to inquire how the conferees secured jurisdiction of section 206 of the revenue act of 1918.

Mr. EDMONDS. An amendment inserted by the Senate affecting the revenue act passed by the Senate must naturally have something to do with the revenue act, and we could not make an amendment of that kind unless we did amend or change the revenue act. As to the gentleman's contention about everything after "invested capital," I would call attention to section (b), which is the same as the second paragraph of the bill.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman permit a suggestion?

Mr. EDMONDS. Yes.

Mr. CHINDBLOM. It would appear that the conferees in the manner suggested, instead of Senate amendment No. 128, have placed the matter in the form of an amendment to the revenue act, whereas in the Senate amendment it is not in that form, but is merely a section of the shipping bill, and by reference alone amend the revenue act of 1918. I think a comparison of the language in Senate amendment No. 128 and the proposed matter inserted in lieu thereof by the conferees will show that the substance is identical, that the provision was to the same effect; but they changed the form of it and made it in the form of an amendment to the revenue act by adding certain new sections to section 206 of the revenue act of 1918. The Speaker will observe that section 225 amends Title III of the revenue act of 1918, and proceeds to make changes in the revenue act of 1918, but does not in terms add any new section or change any of the existing sections of the revenue act of 1918.

Mr. DAVIS of Tennessee. Mr. Speaker, I have been unable to hear all that was said on either side, but I wish to undertake to make a concise explanation of amendment No. 128 and the point made against it. I call the attention of the Chair to the fact that the first paragraph of section 25, amendment No. 128, going down through line 16, on page 28, is paraphrased by the first paragraph of subsection (a) on page 10 of the report. Then the last paragraph of section 25 in the Senate bill is paraphrased by subsection (f) of amendment No. 128, appearing on page 11. All of the intervening matter is substituted in lieu of the second paragraph of section 25 in the bill, and that involves many very material changes and provisions that were not embodied in the original Senate amendment, and, of course, not in the House bill. Furthermore, comparing the last paragraph of the section in the bill with subsection (f) of the conference report it occurs to me that there is very material change in this respect: In line 4 the Chair will notice that after the word "board" there is inserted by the conference amendment the words "or a majority thereof," and lines 15 to 18, on page 29 of the bill, are stricken out; so that where it originally provided that the Secretary of the Treasury and the Secretary of Commerce and the chairman of the board were authorized to determine the matters involved, and the language included within lines 15 to 18, providing an appeal to the President where there was not a unanimous decision, the conference amendment changes the paragraph so as to provide that a mere majority of the board may determine those matters, eliminating entirely the appeal to the President.

Mr. EDMONDS. Does the gentleman think that the conference committee has no right to change anything? Is that the gentleman's argument?

Mr. DAVIS of Tennessee. No; but I contend that these are very material changes and involve radical changes from the provisions in either the House or the Senate bill.

Mr. EDMONDS. Are they changes from the subject matter of the paragraph?

Mr. DAVIS of Tennessee. I do not think it is an entire change from the subject matter. I do not understand that such is necessary before a point of order lies.

Mr. EDMONDS. To be subject to a point of order they have to be changes from the meaning of the paragraph.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BLANTON. Answering the gentleman from Pennsylvania, I think the sooner conferees learn that they have not a right to go beyond matters in disagreement the better all will be with respect to legislation.

Mr. EDMONDS. The conferees in this case, with the exception of the one change which was ruled out yesterday, did not go beyond matters in controversy.

Mr. DAVIS of Tennessee. Mr. Speaker, in reply to that, I want to say that that shows what it means to bring up a bill of this importance without opportunity for discussion or consideration by the House; this very provision involves exemption from income taxes of these ship-owning interests.

This provision to which I have referred makes it easier for that to be done, because it deprives the President of the right to pass upon it.

Mr. EDMONDS. The gentleman does not want to misinform the House, I am sure. It does nothing of the kind. It involves exemption from the payment of income tax provided it is put in new ship construction.

Mr. DAVIS of Tennessee. It does provide for such exemption, provided they invest in ship construction that which they would otherwise have paid in taxes.

Mr. EDMONDS. And that was in the Senate amendment which we disagreed upon and which went into conference, and we tried to fix it up in a legitimate and regular manner.

Mr. DAVIS of Tennessee. Oh, I am not impugning the motives of the gentleman, but I have a right to discuss the proposition.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Oklahoma [Mr. MCKEOWN] makes the point of order against the conference report and contends that in amendment 52 the conferees have exceeded their authority by inserting the language at the end of the Senate amendment. The Chair has examined the amendment and the language reported by the conferees, and notes, as was pointed out by the gentleman from Pennsylvania [Mr. EDMONDS], that substantially the same language was carried in section 22 of the Senate bill, or rather section 22 of the bill amended by the Senate. The conferees have transferred that language in practically the same form to section 7 of the bill, and this provision would seem to be germane. But at any rate that section was in controversy, and the transfer by the conferees was not in excess of their authority.

The gentleman from Oklahoma also bases his point of order on the contention that the conferees have exceeded their authority in reporting language, which is amendment No. 128. This contention raises a question of considerably more difficulty. Section 25 of the bill as amended by the Senate, that amendment being No. 128, provides for certain exemptions to owners of documented vessels operating in foreign trade from the tax imposed by Title III of the revenue act, and also provides that citizens may sell during a certain period vessels documented under the United States law and that they should be exempt from certain titles of the revenue act of 1913. It also provides a board which is to determine the amount to be allowed for annual depreciation of vessels and for allowances and deductions to be allowed, and in case of disagreement the contention to be referred to the President. The conferees have recast that amendment in its entirety and instead of providing certain exemptions they have reported an amendment to the revenue act which in general language retains the features of Senate amendment 128, but they incorporate that in a new section to the revenue act of 1918, to be known as section 207 with subparagraphs. But the conferees have not only retained substantially the language of the Senate amendment, but they added other amendments of an administrative character to the revenue act and enlarged somewhat and further prescribed the duties of the Commissioner of Internal Revenue. They have also inserted a paragraph known as paragraph D, requiring the furnishing of a bond or surety, and in lieu of a bond permitting the deposit of the amount of the taxes or obligations to be held in trust with the approval of the Secretary. This paragraph, as well as the one preceding and the one following, would seem to deal in administrative provisions and put restrictions on, and also enlarge the scope of the authority of, the Internal Revenue Commissioner. The Chair finds nothing in the Senate amendment after a very careful reading of the language, neither does he find anything in the amendment as reported by the conferees, that part of the language which has been retained, which brings these matters in controversy. They seem to be entirely new matter, which the conferees have reported in attempting to adjust their disagreement upon the Senate amendments, and it would seem to the Chair that they have not followed the rules prescribed in adjusting differences between the two Houses in conference. The Chair appreciates that it is a very important matter to rule that a conference report at this time should be returned to the conferees and yet——

Mr. MONDELL. Will the Chair allow me?

The SPEAKER pro tempore. The Chair will hear the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, where a provision contains legislation that required machinery of administration and the conferees present the matter in a different form but of practically the same substance, are the conferees going beyond their proper jurisdiction when they insert a purely administra-

tive provision not in conflict with the purpose or intent of the legislation and necessary to its carrying out, or if not absolutely necessary then useful and helpful? These administrative provisions may, I do not know that such is the case here, be provisions that might be cared for by rule of the department or construction of the department. The conferees have seen fit to go into some detail in the matter of administration, remaining, however, all the time within their authority, so far as the substantive provisions of the bill are concerned. They lay no obligations that they were not authorized under that jurisdiction and authority to lay. They have taken away nothing that they did not have the authority to do, but they have endeavored to perfect and make workable the provisions which they have authority to provide for, to arrange for, in a somewhat modified way. It occurs to me that it could scarcely be held that they go beyond their jurisdiction because some purely administrative provisions or directions were inserted.

The SPEAKER pro tempore. Will the gentleman permit an inquiry?

Mr. MONDELL. The gentleman is delighted to have the Chair make an inquiry of him.

The SPEAKER pro tempore. The Chair would like to ask the gentleman if it is his view where a Senate amendment prescribes that certain exemptions shall be permitted under a title of the revenue law, to be determined in accordance with rules and regulations to be made by the board, namely the Shipping Board, that that would confer jurisdiction upon the conferees to prescribe departmental provisions to be followed by the Commissioner of Internal Revenue, and to amend the revenue act of 1918 in its essential particulars?

Mr. MONDELL. Well, if the Chair will allow me, I did not ask the Chair to hear me on that matter because it had occurred to me as quite clear that in that particular the conferees were clearly within their rights for the reason no one questions but what the provisions contained in the section as presented by the conferees are within their authority. The question is, Are they authorized to amend another act?

That is the question I understood the Chair to raise, whether or not, presenting the same subject matter, it was within their authority to present it, not in the form of a reference to another act, but as a reenactment of another act. It seems to me that clearly they have authority to do that, and it is proper and logical they should have that authority. It is much better as a matter of practice to amend a statute by reenacting it and modifying it than to amend it by mere reference, by limitations under certain conditions, by modifications as contained in another piece of legislation. One of the vices of our legislation is the constant amendment of statutes by mere reference, implication, suggestion, modification. As the Chair knows, in some jurisdictions that can not be done.

If a statute is amended it must be reenacted in order that he who reads may know what the statute is—a very much better form of legislation. Now, in this particular case the conferees have adopted the better form. Instead of modifying this section of the revenue act by reference to it, instead of making some exceptions in this particular case, they have seen fit to reenact that section of the statute. And so long as they do not exceed their authority in the subject matter, the fact that they present it in a different form and as an amendment of another statute, a direct amendment, a reenactment of another statute, rather than an amendment by reference, it does not seem to me to be repugnant to any proper rule of legislative procedure, but rather in harmony with the better legislative procedure.

Mr. McKEOWN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McKEOWN. Does not this legislation enact an entirely new section to the revenue bill and prescribe administrative features under that?

Mr. MONDELL. My contention is, whether it reenacts a section of the revenue bill or adds a new section to the revenue bill, so long as it adheres to the subject matter the conferees are still within their authority. If the gentleman suggests he can not agree with that line of reasoning, why should not the conferees legislate in the best form—confessedly in the best form—rather than in the form that no one approves of?

Mr. HARDY of Texas. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. HARDY of Texas. Does not the gentleman think it is not within the province of the conferees, when they are seeking to make an amendment of the Senate effective, to provide some means by which it may be made effective? If an amendment, as worded in the bill that comes back to the House, is such as it would contravene some statute or would be lacking in the instrumentalities to carry it out, would not the authority of the conferees go to the extent of providing the instrumentalities to carry out the purpose of the amendment?

Mr. MONDELL. The gentleman has stated better than I did my contention with regard to the administrative provision. It seems to me beyond all question that a matter being within the jurisdiction of the conferees they are not exceeding their jurisdiction when they add practically a reasonable and possibly essential administrative provision. My understanding of the authority of conferees is this, that they may not put in a measure new matter, new subjects, and in dealing with the subject in hand they can not go beyond the scope of the provisions that have been adopted by one House or the other, but should it develop in adjusting the differences between the two Houses that it became necessary to add some purely administrative provisions, they are certainly not going beyond their authority in doing it. They are doing the thing necessary to the perfection of the legislation within their authority.

Mr. HARDY of Texas. If the Speaker will hear me just in line with what has been said by the gentleman from Wyoming, it seems to me that where the conferees thought an amendment, the purpose of which they accorded with, was so loosely drawn that it might give occasion for abuse in administration or losses to the Government, they would have the right in agreeing to so amend the amendment as to provide against the evils naturally inherent in the defective amendment. Now, the Senate provision as it was written was, as we thought, lacking in safeguards. It provided amply for the remission of certain taxes in order to permit the investment or reinvestment of certain moneys in new shipping built. The House undertook, while agreeing with the purpose and the object of the Senate amendment, to provide the safeguards that would protect the Government, and one of those is to require a ship operator whose tax exemption is to be given him, to give a bond that he will apply the taxes that he was not forced to pay in the manner which was to be the cause of his exemption. In other words, every amendment of the Senate amendment made by the conferees is by way of safeguarding against the effects of the loosely drawn amendment of the Senate, and to make it more perfectly express the purpose of the Senate amendment and provide the means by which it was to be effectuated. In other words, I do not think the conferees were limited to either striking out the Senate amendment, putting nothing in its place, or else agreeing to it. But very practically all the conferees' work was done with the purpose of assuring the ultimate object of the Senate amendment, as, for instance, with paragraph (d), we provided that the taxpayer to be exempted from certain taxes is required to furnish a bond that he will do certain things. That is like putting a condition to the provision of the Senate. I think a mature study of the language adopted by the conferees will show that while it adopts new language, a new machinery, all of it is intended to safeguard the loosely drawn amendment of the Senate. And unless conferees may do that, they must be limited either to striking out what the Senate said and putting nothing in its place, or else agreeing to and accepting the Senate amendments.

Mr. BEGG. Will the gentleman yield to a question?

Mr. HARDY of Texas. Yes.

Mr. BEGG. The position taken by the gentleman is the same as that taken by the gentleman from Wyoming [Mr. MONDELL]. Now, do I understand that you claim the conferees have a right to rewrite the substance matter under consideration by the Senate, and the House state it in their own words, just so long as they stay within the confines of the subject matter?

Mr. HARDY of Texas. And the purpose expressed.

Mr. BEGG. In other words, we would say that one body of government has the one extreme and another the opposite extreme. Does the gentleman mean to hold that the conferees can redraw and reexpress that without giving the House the opportunity to pass upon it?

Mr. HARDY of Texas. I illustrate it by (c) here. The Senate had excepted certain operating income from certain taxes. We make it a condition that before that can be done the income earner must give a bond for the application of that income as required by the law. That calls for some machinery, but it is all for the forwarding of the purpose of the Senate amendment and without bringing in anything new to be accomplished, but really effectively providing the means of the accomplishment of the purpose in view. It seems to me that comes within the proper jurisdiction of the conferees; otherwise they are practically figureheads.

Mr. GARRETT. Mr. Speaker, it occurs to me—and I call the attention of the friends of this legislation to the matter and

suggest that it receive their serious consideration—that we are probably treading on pretty dangerous ground, independent of the point of order as regards the rules of the House.

The Constitution of the United States provides that all bills for raising revenue shall originate in the House of Representatives, but that the Senate may propose or concur with amendments, as in other bills. The bill which this House passed was not a revenue bill in the sense in which the term is used in the Constitution, and it had no reference whatsoever to it. It went to the Senate, and the Senate put upon it an amendment which does have to do with revenue. It originated in the Senate.

Now, unless I am mistaken in my recollection it has not been many years since the Senate amended some House bill by putting upon it a revenue feature involving the subject of child labor, and that was not upon a revenue bill; and the matter got before the Supreme Court of the United States, and the Supreme Court held that act unconstitutional because it did not originate in the House of Representatives, where the Constitution provides that revenue bills shall originate.

That is worthy of pretty serious attention. Now, so far as the suggestions of the gentleman from Wyoming [Mr. MONDELL] go——

Mr. CAMPBELL of Kansas. Just in that connection will the gentleman from Tennessee permit me to say that the House has uniformly rejected any attempt on the part of the Senate to put revenue matters upon bills that went to them from the House?

Mr. GARRETT. Yes. I remember, Mr. Speaker, more than once, I am sure, in my experience here, that the House has by a respectful resolution advised the Senate that it would have to decline to receive or consider any bill which interfered with its constitutional right to originate revenue measures.

Now, the gentleman from Wyoming insisted upon a very liberal construction of the rules in regard to conference reports, a construction that I do not believe the Chair would be justified in giving. I think the conference rules are pretty plain. They are not involved in any very grave doubt. There is not much room for dispute about the meaning of the rules as regards conference reports. The theory and the philosophy of the rule in regard to conference reports is that the legislative body, the House of Representatives, shall not be compelled to vote up or down as a whole a proposition containing matter upon which the House has no opportunity of passing except as it passes upon it as an integral portion of a conference report. The House of Representatives, Mr. Speaker, has as much right to pass upon the administrative features of a revenue law and determine the language in which those administrative features shall be couched as it has upon any other part of a revenue law, so that the theory, the philosophy, that underlies the rule in regard to conference reports, that the conferees shall not exceed their jurisdiction and bring in matters not in dispute between the two Houses, applies with as much force to an administrative proposition as it does to any other portion of a bill.

It may be unfortunate that the legislation did not reach that stage in either body where the administrative feature was passed upon by either. That may be an unfortunate situation. But that is a question affecting the merits. That is begging the question upon the matter of merit. That is not asking the Chair to predicate a decision on the rules of the House. That is asking the Chair to take into consideration the question of expediency, which I respectfully submit the Chair can not do.

Mr. BANKHEAD. Mr. Speaker, I desire to submit very briefly, if the Chair please, one or two authorities on this proposition. As I understand, the specific point of order made by the gentleman from Oklahoma [Mr. MCKEOWN] is based upon the ground that the conference report includes new matter that was not a legitimate and germane subject of difference between the House and the Senate in conference. Now, in volume 5 of Hinds' Precedents, on page 719, you will find this decision:

On April 19, 1871, Mr. Henry L. Dawes, of Massachusetts, from the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House No. 19 (deficiency appropriation), submitted a report thereon in writing.

Mr. William S. Holman, of Indiana, made the point of order that the report contained matter not a subject of difference between the two Houses. Mr. Holman specified that there were incorporated in the report two propositions which were new—a provision making appropriations for the Sutro Tunnel and another for the Agricultural Department. These matters, he submitted, were not referred to the committee of conference at all. He understood that the committee of conference was not authorized to consider matters which had been neither incorporated in Senate amendments nor brought before the House.

The Speaker, Mr. James G. Blaine, said:

The rule is as broad as the gentleman from Indiana states it, with this reservation: New propositions may be introduced, but there must be something in the bill to make them germane as amendments. The power of a conference committee, which, as gentlemen well know, the two Houses have been in the habit of considerably enlarging, fairly includes the power to incorporate germane amendments. If the gentleman from Indiana makes the point that the amendments he specifies are not germane, the Chair will examine the question; but the mere fact that the propositions embrace matters which were not originally before the House or Senate would not be sufficient to require them to be ruled out.

Now, it seems to me, Mr. Speaker, there is a decision by a very eminent authority that is directly in point upon the proposition involved here. The Senate amendment did contain a provision allowing certain exemptions from these shipowners upon their income-tax returns, and allowing them to make it up by reinvesting it in new construction in the merchant marine, which was a general subject affecting the income-tax law and amendments of the income-tax law. Now, the amendment agreed upon by the conferees was certainly germane, although it did include new matter, as the Chair referred to a moment ago, by way of regulation, and so forth.

I quote again from Hinds' Precedents, volume 5, page 721:

On March 3, 1871, the House was considering the report of a committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2816) making appropriations for the support of the Army, when Mr. Fernando Wood, of New York, raised a question of order as to a provision relating to certain claims. One of the Senate amendments to which the House had disagreed was a provision to refer the matter of the claims in question to the Quartermaster General and the Commissary General. The conferees reported a provision to constitute a commission to deal with the subject.

But the Speaker—in this case it was Mr. Blaine—ruled:

The Senate inserted a provision in this appropriation bill on this subject, and the provision reported by the conference committee is a germane modification of that provision, and therefore it comes strictly within the purview of the power of the committee of conference. If it were entirely new matter, the Chair would have no hesitation in ruling it out.

And then I call the attention of the Chair to this further decision, and that is all I will cite.

On May 26, 1870, the House was considering the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to a bill to enforce the rights of citizens of the United States to vote in the several States of this Union who have hitherto been denied that right on account of race, color, or previous condition of servitude.

Mr. Samuel S. Cox, of New York, made the point of order that the report contained new matter, two new sections having been added.

The Speaker, Mr. Blaine, said:

It is not necessary that the matter reported by the committee of conference should have been considered in either branch if it be germane and in the nature of an amendment which may reconcile the differences between the two branches. It is just as much in order for a conference committee to report such matters as for a Member to move it on the floor of either House. It is only when they introduce absolutely new matter—which would not be germane to the matter under consideration and could not be entertained in either branch in the form of an amendment—that the point of order raised by the gentleman from New York could be entertained. The Chair overrules the point of order.

Mr. MCKINIRY. Mr. Speaker, I make the point of no quorum present.

Mr. MONDELL. Will the Chair allow me to make one statement?

The CHAIRMAN. The Chair was ready to rule, but the gentleman from New York [Mr. MCKINIRY] has made the point of no quorum present.

Mr. MCKINIRY. I withdraw it for the present.

Mr. MONDELL. Mr. Speaker, I want to say a word with reference to the suggestion of the gentleman from Tennessee [Mr. GARRETT] that I was contending for a liberal construction of the rule governing the action of conferees. Quite the contrary. I have never done that. I never shall. I am one of those who believe that conferees should be held strictly within their power and authority. I do not think it is a liberal construction of the authority of the conferees to say that they may put their proposition in the best possible form; and it is not a liberal construction of the authority of the conferees to say that the matter may be so presented that it will be a complete and perfect and workable piece of legislation.

The SPEAKER pro tempore (Mr. WALSH). The Chair is ready to rule. The Chair has listened with great interest to all that has been said since he stated his understanding of the matter a few moments ago.

The Chair is clearly of the opinion that the conferees have exceeded their authority; that if they had retained the Senate amendment in the language in which the Senate reported it, and had not attempted to amend the revenue act, but had simply added the language which has been added in attempting to amend the revenue act, they still would have exceeded their authority. They are retaining the language of a Senate amendment, and in addition are imposing certain administrative requirements upon the Commissioner of Internal Revenue which were not necessarily involved in the Senate amendment. The administrative requirement in the Senate amendment,

upon the reading of that amendment, could have been left to the Shipping Board; but in the language which has been reported by the conferees they have proposed certain restrictions and have made certain regulations which will have the effect of law; and in writing them in as an amendment to a revenue law like a new section it seems to the Chair clearly that it is not within their jurisdiction, because there is nothing in the Senate amendment that, in the opinion of the Chair, places those matters in conference; and much as the Chair regrets it, he feels constrained to sustain the point of order.

Mr. MONDELL. Mr. Speaker, in order that we may more clearly understand the ruling of the Chair, does the Chair hold that the conferees exceeded their authority when they changed the language and form of the Senate amendment by putting it in the form of an amendment to the revenue act?

The SPEAKER pro tempore. The Chair has made no such ruling as that.

Mr. MONDELL. I am asking this in good faith.

The SPEAKER pro tempore. Certainly.

Mr. MONDELL. Because I think the conferees ought to know. They might take from this section the administrative provisions that the Chair has objected to, and then find themselves confronted with another point of order that the mere fact that they had inserted this in the form of a section of the revenue act subjected them to the point of order. The Chair has not held that?

The SPEAKER pro tempore. The Chair did not so rule. The Chair holds that in writing a new section of the revenue act and in including in that section certain language of the Senate amendment, and then other provisions which were not brought into controversy by reason of the language of the Senate amendment, therefore they exceeded their authority.

Mr. MONDELL. One thing more. The gentleman from Tennessee raised the question of the constitutional provision——

The SPEAKER pro tempore. The Chair is of the opinion that it is too late to raise that question now, the bill having gone to conference; that question might have been raised when the bill came over from the Senate with the Senate amendments, but can not be raised upon a conference report, which presents the compromise of managers of the two Houses.

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendments, and ask for a further conference.

The SPEAKER pro tempore. The gentleman moves that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

The SPEAKER pro tempore. If there be no objection, the Chair will appoint the conferees.

There was no objection, and the Speaker pro tempore appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. BANKHEAD.

IMPORTATION OF AEROPLANES.

Mr. TILSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14368) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes.

Mr. THOMAS. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Kentucky makes the point that no quorum is present.

Mr. THOMAS. Mr. Speaker, I will withdraw the point of no quorum.

The SPEAKER pro tempore. The Clerk will report the bill for which the gentleman from Connecticut asks consideration.

The Clerk read as follows:

Be it enacted, etc., That until March 4, 1921, the "special duty" provided for in this act shall be levied upon each aeroplane imported into the United States of a class or kind identical or comparable with a class or kind made or produced in the United States, or of a kind sold in competition with like articles made or produced in the United States. Such special duty shall be ascertained, determined, and promulgated by the Secretary of the Treasury.

SEC. 2. That the term "aeroplane" shall include aeroplane motors, and accessories and parts for aeroplanes and aeroplane motors.

SEC. 3. That the term "United States" shall mean the United States and any Territory or place subject to the jurisdiction thereof, except the Philippine Islands, the islands of Guam and Tutuila, the Virgin Islands, and the Panama Canal Zone.

SEC. 4. That the term "person" wherever used in this act means and includes any individual, partnership, corporation, association, or other body.

SEC. 5. That the term "foreign home value" wherever used in this act means the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale in the principal market or markets of the country of exportation for consumption or use in said country in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this act is freely offered for sale in the United States, and shall not include any excise tax levied against such aeroplane.

SEC. 6. That the words "the value to countries other than the United States" wherever used in this act mean the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale for exportation to countries other than the United States in the principal market or markets of the country of exportation in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this act is sold in the United States: *Provided*, That any import duties rebated or not paid by reason of the exportation of such aeroplane from the country of production or sale to the country other than the United States shall be added to export price.

SEC. 7. That the term "cost of production" wherever used in this act means the cost of labor and material of the aeroplane exported to the United States at the time of production plus the actual general expenses and a profit which is usually and ordinarily added to the cost of labor, material, packing charges, and general expenses by manufacturers in the country of production of aeroplanes similar in material and production or manufacture.

SEC. 8. That the term "sales price" wherever used in this act means—

(a) The price plus the cost, when not included in such price, of the package and the packing charges at which the person in the foreign country or his agent sells the aeroplane to the person in the United States or his agent: *Provided*, That the person in the United States has no financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States.

(b) If it can be shown to the satisfaction of the appraiser, or the person acting as such, that the person in the United States, buying directly or through his agent in the United States or through a foreign agent, has any financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States, the appraiser or the person acting as such will secure from the person in the United States his sale price in the United States of the imported aeroplane plus the cost, when not included in such price, of the package and the packing charges, and compare this price after due allowance has been made for all expenses included in said price incurred from the place of manufacture or purchase in the foreign country to the place of delivery in the United States with the sales price that the person importing the aeroplane pays or has agreed to pay to the foreign shipper, manufacturer, or owner, and report to the collector as the sales price the lower of the two.

(c) If the aeroplane imported into the United States has been secured from the foreign owner, manufacturer, or shipper otherwise than by purchase, the sales price, plus the cost, when not included in such price, of the package and the packing charges, will be the price at which the person importing the aeroplane sells or agrees to sell the aeroplane in the United States, plus the cost, when not included in such price, of the package and the packing charges, either prior or subsequent to the date of importation, less all expenses, included in said price incurred from the place of shipment or manufacture in the foreign country to the place of delivery in the United States.

SEC. 9. That the foreign home value or the value to countries other than the United States, as the case may be, shall be taken at the date of sale or purchase of the aeroplane exported to the United States, or if such aeroplane is secured otherwise than by purchase, at the date of exportation of the aeroplane to the United States.

SEC. 10. That whenever an aeroplane is exported to the United States of the class or kind provided for in this act, and the sales price is less than the foreign home value, or in the absence of such value is less than the value to countries other than the United States, or in the absence of such value is less than the cost of production, there shall be levied and collected, in addition to the duties on imported aeroplanes prescribed by law, a special duty in an amount equal to the difference between the sales price and the foreign home value or the value to countries other than the United States or the cost of production, as the case may be.

SEC. 11. That the appraiser, or the person acting as such, shall report and return to the collector his decision as to the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price.

SEC. 12. That if the appraiser, or the person acting as such, can not ascertain the sales price in the United States provided for in either (b) or (c) of section 7 of this act within 10 days after the entry of the aeroplane he shall withhold his return to the collector under such regulations as the Secretary of the Treasury may prescribe.

SEC. 13. That if the collector shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such of any imported aeroplane provided for by this act to be too low, or shall deem the sales price of such aeroplane to be too high, he may within six months after the date of such report and return appeal to reappraisement, which shall be made by one of the general appraisers, or if the importer, owner, agent, or consignee of such aeroplane shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such to be too high, or shall deem the sales price reported by the appraiser or the person acting as such to be too low, and shall have complied with the requirements of existing law with respect to the entry of such aeroplane he may within 10 days thereafter appeal to reappraisement by giving notice thereof to the collector in writing.

SEC. 14. That the general appraiser, in cases of reappraisement provided for in section 12 of this act, shall report to the collector of customs the foreign home value or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price; and such value or cost of production and sales price shall be final and conclusive against all parties interested therein unless the owner, consignee, or agent of the aeroplane shall deem such value or cost of production reported by the general appraiser to be too high or the sales price too low, and shall within 5 days thereafter give notice to the collector in writing of an appeal, or unless the collector shall deem the report of such value or cost of production to be too low or the sales price too high, and shall within 10 days thereafter appeal to re-reappraisement by the Board of General Appraisers.

SEC. 15. That in all cases of reappraisement or re-reappraisement provided for in sections 12 and 13 of this act the collector shall transmit the invoice and all the papers appertaining thereto to the board of nine general appraisers, to be by rule thereof duly assigned for determination. In such cases the general appraiser and the boards of general appraisers shall proceed by all reasonable ways and means in their

power to determine the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price, and in so doing may exercise both judicial and inquisitorial functions. In such cases the general appraisers and the boards of general appraisers shall give reasonable notice to the importer and the proper representative of the Government of the time and place of each and every hearing, at which the parties or their attorney shall have opportunity to introduce evidence and to hear and cross-examine the witnesses for the other party and to inspect all samples and all documentary evidence or other papers offered. Affidavits of persons whose attendance can not be procured may be admitted in the discretion of the general appraiser or Board of General Appraisers.

SEC. 16. That no reappraisement or re-reappraisement provided for in this act shall be considered invalid because of the absence of the aeroplane or samples thereof before the officer or officers making the same, where no party in interest had demanded the inspection of such aeroplane or samples, and where the aeroplane or samples were reasonably accessible for inspection.

SEC. 17. That the decision of the appraiser, or the person acting as such (in case where no objection is made thereto, either by the collector or by the importer, owner, consignee, or agent), or the single general appraiser in case of no appeal, or of the board of three general appraisers, in all reappraisement cases provided for in this act shall be final and conclusive against all parties, and shall not be subject to review in any manner, for any cause, in any tribunal or court, and the collector, or the person acting as such, shall ascertain, fix, and liquidate the amount of the special duty provided for in this act, in addition to the duties prescribed by existing law on such aeroplane.

SEC. 18. That if any person importing an aeroplane into the United States shall fail, at the request of the Secretary of the Treasury, or an appraiser, or person acting as such, or a collector of customs, as the case may be, to secure permission for a duly accredited officer of the United States to inspect any or all books, records, accounts, documents, or other papers pertaining to the value or classification of such aeroplane, of the person selling, shipping, or consigning the aeroplane to the United States, then the Secretary of the Treasury shall, while such failure or refusal continues, prohibit future importations into the United States of aeroplanes from such seller, shipper, or consignor by any importer.

SEC. 19. That if any person engaged in the importation of aeroplanes into the United States or engaged in dealing in such imported aeroplanes shall fail or refuse to submit for inspection of a duly accredited investigating officer of the United States upon request so to do from the collector or the appraiser, or the person acting as such, or any other officer of the United States customs duly authorized by law, any or all of his books or records, accounts, documents, or other papers pertaining to the value or classification of any such imported aeroplane, then the Secretary of the Treasury, while such failure or refusal continues, shall prohibit the future importations of any aeroplane into the United States by or for the persons so refusing.

SEC. 20. That the consular invoice covering an aeroplane subject of this act that is actually purchased shall contain, in addition to the facts and details now required by existing law, the foreign home value, or, in the absence of such value, the value to countries other than the United States, or, in the absence of such value, the cost of production, as the case may be, when such value or cost does not equal the sale price.

SEC. 21. That if any person engaged in the importation of aeroplanes into the United States shall give or receive a rebate or concession from the sale price, whereby the United States shall be deprived of the lawful duties or any portion thereof accruing upon the aeroplanes without notifying the collector of such rebate or concession from the sales price, either at time of entry or afterwards, or shall fail or refuse to submit to the inspection by a duly accredited officer of the United States, when requested so to do, any or all of his books, records, or accounts pertaining to said aeroplanes, he shall upon conviction be fined for each offense a sum not exceeding $5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court, and the collector of customs, or the person acting as such, at the port where such aeroplanes shall have been entered shall have the power, and is hereby authorized, to reliquidate such entry and assess duty, as provided by this act or by existing law, upon such aeroplanes and any provision of existing law inconsistent with this provision is hereby repealed.

SEC. 22. That the special duty herein provided for shall be treated in all respects as regular customs duties within the meaning of sections 2977 and 3015 of the Revised Statutes and paragraph (o) of section 4 of the tariff act of October 3, 1913, and all other statutes providing for drawback customs duties upon exportation of imported merchandise or articles manufactured or produced in the United States wth the use of imported merchandise.

SEC. 23. That this act shall be cited as the "aeroplane antidumping act."

SEC. 24. That the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for the enforcement of this act.

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

Mr. GARD. Reserving the right to object, I understand from the reading of the bill it is what is called an antidumping bill.

Mr. TILSON. I will state that it is in substantially the same language as the bill that we passed unanimously in December, except that at that time the bill applied to all merchandise. That bill was held up at the other end of the Capitol. The matter of airplanes is deemed an emergency. It was believed that if it were made to apply to airplanes alone, being an emergency and involving the question of national defense, there would be no difficulty in getting it through. It is a unanimous report from the Committee on Ways and Means. We used the same bill, so that there might be no question about the House having once thoroughly considered all the details of the bill as applied to merchandise in general.

Mr. GARD. Does the bill have the approval of the War Department?

Mr. TILSON. It is at the request of the War Department—that is, the Air Service of the War Department. It is an emergency, for if the surplus and obsolete airplanes of Europe are allowed to be dumped here it means the destruction of the airplane industry in this country.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. TILSON. Certainly.

Mr. TAYLOR of Colorado. Why does not the gentleman incorporate the report of the War Department in the report on the bill, so that we can see what it is?

Mr. TILSON. We have had no formal report from the War Department, but we had the representatives of the War Department before us. If the gentleman will read the hearings, he will see that Gen. Menoher, representing the War Department; Gen. Mitchell, who is as well qualified to speak on this subject as any man in the United States; and Col Gilmore, who is at the head of the supply division, all appeared and testified before the committee.

Mr. TAYLOR of Colorado. Does not the gentleman's committee follow the practice of giving the report of the Secretary of the various departments in the reports on bills, especially as important a bill as this?

Mr. TILSON. This matter was too urgent to permit of that course. It had been expected that the antidumping bill, which includes aeroplanes, would be finally passed, and we have had only a brief time since we came to the conclusion that the other bill would probably not pass. As a matter of fact, the War Department came to us instead of our going to the War Department.

Mr. TAYLOR of Colorado. Does it take a measure or bill as long as this applying it simply to aeroplanes?

Mr. TILSON. That is a very pertinent question. The bill having been considered in all of its details last December, having been carefully considered by the committee and by this House, section by section, and passed without even a division, we thought it best to take that bill with all of its verbiage instead of attempting to prepare and pass a new bill when there is not time to consider it in detail.

Mr. KING. Will the gentleman yield?

Mr. TILSON. I will.

Mr. KING. I want to direct the attention of the House and the Committee on Ways and Means to a condition that is bound to arise. Not very long ago we passed an enabling act allowing our moneyed men to build factories in all parts of the world, England, Ireland, Armenia, and finance them with American money. Many moneyed men seeking to get a return on their investment put their money in foreign factories, where they expect to employ cheap labor and use the United States as a market. I would like to know if the gentleman knows whether any financial citizens are interested in the importation of aeroplanes manufactured abroad; and if they are, if they will be injured in any way by this legislation.

Mr. TILSON. I do not know as to that. I do know that we now have left a small aircraft industry in this country upon which the Government must rely in case of need of aeroplanes for the Army and Navy hereafter. I know that it is said by those in a position to know best that if we do not prevent the dumping of these aeroplanes from Europe it will swamp this small industry of ours and that we shall probably have to pay for it hereafter in the increased price we shall have to pay for the production of aeroplanes.

Mr. KING. I wanted to know, if the gentleman knows, whether it will injure in the slightest degree any of our moneyed men who have money in these particular factories, because that is something that must absolutely not happen.

Mr. TILSON. I am sorry that I am not in the confidence of the great moneyed men referred to by the gentleman from Illinois, and therefore am unable to answer the gentleman's question.

Mr. SANFORD. Will the gentleman yield?

Mr. TILSON. I will.

Mr. SANFORD. Have we anything in this country that could be called an aeroplane industry?

Mr. TILSON. Yes; it is quite small, but it grew considerably during the war.

Mr. SANFORD. Is it not about gone now?

Mr. TILSON. Not entirely; there is some of it left. It is desirable that we retain the rest of it if possible and encourage it to grow.

Mr. MACGREGOR. Will the gentleman yield?

Mr. TILSON. I will.

Mr. MACGREGOR. I understand that the main purpose of this bill is to protect the workmen, mainly at Buffalo. Th employ there 2,500 men, and if this does not pass they will out of employment.

Mr. TILSON. That is one element that enters into it, but I must be candid with the House and say that the thing that influenced the committee as a whole, both sides, so far as party politics is concerned, was the fact that it is an emergency and that it involves a matter of national defense. This is what appealed to the committee most strongly, and it is upon this ground that I now urge it upon the House.

Mr. LEA of California. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. LEA of California. Was any evidence taken before the committee to show how many aeroplanes might be imported from England?

Mr. TILSON. Yes; the testimony on that question seemed to be somewhat elastic. One man testified that a thousand planes would be brought in, another 2,000, and I think it was stretched up to 5,000 before we got through. The fact was developed that aeroplanes and parts that cost £100,000,000 were sold to the Aircraft Disposal Co., a British corporation, for £1,000,000, or at the rate of one cent on the dollar, and that the British Government is to have 50 per cent of all of the profits made by this disposal company above the 1 per cent for which the planes were sold to the disposal company. It was also brought out that it is proposed to buy a number of these planes from the disposal company and bring them to this country.

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

Mr. TILSON. Yes.

Mr. LONGWORTH. Is it not the fact that all of these machines which are contemplated to be imported, some 4,000 of them, I believe, are obsolete and will be of no service to the Government for purposes of defense?

Mr. TILSON. Yes. There was brought to the attention of the committee an order issued by the British Government to the effect that all of these planes are obsolete planes. It is also in testimony that the capacity for producing the spare parts has been turned into some other industry, so that when a plane is used up there will be no way of securing a spare part to replace the worn-out part.

Mr. LONGWORTH. The original cost of these machines was some $16,000, and they propose to sell them for $2,500.

Mr. TILSON. The gentleman states correctly part of the evidence before the committee.

Mr. LONGWORTH. Showing that they are not good planes.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BLAND of Indiana. Does the gentleman know of any reason why the planes sold by the Liquidation Commission to the French Government could not be sent in here, when they were sold for practically nothing?

Mr. TILSON. I know no reason why they could not be.

Mr. BLAND of Indiana. Some of the products of the sale have been brought in.

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

Mr. TILSON. Yes.

Mr. McKENZIE. This legislation is not being enacted to affect the importation of machines used for military purposes, but for the commercial trade.

Mr. TILSON. That is all.

Mr. HICKS. Is it not a fact that unless such a provision as the gentleman is proposing is enacted into law we shall be aiding the British Government in disposing of its surplus useless war materials to the detriment of the American manufacturers?

Mr. TILSON. We are convinced that such would be the case, and that is the reason the committee reported the bill.

Mr. Speaker, I ask for a vote.

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

There was no objection.

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

Mr. ROGERS. Mr. Speaker, this bill being on the Union Calendar, does it not require unanimous consent for its consideration in the House?

Mr. TILSON. Unanimous consent was given at the beginning.

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

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

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

ARMENIAN MANDATE.

Mr. FLOOD. Mr. Speaker, I hold in my hand the minority views on the Armenian mandate question. The report of the majority was filed yesterday. I ask unanimous consent to file the minority report.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. I would state also that I have not been able to get all of the minority members to sign this, as I have not been able to get hold of them.

BRIDGE ACROSS MONONGAHELA RIVER.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13962) to amend an act approved February 27, 1917, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the bill.

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 Monongahela River, at or near the borough of Wilson, 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 the following committee amendment:

Strike out all after the enacting clause and insert:

"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 Monongahela River, at or near the borough of Wilson, 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 to the present consideration of the bill?

Mr. GARD. Reserving the right to object, is this the third of a series of bills in and about Pittsburgh and Allegheny City, or are we on a new series?

Mr. KELLY of Pennsylvania. This is the only bill applying to the Monongahela River. It is the fourth of a series applying to Allegheny County.

Mr. GARD. The gentleman's colleague [Mr. PORTER] has had two or three bills, all of them extending the time for beginning the work by two years and the completion by four years. The gentleman presents a bill in precisely the same terms, and I rise to inquire why it is this extension of time in beginning and completion is required.

Mr. KELLY of Pennsylvania. The gentleman from Pennsylvania, my colleague [Mr. PORTER] stated last night what the reason was, which is the impossibility of securing the materials. The plans have been approved by the War Department and the county commissioners, but the material could not be procured.

Mr. GARD. Is there any plan on this bill that the gentleman has?

Mr. KELLY of Pennsylvania. The plans have been approved by the War Department.

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

There was no objection.

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

The committee amendment was agreed to.

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

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

By unanimous consent, the title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania."

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

AMENDING FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436).

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

An act (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, this is the act amending the Edge bill?

Mr. PLATT. Yes; it is an act in regard to depositories in Panama and the Philippine Islands.

Mr. KING. Mr. Speaker, I regret very much, but I feel constrained to object and I do object.

Mr. PLATT. I hope the gentleman will not object.

The SPEAKER. The gentleman from Illinois objects.

Mr. PLATT. Mr. Speaker, I move to suspend the rules.

The SPEAKER. Not at present; the Chair will recognize the gentleman a little later for that purpose.

NAVAL OFFICERS DETAILED TO SOUTH AMERICAN REPUBLICS.

Mr. KELLEY of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4435).

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America.

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, upon application from the foreign Governments concerned, and whenever in his discretion the public interests require, to detail officers of the United States naval service to assist the Governments of the Republics of South America in naval matters: *Provided*, That the officers so detailed be, and they are hereby, authorized to accept offices from the Government to which detailed, with such compensation and emoluments therefor as may be first approved by the Secretary of the Navy: *Provided further*, That while so detailed such officers shall receive, in addition to the compensation and emoluments allowed them by such Governments, the pay and allowances of their rank in the United States naval service, and they shall be entitled to the same credit while so detailed for longevity, retirement, and for all other purposes that they would receive if they were serving with the United States naval service.

The SPEAKER. Is a second demanded?

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

Mr. KELLEY of Michigan. 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.

Mr. KELLEY of Michigan. Mr. Speaker, this is a bill authorizing the acceptance of positions by our naval officers in the navies of the South American Republics for the purpose of instructing naval officers there and for the purpose of assisting in the reorganization of South American navies. It provides that such officers as may be assigned to this work may accept additional compensation from those Governments. This legislation is asked for by the State Department and by the Navy Department, and a number of ministers to this country from South America are particularly anxious that their Governments may have the advice and counsel of officers of the United States Navy in reorganizing their navies. This bill is made necessary by reason of the fact that our Constitution provides that no officer of the United States can accept emoluments or office in another country without the consent of the Congress.

I reserve the remainder of my time.

Mr. GARD. Mr. Speaker, what I am led to say will probably be more an inquiry for my own enlightenment. The bill, as I understood it when read, provides for the designation by the Secretary of officers of the Navy to assist in the formation and building up of the navies of South American Republics?

Mr. KELLEY of Michigan. That is right.

Mr. GARD. What number of officers is contemplated to be used?

Mr. KELLEY of Michigan. Oh, a very limited number. The particular request at this time comes from the Republic of Peru. Mr. PORTER, the chairman of the Committee on Foreign Affairs, is present, and perhaps he can give a little more definite idea as to that than myself; and I will yield to him.

Mr. PORTER. Mr. Speaker, we have two precedents for this action—the act of 1914, in relation to the Republic of Haiti, and the act of 1916, in reference to the Dominican Republic. These officers are assigned to South American Republics and are permitted to receive additional compensation, but that compensation must be approved by the Secretary of the Navy. The present situation, I think, requires about three or four men—not more than that. It is a measure that the State Department is very much in favor of for reasons I would not care to state.

Mr. PADGETT. Would the gentleman permit an interruption?

Mr. GARD. Surely.

Mr. PADGETT. Along the same line we provided for Haiti and Santo Domingo?

Mr. GARD. It would seem to me, from the statement of the chairman of the Committee on Foreign Affairs, and members of the Committee on Naval Affairs as well, that there have been precedents for this sort of action——

Mr. KELLEY of Michigan. Yes; in Brazil——

Mr. GARD. Of affording relief to an individual country. Now, the gentleman says this more definitely applies to Peru than any of the South American Republics. What I was particularly inquiring about was as to the number of officers it would be necessary to send down there, because here we are establishing not a policy of giving officers to one country that is making a particular request, but, as I understand from the reading of the bill, we are establishing a policy which may permit the Navy at any time to give officers to South American Republics after the passage of this bill. Now, there is no limitation as to that; and that which I desire to call to the attention of the gentleman—and I hesitate to do that because he has much superior knowledge to mine of these affairs—is that I would like to know his opinion of the policy of the United States affirmatively determining now that it will send, upon the request of foreign Governments, these naval officers to help build the navy of any other country. I ask that of him as a general policy—not after the country has made known its necessities, but when we have such a law on the books. And for this reason: We pay our naval officers pretty well. We got through a bill the other day—and, by the way, there was not a very complete understanding the other day on the report of the conference concerning the naval retirement bill, so that I am sure the membership of the House will be interested in having the gentleman's opinion as to the extent to which this bill goes. As I understand the bill, it provides this general policy of sending officers down to South American Republics; it provides for their accepting money compensation, with the approval of the Secretary of the Navy; it provides at the same time for their continuing to receive their salaries and allowances from the United States of America. Now, I for one am very willing and anxious, indeed, to do everything I can to assist the South American countries, because they are so intimately allied with us in interest; but here we are establishing a policy which applies to our naval conduct; that is, a policy of giving a man a salary and permitting him additional compensation at such period and at such time as is necessary, and establish it not as the necessity of a particular occasion but as a permanent policy. It is on that I would be glad to have the gentleman use some of his time.

Mr. KELLEY of Michigan. Mr. Speaker, I will say to the gentleman that the question of establishing a policy of that kind is a matter of opinion, anyhow. The number of officers involved, the gentleman can readily see, would be very limited, and the relationship between the South American Republics and this Government is such that we, for their benefit as well as our own, could very well afford to do this. Now, as to the question of whether the officers should receive additional compensation from those Governments, the gentleman can readily see that the expense involved in removing to South America with his family and all that for a period of a year or two years might be such as to stand in the way of getting almost any naval officer to go down there.

And if it is to be of any service at all, why, the additional compensation probably must be permitted.

Mr. GARD. What compensation has been given in the past? What compensation was given in the loan of officers to the Dominican Government?

Mr. PADGETT. They received their regular pay.

Mr. KELLEY of Michigan. The Haitian Government pays our marine officers something in addition to their regular pay.

Mr. PADGETT. Such amount as may be approved here.

Mr. GARD. And the entire Haitian Navy could be placed in this room and there would be a lot of room remaining.

Mr. KELLEY of Michigan. I do not know whether I have supplied all the information the gentleman from Ohio is seeking or not, but I think I have stated substantially the situation.

The SPEAKER. The question is on suspending the rules and passing the bill.

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

MUNICIPAL BRIDGE APPROACHES, ST. LOUIS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4167.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill, which the Clerk will report.

Mr. THOMAS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. THOMAS. I make the point of no quorum.

The SPEAKER. The Chair will count.

The SPEAKER proceeded to count.

Mr. THOMAS. Mr. Speaker, I withdraw the point and I ask unanimous consent to address the House for 15 minutes on the consideration of this bill.

Mr. MONDELL. I thought the gentleman wanted 10.

Mr. THOMAS. I have increased it now, because I have had to wait so long.

Mr. MONDELL. The gentleman should not object to 10 minutes.

Mr. THOMAS. Well, I will take 10 minutes out of order.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for 10 minutes after the completion of this bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 4167) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

Be it enacted, etc., That the time for the construction and completion of the municipal bridge approaches and also extensions or additions thereto, which said construction and completion was authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from February 11, 1921.

SEC. 2. That for the purpose of carrying into effect the objects of this act, the city of St. Louis may receive, purchase, and also acquire by lawful appropriation and condemnation in the States of Illinois and Missouri, upon making proper compensation therefor, to be ascertained according to the laws of the State within which the same is located, real and personal property and rights of property, and in order to facilitate and support interstate commerce, may make any and every use of the same necessary and proper for the acquirement, construction, maintenance, and operation of said municipal bridge approaches, and extensions or additions thereto, consistent with the laws of the United States.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [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. IGOE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the termination of the remarks of the gentleman from Kentucky the gentleman from Kansas [Mr. STRONG] may address the House for 10 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the gentleman from Kansas may address the House for 10 minutes following the gentleman from Kentucky. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kentucky [Mr. THOMAS] is recognized for 10 minutes.

Mr. THOMAS. Mr. Speaker and gentlemen of the House, it seems in these latter days of this Congress that Jordan is a hard road to travel and full of stumps to get time to make even a 10-minute speech in this House. But it seems that after great and continuous labor I have succeeded. [Applause.]

A few days ago this House voted upon the question of a soldiers' bonus. I was from the beginning, without any wavering, for that bonus, and I think that every man in this House who voted upon that question voted as he thought right and proper. [Applause.] And as for myself, I have no apologies to make now nor henceforth to any human being for my vote on that question, much less to the Louisville Courier-Journal and the Times, which are not even constituents of mine and can not control my vote by anything they may say or any abuse they may heap upon me. I am one of those individuals who is not afraid of the newspapers of this country, and at all times I will resent any imputation they may make upon my honesty or fidelity to my constituents. A few days ago, soon after the vote was taken, the Louisville Courier-Journal took occasion to vilify and to libel every man in this House who voted for the soldiers' bonus, and neither the editor of the Courier-Journal nor the editor of the Times, who is a lusty young lout, and by some method evaded the draft, can vilify me without it being resented. They called every Member of this House who voted for that bill cowards and hypocrites, together with some other choice epithets.

Those papers have always been guilty of that kind of conduct. They are incorrigible libelers and would-be bulldozers.

> The cook may roast and disinfect them as much as she will,
> But the scent of the skunk will cling to them still.

[Applause.]

Now, who is the editor of the Louisville Courier-Journal? He is a gentleman who is progressive at least in name and militant fortune hunting. He is a North Carolina mountain carpetbagger who drifted into Louisville some years ago and practiced at the law for a while in police and other courts wherever he could obtain employment. What he left the State of North Carolina for I do not know. [Applause.] Some men leave their native country because they have to and some because they want to. I have heard it intimated by people from North Carolina that he left because of an abnormal development of the cranium—osseous, gentlemen, not mental [laughter]—to seek a broader field of uselessness [laughter]. At any rate he came as a carpetbagger to Kentucky and sought political preferment in company with as conscienceless a crowd of political looters, according to the Supreme Court of Kentucky, as ever existed in the city of Louisville.

You gentlemen from New York, Philadelphia, Chicago, and other large cities who have been up against such conditions know what that means. He was elected county attorney, but was deprived of the office by a decision of the supreme court which voided the entire election because of fraud. He was elected as a Democrat, but probably the decision of the supreme court shocked his modesty and offended his dignity, and he proceeded to be revenged by running on the Republican ticket for judge of the supreme court against Judge Shackelford Miller, one of the best and most capable judges that ever sat on the bench in Louisville, but was defeated, as he should have been. Next he was appointed by the Democratic governor of Kentucky to fill out an unexpired term as mayor of Louisville, which he did without credit to himself or benefit to the city. [Laughter.] Next he was appointed by the Republican governor of Kentucky to fill a vacancy in a circuit court judgeship in Louisville, and he now has both the senatorial and gubernatorial bees buzzing about his ears, but I do not know whether he will try his political fortune for a nomination on the Democratic or Republican ticket, but I suspect on either on which he thinks he is most likely to succeed. [Applause.] When he just drifted into Louisville he was known as plain, common Bob Bingham, and mentally quite common at that, I suspect. [Laughter.]

After he was elected county attorney he became R. W. Bingham; upon his appointment as circuit judge he became Judge R. W. Bingham; and next Col. Robert W. Bingham. He is a mighty man against a bonus for anybody except himself, and when, to say the least of it, by fortuitous circumstances, he obtained a bonus of $5,000,000 in the way of a petticoat pension [applause and laughter] he at once became Col. Robert Worth Bingham. I know that he is Col. Robert Worth Bingham because he admits it, and I have seen that statement frequently in his own paper. [Laughter.] And I am looking every day for him to dub himself Gen. Robert Worth Bingham, Commander in Chief of the Army and Navy of the United States. [Laughter.]

He is, in my opinion, a political hermaphrodite, commonly called "morphodite" [laughter], with a decided leaning toward the Republican Party. His favorite associates are the Republican governor and Republican national committeeman of Kentucky, whose praises he is constantly singing in the Courier-Journal. They are his political mentors and advisers, and I understand he will attend the Republican national convention at Chicago in the company of those worthies, though I doubt if he ever goes near the Democratic national convention at San Francisco. [Applause.]

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

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to continue my remarks for 10 minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to continue for 10 minutes. Is there objection?

Mr. MONDELL. Mr. Speaker, I have no objection to the gentleman's continuing for two or three minutes to conclude his interesting remarks.

Mr. THOMAS. I can take up that time more quickly than would be taken up by calling for a quorum.

Mr. MONDELL. How would five minutes do?

Mr. THOMAS. I do not think I could get through with less than 10 minutes. I want to finish this speech. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS. Mr. Speaker, as I said, this man is opposed to the bonus, as all slackers and profiteers and tax dodgers are, and as are many who do not belong to any of those classes. Mr. Bingham has already received his bonus, and with a part of the proceeds he purchased the Louisville Courier-Journal, unfortunately not only for the democracy of the State of Kentucky but unfortunately for the whole people of that State.

Mr. Speaker, the inventive genius of man has constructed machines which have converted the highways of the eagle into human paths, but the feeble wings of weaker and ignoble birds have never been able to attain those sublime altitudes; and Col. Robert Worth Bingham, he of the progressive name, sitting upon the editorial tripod of the Louisville Courier-Journal as the successor of Col. Henry Watterson, whose shoes he is not worthy to untie, is but a feeble substitute for that distinguished and able editorial gladiator. Col. Robert Worth Bingham, sitting in the editorial seat of "Marse" Henry Watterson, may be compared to a dried and shriveled-up pea rattling around in the infinitude of immeasurable space. [Laughter and applause.]

Mr. Speaker, the Louisville Times, the evening sewer adjunct of the Courier-Journal, takes up the discordant chorus of Blanche Tray and Sweetheart with such choice epithets as "cowards," "dishonest," "detestable" in its libel of those who voted for the soldiers' bonus. That paper is presided over by a husky young man by the name of Krock, whose name, I am informed, was formerly Krockenstine. If that be true, perhaps he changed his name, if he did, in imitation of his distinguished "boss," Col. Robert Worth Bingham. [Laughter.] I have a poor opinion of any man who will repudiate his father's and family name by decree of court or otherwise. [Applause.] Mr. Krock, or Krockenstine, as the case may be, spent some years in Washington, D. C., as a kind of correspondent and errand boy for the Courier-Journal, and thereby became eminently qualified to take charge of the Times, which he did, instead of going into the Army and fighting for his country, as he should. How he escaped the draft I do not know, but it is sufficient to say that he did. [Applause.] He is not, I think, primarily to blame for the outburst in the Times, as he is the Courier-Journal's man Friday, and the ox knoweth its owner and the ass its master's crib. [Applause.]

The Times is particularly severe on me, because it says I voted for the rule and thereby voted for the bonus twice. I did, and would have voted for it three times had opportunity presented itself. I do not believe Mr. Krock a bad man at heart; he is only afflicted with an exaggerated case of the swell head, brought on principally by a trip to Europe to advise President Wilson just how to negotiate a peace treaty and League of Nations, but maybe as he grows older he will be relieved, to some extent, of his distressful malady. He remained in Paris quite a time and performed his onerous duties as adviser along with Col. House at least to his own entire satisfaction. [Applause.]

He returned wearing a pair of glasses that covered most of his face, which was a good thing, because the more of his face that is hidden the better looking he is. [Laughter.]

When he returned home he stepped upon the shores of the New World with his golf sticks, his monocle, and his dignity and with all the pomp and confidence of Pizarro when with sword in hand he leaped upon the soil of America. The other side of the world tipped up, and for several days the seismograph at Georgetown, D. C., registered numerous not to say continuous earthquake disturbances, and it must have required an entire coach or maybe two to convey him along his triumphal journey from New York to Louisville [laughter], and he there remains the presiding genius of the Times; and, along with Col. Robert Worth Bingham, is engaged in the patriotic duty of regulating generally the affairs of this mundane sphere, and Congress in particular. [Applause.]

The bonus applies only to incomes of $5,000 or more, with a tax on transfers of real estate and stocks and bonds. It is not, in my opinion, the best bill that could have been devised, but was the best that could be obtained, and I willingly voted for it.

The young men of this country were drafted into the Army. In many instances they were taken from remunerative employment and sent overseas to alien lands to fight at a salary of $30 per month, and are justly entitled to more compensation.

All countries must rely chiefly on their young men in the time of need and day of battle. Hannibal stood an infant before the Punic altar fires and swore eternal enmity to Rome. At 24 years of age he led a mighty army across the plains of sunny Italy and thundered at the gates of the Eternal City while her frightened soldiers and citizens crouched in mortal terror behind the protecting walls. [Applause.]

The rosy-cheeked school boys of France were conscripted and torn from their homes to uphold the desperate fortunes of the tottering Empire and, as they charged down on the English squares at Waterloo and died in a rain of shot and shell, their pallid lips cried "Long live the Emperor!" [Applause.]

The fidelity of the boys of America was proudly proved on the battle fields of Europe, and Château-Thierry, Belleau Wood, and the Argonne are imperishable monuments to their lofty courage, and the House of the American Congress fittingly voted them some compensation for their love of country and devotion to duty. [Applause.]

The SPEAKER. The gentleman from Kansas [Mr. STRONG] is recognized for 10 minutes.

Mr. STRONG of Kansas. Mr. Speaker and Members of the House, the soldiers' adjusted compensation bill, after a long, hard fight, has finally passed the House and is now before the Senate, where the same big-business interests, the same southern opposition, and the same forces of selfishness and prejudice will be found trying to delay and oppose it.

As it came from the Ways and Means Committee and passed the House, it provides for additional compensation for soldiers, sailors, and marines below the rank of major in the Army or its equivalent in the other services, to the amount of $1 per day with a maximum of $500 for service in this country, and a dollar and a quarter per day with a maximum of $625 for overseas service, less the $60 compensation already paid. It provides for the option of vocational training, farm and home aid, land settlement aid, and paid-up life insurance; and in the case of the last four options an additional 40 per cent is added. It will require between fifteen hundred and two thousand million dollars to carry out the provisions of the bill. Taxes to raise the necessary funds are provided in the bill as follows: Additional surtaxes graduating from 1 to 3 per cent on incomes in excess of $5,000; 2 cents on each $10 of stock and bond transactions; 2 cents on each $10 for transactions on the board of trade; 5 cents for each $10 on real estate transfers; 15 per cent additional on cigars and tobacco.

I am frank to say that there are discriminations and taxing features in the bill which, in my opinion, are unwise. A tax on war profiteers should be added, as no man or group of men should have been permitted to make money from the war. The same qualities of sacrifice and response to duty which were asked from the service men should have been demanded from those who remained at home. The mistake was made in not drafting capital, industry, and transportation to serve the Nation as the service men were drafted; for then there would have been no war profiteers, no cost-plus contractors, no riot of high wages, graft, high cost of living, and millionaire making. We would not now have such an immense national indebtedness and an empty Treasury. [Applause.]

But this bill is the result of compromises; it is the best its friends on the Ways and Means Committee could secure, and it has the indorsement of the American Legion representatives and other organizations who were in close touch with the contest here.

We, who fought for this legislation, who appeared before the committee having it in charge, who signed petitions forcing conferences, and who talked and argued and finally filibustered for this measure, know that the fight is not yet won. We know that those who fought it in the House will carry the fight to the Senate. We know that those who are opposed to being taxed to give additional compensation to the men who fought for them at a dollar per day, and who caused the great newspapers of the country to speak of "a raid on the Treasury," of "currency inflations," of "interference with production," of "increasing the high cost of living," and of "pauperizing patriotism," will continue their propaganda, but we who supported this legislation know that it does not take a dollar from the Treasury until after it is first placed there by the taxes provided in this bill; that not one cent is to be added to our circulation, and that as the cash payments do not begin until July, 1921, and are then continued in $50 installments every three months, it is silly to talk of lowering production and increasing living costs because of too much money in the hands of the colored soldier or those in the cities. The truth is that until we eliminated the sales tax from this bill there was little real opposition to it. As long as it was believed the burden could be placed upon the people without making the wealth of the country pay its share, there was but little organization to defeat the bill; but now that the taxes are to be paid largely by those possessed of large means, every effort is used to defeat it. Let me advise the great wealth of this country that before it insists on large standing armies and great navies, together with compulsory military training, for the protection of its interests, it would be well to show some willingness to pay more than $30 per month to the men who at such great sacrifice defended this Nation, including the fortunes of those who now forget. [Applause.]

We who supported this bill know that you can not pay a man for the sacrifice of time, opportunity, position, and the risk of life and limb. Any ex-soldier would justly resent the placing of any price on his patriotism. Our young men are not demanding money or land because they did their duty. They are only asking for a square deal. We are proud of them, of their

service and glorious record whether upon the battle fields of France or in the camps at home; all willingly and gladly did their duty, no matter how disagreeable or at what cost. They did not profiteer or grow rich. Some few may have secured soft jobs, some few may have obtained positions of rank and safety and comfort through their request or influence, but the vast majority, including my own son, entered the camps and served where they were ordered; they fought or were preparing or assisting others to fight. Hence there should be no discrimination between them.

It is unfair to say that these young men do not want and need the additional compensation to which they are entitled. Individually and collectively, they have advised me of their wishes and needs. The young farmer gave up his farm, his implements, and his live stock to return and find that to repurchase them he must pay two and three times the price he sold them for. The young business man left his position, his chance of promotion, his future, to return and find others had taken his opportunity. The schoolboy, the laboring man, the professional man, all sacrificed greatly by their service. This Nation called these men to its service and set their salary at $1 per day, and then proceeded to pay men who were not so called from $3 to $10 per day. Of course, we can not pay them for this sacrifice; but we can aid them to secure some of the opportunities, some of the positions, and some of the advantages they lost—to reestablish themselves. I deeply regret that the great propaganda put out over the country by the organizations of those affected by the taxes in this bill should have caused about 40 Republican Members to have joined with an almost solid Democratic minority in an attempt to prevent the bringing of this bill before the House; but I am glad and proud that the great majority of my party supported every parliamentary situation which made possible the passage of this bill to provide just aid to the new soldiers who served this Nation, even as it has always aided the veterans of other wars. [Applause.]

DAMAGE CLAIMS UNDER COAST AND GEODETIC SURVEY.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3270.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill S. 3270, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3270) authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases.

Be it enacted, etc., That the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, is hereby authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed $500, hereafter occasioned by acts for which the Coast and Geodetic Survey shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is this bill an extension of the principle under which the Secretary of the Navy is now allowed to settle claims for damages not exceeding $500?

Mr. ESCH. It is practically the same principle, and also the principle that was established in the Lighthouse Service. The trouble is that these small claims for damages caused by the crews of the Coast and Geodetic Survey in triangulating harbors and in running their lines can not now be settled.

Mr. GARD. What is the present limit?

Mr. ESCH. None. The only remedy a party has is to go to the Court of Claims. At the time the report was made to the committee by the Secretary of Commerce there were 12 claims that were proper to be settled, which aggregated only $441, but they had no authority to settle and adjust them. The claims would have to go to the Court of Claims, and the amounts do not justify the bringing of actions.

Mr. GARD. Is it the gentleman's idea that the amounts which would be thus adjusted are so small as not to justify court action?

Mr. ESCH. Yes; that is practically the reason.

Mr. GARD. My own idea is that we ought not to extend this principle very far. It may be that the fact that these claims are small in amount, and that the Court of Claims will be relieved of work, is a sufficient excuse for this kind of a law; but, ordinarily, I am not in favor of investing bureaus or heads of departments with the settlement of claims.

Mr. ESCH. In principle I agree with what the gentleman says, but I do not think there will be any danger of this privilege being utilized to any great extent. It will bring relief to people who have small claims and who heretofore have been denied payment.

Mr. DUPRÉ. Is there not a practically identical provision in existing law now with regard to damages done by the Army engineers in river and harbor work?

Mr. ESCH. I am not advised as to that fact; but this authority exists in the Navy Department and in the Lighthouse Service.

Mr. DUPRÉ. It obtains in the War Department, in the Board of Engineers, where losses amounting to less than $500 may be adjusted.

Mr. ESCH. That makes an additional precedent for this legislation.

Mr. GARD. Is this a unanimous report from the committee?

Mr. ESCH. Yes; and the report is made by the Superintendent of the Coast and Geodetic Survey and also by the Secretary of Commerce.

Mr. Speaker, I ask for a vote.

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 a third reading, and was accordingly read the third time and passed.

STARTING POINT OF WASHINGTON TO SAN FRANCISCO MOTOR CONVOY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of H. J. Res. 270, authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco.

The SPEAKER. The gentleman from Alabama asks unanimous consent for consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is hereby authorized to permit the replacement of the temporary monument located on the United States meridian of longitude at a point on the north side of the Ellipse, within the District of Columbia, by a permanent monument, which shall mark the starting point of the motor convoy from Washington, D. C., to San Francisco, Calif., and which may serve as a point from which distances may be measured on United States highways radiating from Washington, D. C. Such replacement shall be made without expense to the United States, and the design of such monument shall be approved by the Commission of Fine Arts.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I understand this is simply for the erection of one monument down here on the Ellipse?

Mr. BANKHEAD. If the gentleman will pardon me, I will make a brief statement about the purpose of the joint resolution.

Mr. WALSH. I do not want to object, if that is the purpose.

Mr. BANKHEAD. Yes. It is to authorize the erection of a monument on the Ellipse, not only as the initial marker for the Lincoln Highway, over which the convoy has already gone, but to establish at that particular point a marker or milestone as the starting point for all these transcontinental highways that are being constructed.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman from Wyoming how much more chicken feed of this sort is going to be run through the hopper before we recess?

Mr. MONDELL. I do not class this as chicken feed. It is important to the gentleman from Alabama and it is important to the people who are interested in motoring through the country. It is not the most important thing in the world, but it is important in its way.

Mr. BLANTON. People who want to motor across the United States could start from the Capitol or from the Monument or Willard Hotel, or somewhere else.

Mr. MONDELL. Yes; but we would prefer that they would start from this monument. [Laughter.]

The SPEAKER. Is there objection?

Mr. GARD. I reserve the right to object, and do it primarily to give the gentleman an opportunity to make a brief statement.

Mr. BANKHEAD. Mr. Speaker, the joint resolution was introduced by the gentleman from California [Mr. KAHN]. It was reported from the Committee on the Library and has been on the Unanimous Consent Calendar for some time. In order to show the purpose of the resolution, I will read a portion of the report:

It seems logical that the system of highways which begin in Washington and radiate therefrom across the continent and to all parts of the national domain should radiate from a definite point in the Capital of the Nation.

The point is on one of the lines of world measurement, the meridian of the District of Columbia, which is the axis of Sixteenth Street, the White House, and the Ellipse, the exact point being the coincidence of this meridian line with the north point of the Ellipse.

From this point on July 7, 1919, two companies of the United States Army began their successful journey by motor convoy over the Lincoln Highway to San Francisco. In order to mark the historic importance of this epoch-making expedition, a temporary monument was placed at the point of departure and was presented to the Government just before the convoy started by Dr. S. M. Johnson, who also tendered to the Government the offer of a permanent monument to take its place in due season. In the absence of the President and upon his behalf the gift was accepted for the Government by the honorable Secretary of War, Newton D. Baker.

I will state that I think it is proper because—and in calling the matter up I trust you will pardon my indulgence in a personal allusion—on the 14th of June next the convoy of a similar character to this is to make a journey over the highway named for my late father, and it is the purpose of gentlemen interested in this proposition to have a permanent monument not only to mark the initial milestone of the transcontinental highway but to give dignity to this matter involved in the highway department.

It will involve no expense to the Government, the monument is already provided, and this stone will not be offensive to the view or the landscape.

Mr. GARD. Still reserving the right to object, who is to furnish the monument that has been provided for?

Mr. BANKHEAD. The funds have been provided. The money was given by Mr. F. W. Hockaaday, of Wichita, Kans., president of the Highway Marking Association, and the design has been approved by the Commission of Fine Arts.

Mr. GARD. What is the National Highway Marking Association?

Mr. BANKHEAD. I do not know that I can give the gentleman definite information about that. It was organized for the purpose of marking the highways with different milestones and is purely a patriotic proposition, without any selfish interest in the world.

Mr. GARD. The old method of marking highways over which I occasionally travel, over the old national road, where there were certain stones set at the road intersections or by the roadside, are almost entirely obliterated. Now they are sunk in the ground, many are mutilated, and they serve no good purpose. The modern idea of the direction to the traveler on the road is by a sign that any man can read as he goes by.

Mr. BANKHEAD. That is the purpose of this highway association.

Mr. GARD. The monument provided by this resolution seems to me to serve no good purpose, because nobody is going down to the ellipse to start over the highways from that point.

Mr. BANKHEAD. That was the point from which the convoy started when it went over the Lincoln Highway.

Mr. GARD. That was a military test, and the convoy may go over it again, but unless there is some official designation for a monument after it has been put up, in 10 years there will not be five people leaving from Washington from that designated point by that monument.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Congress, through this resolution, is seemingly asked to indicate its desire that people hereafter, when they leave Washington, shall go to this particular monument and start.

Mr. BANKHEAD. Oh, no.

Mr. WHEELER. I ask for the regular order.

The SPEAKER. Is there objection?

Mr. GARD. I was reserving the right to object, but if anyone desires to call for the regular order I will object. I was seeking further information, and I want to ask the gentleman—I understand the sentiment in his proposition and approve it.

Mr. BANKHEAD. I did not want to take up the time of the House to read the report.

Mr. GARD. The time of the House can well be devoted to information in relation to matters here presented.

Mr. BANKHEAD. What is it the gentleman desires to know.

Mr. GARD. The particular thing I desire to know is whether this mark, starting as it does down there, is intended to be one of a series of marks, either by the mile or by any other designated distance, to be placed on the roads of the United States at any public expense.

Mr. BANKHEAD. Absolutely not.

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

Mr. BANKHEAD. Yes.

Mr. LUCE. Mr. Speaker, the Committee on the Library, of which I have the honor to be a member, saw in this simply a symbolical expression of the interest in the good-roads movement. It simply adds to the very interesting points in Washington a marker that is erected without cost to the Government.

Mr. GARD. We might with equal propriety establish a monument where the first ox train started over on its road to the Pacific coast. That would be just as sensible as to put a marker where some Army transport started for the Lincoln Highway a year or two ago.

Mr. LUCE. I think, if I may further take the time, that the gentleman does not quite understand the symbolical——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

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

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

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

RECORDS OF JOINT COMMISSION ON RECLASSIFICATION OF SALARIES.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 160, to provide for the preservation and maintenance of the records of the Joint Commission on Reclassification of Salaries.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of Senate joint resolution 160, which the Clerk will report.

The Clerk proceeded to report the joint resolution.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects.

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

Mr. MONDELL. Mr. Speaker, I trust the gentleman will withhold that. We are expecting an important conference report very shortly.

Mr. HUDDLESTON. I am making that point with a view of preventing the calling up of the bill to create Gen. Crowder a lieutenant general, which I understand is about to be brought up. If that is not to be brought in, I shall not make the point.

The SPEAKER. The Chair suggests that the gentleman consult the Chair.

Mr. HUDDLESTON. Very well. I withdraw the point temporarily.

BUREAU OF AERONAUTICS, NAVY DEPARTMENT.

Mr. HICKS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14123) to create a bureau of aeronautics in the Department of the Navy, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill (H. R. 14123) which the Clerk will report.

The Clerk proceeded to report the bill.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

Mr. HICKS. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14123.

The SPEAKER. The Chair does not recognize the gentleman for that purpose at this time.

AMENDING THE FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill S. 4436. Is there objection?

Mr. JAMES. Mr. Speaker, I object.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

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

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.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, 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.

The message also announced that the Senate had passed the following order:

The Vice President, acting under and by virtue of a paragraph in the naval appropriation act creating a joint committee, "to be composed of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House, to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto," appointed Senators BALL, MCCORMICK, KEYES, PITTMAN, and WALSH of Montana as members of the joint committee 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. 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;

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;

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 1726. An act 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;

S. J. Res. 152. Joint resolution 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;

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

S. 3566. An act 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;

S. 4212. An act 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;

S. 4286. An act 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; and

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.

SALARIES OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. STEENERSON. Mr. Speaker, I present a conference report upon the bill H. R. 14338, entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," which I send to the desk. I ask unanimous consent for its immediate consideration and that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota presents a conference report upon the bill H. R. 14338 and asks unanimous consent for its present consideration and that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the conferees.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 14338, an act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, 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 amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10, and 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 "125" named in said amendment insert the following: "120"; 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 the matter inserted by the Senate insert the following: "When the amount exceeds $100 for any one quarter, the postmaster shall be allowed—on the first $100, 115 per cent; on the next $100 or less 75 per cent; and on the balance 60 per cent"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of "60" named in said amendment insert the following: "50"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following: "Inspectors shall be paid their actual expenses not to exceed $5 per day while engaged on official business away from their homes and official domiciles. The appropriation for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses."

And the Senate agree to the same.

H. STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.
CHAS. E. TOWNSEND,
THOMAS STERLING,
J. C. W. BECKHAM,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreement of the House to the amendments of the Senate to the bill (H. R. 14338) entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to each of said amendments, to wit:

The Senate recedes from its amendment No. 9. This amendment relates to compensation of employees of the equipment shops under the Fourth Assistant Postmaster General.

The House recedes from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10.

Amendment No. 1 provides for compensation of fourth-class postmasters at the rate of 145 per cent, instead of 140 per cent on the cancellations amounting to $75 or less per quarter. Under existing law they receive 138 per cent.

Amendment No. 5 provides for transfer of clerks and carriers to new grades.

Amendment No. 6 inserts the words "*Provided further.*"

Amendment No. 7 inserts the words "*And provided further*" to correct the phraseology of the bill.

Amendment No. 10 provides for automatic promotions in addition to increases allowed in the bill upon completion of one year's satisfactory service.

The House recedes from its disagreement to the amendments of the Senate numbered 2, 3, 4, and 8.

Amendment No. 2 strikes out "$125" and inserts "$120."

Amendment No. 3 is in lieu of the matter inserted by the Senate, and reads as follows, to wit: "When the amount exceeds $100 for any one quarter, the postmaser shall be allowed on the first $100, 115 per cent; on the next $100, 75 per cent, and on the balance, 60 per cent."

Amendment numbered 4 strikes out "60 per cent" and inserts "50 per cent," and relates to the computation of gross receipts

at the Washington, D. C., post office, to determine the compensation of supervisory officials.

Amendment numbered 8 relates to expenses of post-office inspectors. It strikes out the words "official headquarters," so that they are not paid expenses when on duty at homes or official domiciles.

HALVOR STEENERSON,
MARTIN B. MADDEN,
JOHN A. MOON,
Managers on the part of the House.

Mr. BLACK. Mr. Speaker, will the gentleman yield to me for a question?

Mr. STEENERSON. Yes.

Mr. BLACK. I did not catch the import of the statement as to the Senate amendment on fourth-class postmasters. Was the whole Senate amendment agreed to?

Mr. STEENERSON. No; but we have graded it a little differently. The working out of the Senate amendment resulted in having some increased and some decreased, but we have graded it another step so that the result is now that every fourth-class postmaster all along the line is increased over his present compensation, which includes the so-called bonus.

Mr. BLACK. By asking the getleman two or three questions I can ascertain what the conference report is. Take the Senate amendment which provides for 145 per cent where the cancellation does not exceed $75 per quarter.

Mr. STEENERSON. That is agreed to.

Mr. BLACK. That is agreed to. Now, it provides for 125 per cent where the cancellation does not exceed $100?

Mr. STEENERSON. Yes.

Mr. BLACK. What change is made in that?

Mr. BLANTON. It is made 115 per cent.

Mr. STEENERSON. I think we graded it at 115 per cent.

Mr. BLACK. That would be a reduction from the Senate amendment?

Mr. STEENERSON. Well, that is only on a limited number, because we have made a new grade. I would have to read the report——

Mr. BLACK. Now, will the gentleman answer this question: As to offices where the cancellation is $250 a quarter or more, what percentage is agreed to by the conferees?

Mr. STEENERSON. Well, we had 82½ per cent.

Mr. BLACK. Under the Senate amendment?

Mr. STEENERSON. Yes; I think ours is 75 per cent.

Mr. BLACK. If it is 75 per cent that would work a very material decrease. Mr. Speaker, I ask that the conference report be read, because——

Mr. STEENERSON. Let the conference report be reported.

Mr. BLACK. I understand how difficult it is to keep these matters in mind.

Mr. STEENERSON. I can not keep them in mind, because this was done at the last moment.

Mr. BLANTON. How long is this conference report?

Mr. STEENERSON. It is short.

The SPEAKER. Without objection, the Speaker will read the conference report.

There was no objection.

The conference report was read.

Mr. STEENERSON. The substance of the provisions as modified are:

Amendment No. 1 was agreed to by the House. This raised the amount from 140 to 145, in line 11, page 4, so that they are allowed 145 per cent on from $75 or less.

Amendment No. 2, when amended, will read as follows:

When the amount exceeds $75 for any one quarter and does not exceed $100, the postmaster shall be allowed 120 per cent on the amount.

Amendment No. 3, when amended, will read as follows:

When the amount exceeds $100 for any one quarter the postmaster shall be allowed—on the first $100, 115 per cent; on the next $100 or less, 75 per cent; and on the balance, 60 per cent.

Mr. ROUSE. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. ROUSE. I would like to know what disposition was made of the Senate amendment providing for automatic promotion?

Mr. STEENERSON. That is agreed to.

Mr. ROUSE. Well, I would like to ask another question. The bill we passed the other day would prevent the Post Office Department from appointing a regular clerk to the position of a post-office inspector. Is there any change made in that provision?

Mr. STEENERSON. No. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

RURAL POST ROADS.

Mr. SELLS. Mr. Speaker——

The SPEAKER. The gentleman from Tennessee.

Mr. NEELY. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes.

The SPEAKER. The Chair had recognized the gentleman from Tennessee.

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 13742, with a committee amendment, and I ask that it may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Tennessee calls up for present consideration the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13742) to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes."

Be it enacted, etc., That section 3 of the act of July 11, 1916, as amended by section 6 of the act of February 28, 1919, is further amended to provide that so much of the appropriations made by said acts apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

SEC. 2. That section 6 of the act of July 11, 1916, as amended by section 5 of the act of February 28, 1919, be further amended so that the limitation of payments, not to exceed $20,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $30,000 per mile.

The committee amendment was read, as follows:

On page 2, lines 4 to 10, strike out all of section 2.

The SPEAKER. Is there objection?

Mr. BLANTON. I object, Mr. Speaker.

Mr. SELLS. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Tennessee moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk began the reading of the bill.

Mr. BLANTON. Mr. Speaker, the reason I objected is that I did not know this had passed the Senate, and I thought it had no chance whatever to pass; but I understand that this bill has passed the Senate and I therefore withdraw the objection.

Mr. SELLS. Well, the bill has not passed the Senate.

Mr. BLANTON. The gentleman does not think it has any chance of passing the Senate and getting back here and being enrolled and signed by the President?

Mr. SELLS. I am sure it will.

Mr. BLANTON. I will withdraw the objection.

The SPEAKER. The motion to suspend the rules is withdrawn. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the committee amendment.

Mr. WALSH. Mr. Speaker, will the gentleman yield for a question?

Mr. SELLS. I will.

Mr. WALSH. Will the gentleman just make a brief statement as to the purpose of this bill? How many States are there it will affect and the amount of money involved?

Mr. SELLS. Mr. Speaker, this bill is reported from the Committee on Roads with the unanimous recommendation that the bill do pass. I call it up on the request of the chairman, the gentleman from New York [Mr. DUNN].

An examination of the bill and the report thereon will readily convince the Congress of its merit. It makes no new appropriation, but merely seeks to extend the period within which funds already allotted by Congress for road construction in conjunction with the various States may be utilized.

As gentlemen probably know, an appropriation of $50,000,000 for the fiscal year ending June 30, 1919, and of $75,000,000 each for the fiscal years ending June 30, 1920 and 1921, was made by the act of February 28, 1919. One of the requirements was that all funds thus made available should be expended within a period of one year following the expiration of the fiscal year for which the appropriation was made. A report from the Bureau of Roads under date of May 10, 1920, shows an unexpended balance to the credit of 22 States approximating

$7,000,000, and which, under the law, must revert to the general road fund for redistribution unless this bill becomes law.

When we take into consideration the many difficulties which have confronted State and local highway commissioners, we find justification for what appears to have been negligence and inexcusable delay in taking advantage of Federal funds appropriated. First was the lack in many instances of the necessary authority under which the States might proceed, and which delayed their cooperation pending legislative action by the States themselves. High prices and scarcity of materials, inadequacy of transportation, a dearth of labor, difficulty of securing State and county appropriations—all have been contributing factors to this delay, and constitute a very cogent reason why a portion of the Federal funds have not as yet been expended.

Mr. SIMS. I would like two or three minutes, Mr. Speaker.

Mr. SELLS. I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. I do not know that I will use that much time.

Mr. Speaker, this bill as amended is exactly like the one that I introduced for the same purpose. I made an investigation at the Public Roads Bureau before introducing it and found that, in order that there may be no loss to any State on account of conditions now prevailing and which have prevailed during the present fiscal year on account of the high cost of labor and material, it is absolute justice to such States that this bill be passed. This bill is the same as the one I introduced, except the bill I introduced did not have the section that was in this bill numbered section 2, which has been stricken out by a committee amendment to this bill. I hope there will be no objection to the present consideration. I know the bill ought to pass immediately so as to prevent any possible lapse of any allotment by the Government to any State that may be unable to cover its apportionment in full by the 30th of June, the last day of this fiscal year.

Mr. SELLS. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I will not take the time of the House on this measure, but I wish to ask unanimous consent to extend my remarks on this bill.

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

Mr. SELLS. Mr. Speaker, I ask for a vote.

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

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

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

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

The question being on the passage of the bill, the question was taken, and the Speaker announced that the ayes seemed to have it.

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

The House divided; and there were—ayes 82, noes 7.

So the bill was passed.

On motion of Mr. SELLS, a motion to reconsider the last vote 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.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 to 8 o'clock. Is there objection? [After a pause.] The Chair hears none.

ESCAPE OF GROVER CLEVELAND BERGDOLL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution that I send to the Clerk's desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the resolution which he sends to the Clerk's desk. The Clerk will report it.

The Clerk read as follows:

House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and——

Mr. BLANTON. Mr. Speaker, in order to save time, I object to the unanimous-consent request.

Mr. CAMPBELL of Kansas. Will the gentleman withhold his objection for a moment?

Mr. GARD. The gentleman can not object until the reading is finished.

Mr. BLANTON. Objection to unanimous consent is in order at any time.

The SPEAKER. The Chair thinks so.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

Mr. CAMPBELL of Kansas, from the Committee on Rules, submits the following report:

The Committee on Rules, to which was referred House resolution 574, submits a privileged report on said resolution, with the recommendation that it be adopted:

House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and

Whereas charges are made, and there is reason to believe, that a plot and conspiracy existed among and between divers and sundry persons unknown to consummate the escape of the said Bergdoll from confinement under his said sentence: Therefore be it——

Mr. BLANTON. Mr. Speaker, 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.] It is clear that there is no quorum present.

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

The SPEAKER. The House has already voted to recess at 6 o'clock. The Chair questions whether it is worth while to have a call of the House and then have a recess.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to make a statement for one minute.

Mr. WALSH. The Speaker has declared that there is no quorum present.

Mr. BLANTON. Mr. Speaker, I withdraw the point of no quorum if the gentleman from Kansas wishes to make a statement.

The SPEAKER. The Chair has announced that there is no quorum present.

Mr. WINGO. Was it the Speaker's idea that we would not be able to complete the call of the House before 6?

The SPEAKER. Yes.

Mr. WINGO. Would it be in order to ask that the recess become effective now, and name the hour?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8 o'clock.

Mr. WINGO. Would it not be better to move a recess? Or perhaps it would amount to the same thing. Would the Chair give an opinion on that?

The SPEAKER. The Chair is in doubt if that could be done.

Mr. MONDELL. I submitted a request for unanimous consent.

The SPEAKER. The Chair is in doubt whether that can be done.

Mr. MONDELL. I think it can be done by unanimous consent—that the House can stand in recess in the absence of a quorum.

Mr. CLARK of Missouri. Mr. Speaker, has the Chair announced that there is no quorum present?

The SPEAKER. The Chair so declared.

Mr. CLARK of Missouri. We could settle this recess question by all going out and coming back at 8 o'clock. We could settle it by ourselves.

The SPEAKER. The Chair is of opinion that less than a quorum can not take a recess.

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

Mr. WINGO. Let me suggest this: The House, by a majority, by instruction, has already fixed a recess from 6 o'clock until 8. A call of the House might get us into an embarrassing situation, and when we come back at 8 o'clock the presumption will be that there is a quorum present then. Could not a plan be devised to take up the 30 minutes lacking between now and 6 o'clock under the order, and then when we resume at 8 o'clock the presumption will be that there is a quorum? That would obviate an embarrassing situation.

The SPEAKER. The Chair is of the opinion that no action can be taken until 6 o'clock, and then the Chair could decide that a recess be taken.

Mr. IGOE. Is there any objection to having the clock moved up to 6 o'clock?

Mr. WALSH. In the absence of a call of the House, in the absence of any other business taking place, is there anything to prevent Members from considering that a recess has now begun and leaving the Hall?

The SPEAKER. The Chair thinks not. That is what the Chair would suggest.

Mr. WINGO. Of course, that may necessitate the Speaker staying here until 6 o'clock.

The SPEAKER. The Chair is willing to stay here.

Mr. KAHN. Mr. Speaker, I ask unanimous consent——

The SPEAKER. It can not be done.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Is not the parliamentary situation now that we have already agreed to recess at 6 o'clock and stand in recess until 8 o'clock?

The SPEAKER. It is.

Mr. GARD. We can do that, can we not?

The SPEAKER. We can.

Mr. GARD. Therefore I think the suggestion of former Speaker CLARK is a very excellent one, that we consider that it is now 6 o'clock, and that we do as moving pictures do—fade away at this time.

The SPEAKER. The Chair also accorded with that. The Chair will stay here until 6 o'clock. Other Members need not.

Mr. MAPES. Would it be necessary to have a quorum here at 8 o'clock, with the point of no quorum pending?

The SPEAKER. That would be the first impression of the Chair.

At 6 o'clock p. m.,

The SPEAKER. The House will stand in recess until 8 o'clock p. m.

Accordingly the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, at 8 o'clock p. m. the House resumed its session.

NO QUORUM—CALL OF THE HOUSE.

The SPEAKER. When the House recessed the point of no quorum had been made, and it was announced that no quorum was present. The Chair thinks that after recess we are in the same position as when we recessed.

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

The SPEAKER. The gentleman from Wyoming moves a call of the House.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where the point of no quorum is withdrawn and a recess occurs, is it not to be assumed——

The SPEAKER. The gentleman did not withdraw the point. The Chair took a great deal of time in counting, and——

Mr. BLANTON. And when we reassemble after the recess is it not assumed that there is a quorum present?

The SPEAKER. The Chair thinks not.

Mr. BLANTON. I think a recess is the same as an adjournment.

The SPEAKER. The Chair thinks a recess is not the same as an adjournment. We resume where we left off at the time of recess. Without objection, a call of the House is ordered. 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:

Anderson	Drane	Hastings	McKinley, Ill.
Anthony	Drewry	Haugen	Madden
Bacharach	Dunn	Hayden	Mann, Ill.
Baer	Dupré	Heflin	Mansfield
Bell	Dyer	Hernandez	Mason
Benham	Eagle	Hersman	Mays
Blackmon	Elliott	Hill	Merritt
Boies	Ellsworth	Hoey	Milligan
Booher	Elston	Houghton	Mooney
Brinson	Evans, Nev.	Hulings	Mudd
Britten	Fairfield	Husted	Nelson, Wis.
Brooks, Ill.	Ferris	Hutchinson	Newton, Minn.
Butler	Fess	Ireland	Nicholls
Caldwell	Flood	Jacoway	Paige
Cantrill	Frear	Jefferis	Parker
Caraway	Freeman	Johnson, Miss.	Peters
Carss	Fuller, Ill.	Keller	Porter
Carter	Fuller, Mass.	Kelley, Mich.	Pou
Clark, Fla.	Gandy	Kennedy, R. I.	Purnell
Coady	Garner	Kettner	Rainey, Ala.
Cole	Godwin, N. C.	Kiess	Ramseyer
Cooper	Goldfogle	Kitchin	Randall, Calif.
Copley	Goodall	Lampert	Randall, Wis.
Costello	Gould	Langley	Reavis.
Cramton	Graham, Ill.	Layton	Rhodes
Dale	Graham, Pa.	Lazaro	Riddick, Mont.
Dempsey	Griest	Lee, Ga.	Rodenberg
Dent	Hamill	Longworth	Rucker
Dewalt	Hamilton	McArthur	Sanders, La.
Dickinson, Mo.	Hardy, Tex.	McClintic	Sanders, N. Y.
Dowell	Harreld	McCulloch	Scully
Sears	Snyder	Sweet	Ward
Sherwood	Stedman	Taylor, Tenn.	Weaver
Sinclair	Steele	Tillman	Webster
Slemp	Stephens, Miss.	Tinkham	Williams
Small	Stephens, Ohio	Treadway	Wilson, Ill.
Smith, Ill.	Stiness	Vare	Wise
Smith, Mich.	Stoll	Vestal	Woodyard
Smithwick	Strong, Pa.	Voigt	Young, N. Dak.
Snell	Sullivan	Volstead	

The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape from a military prison of one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

Mr. SABATH. And the gentleman should withdraw the statement.

Mr. CAMPBELL of Kansas. I shall not withdraw the statement.

Mr. SABATH. It was not in order.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Should not the House at least expect from the chairman of the Committee on Rules, who virtually makes the rules of the House, that he himself should comply with those rules and not proceed out of order?

The SPEAKER. The gentleman from Texas should comply with the rules of the House.

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. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The message also announced that the Senate had agreed to the amendments of the House to the concurrent resolution of the Senate (S. Con. Res. 26) requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, etc.

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. 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.

The message also announced that the Senate has passed with amendment the 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; in which the concurrence of the House of Representatives was requested.

EMPLOYMENT OF NAVAL OFFICERS BY SOUTH AMERICAN REPUBLICS.

The SPEAKER. Without objection, the bill (H. R. 14286) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America, will be laid on the table, a similar Senate bill having been passed.

There was no objection.

THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts. Mr. Speaker, I submit a conference report on the bill (H. R. 10378), the merchant marine. I ask unanimous consent to dispense with the reading of the report, it having been once read, and read the amendment, which has been agreed to by the Senate.

The SPEAKER. Is there objection?

Mr. McKEOWN. Reserving the right to object, I want to ask the gentleman, if no objection is made to his request, if he can tell us how much time will be used in debate?

Mr. EDMONDS. The rule calls for one hour.

Mr. McKEOWN. I know; but will the gentleman use the one hour?

Mr. GREENE of Massachusetts. I was not expecting to.

Mr. McKEOWN. Will the gentleman yield some time to Members on this side?

Mr. GREENE of Massachusetts. I will yield to such Members as I can.

Mr. BANKHEAD. Will the gentleman yield me 20 minutes that I may yield to others?

Mr. GREENE of Massachusetts. I will yield to the gentleman from Alabama 20 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to dispense with the reading of the report except the matter that is new, and that the statement be read.

Mr. GREENE of Massachusetts. And that only the new matter be read in the statement.

The SPEAKER. And that only that portion of the statement be read which refers to new matter. Is there objection?

Mr. GARD. Reserving the right to object, what is the gentleman's request—to read the new part of the report and the new part of the statement?

The SPEAKER. To read the new part of the report and the new part of the statement. Is there objection?

There was no objection.

The Clerk read the portions of the conference report and the statement as agreed to.

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, 138, 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, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 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"; 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 4 of the Senate amendment after "construction" insert "loan"; in line 5 of the Senate amendment strike out "in the construction, or" 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 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "10 hereof, and for the construction loan fund authorized in section 11 hereof"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "and construction loan funds"; 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 regula-

tion 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: Strike out the last paragraph of the Senate amendment; 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 in line 1 of the Senate amendment change the section number from "27" to "25"; 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 outstand-

ing 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 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 "33"; and the Senate agree to the same.

Amendment numbered 140: Change "Sec. 37" to "Sec. 34."

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: "35"; 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 "36"; 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"; also change the section number in line 1 from "40" to "37"; 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. 38. 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: "39"; 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 third 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, changing the designation of the "fund" to "construction loan fund"; 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 restoring the Senate amendment except the last paragraph.

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 Senate recedes.

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 with an amendment changing the section number.

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.

Mr. BLANTON (during the reading of the conference report). Mr. Speaker, I rise to a point of order. A communication has been sent to this House by the President of the United States, and I submit that particular Members of the House have no more right to view that document than others.

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. There are Members of the House now reading the President's veto and I object to it.

The SPEAKER. The Chair overrules the point of order.

The Clerk concluded the reading.

Mr. GREENE of Massachusetts. Mr. Speaker, I desire to yield 20 minutes to the gentleman from Alabama [Mr. BANKHEAD] in the interest of the minority.

Mr. BANKHEAD. Is it the desire of the gentleman from Massachusetts that gentlemen on this side shall speak before any explanation is made of the conference report? I would say very frankly to the chairman of the committee that there is a great deal of misapprehension on this side of the House in respect to some of the questions involved in conference reports.

Mr. GREENE of Massachusetts. I think I can clear up any misapprehension after I speak for a few moments. I shall make a statement, to be followed by the gentleman from Pennsylvania [Mr. EDMONDS], who will make a full explanation of the conference report, so that Members will know exactly what the bill means. I want to make a few remarks myself, as I have been here for many years. [Laughter and applause.]

Mr. Speaker, if I live for two weeks from to-day it will be 22 years since I entered this House. [Applause.] Ever since I have been in this body I have been in favor of an American merchant marine, and I have tried to accomplish this result. I could not obtain sufficient support to secure this result because I could not convince the majority upon the Republican side of the center aisle that they ought to vote to enact into law any proposition which would provide an American merchant marine. On the 8th day of November, last year, a bill was brought into this House by myself from the Committee on the Merchant Marine and Fisheries, with a unanimous report, providing for the establishment of an American merchant marine, and after one day of open debate, when everyone has a chance to say what he thought of the proposition, without a demand for a roll call from myself, but with a demand on the other side of the House for a roll call, the bill was adopted by a vote of 240 in favor of the bill and 8 votes against it. That bill was sent to the Senate. It laid in the Senate for nearly seven months, and the body at the other end of the Capitol, if anyone, is to blame for delay in not considering this bill earlier and returning the same earlier to this body. However, I should not and I do not wish to criticize that honorable body. The bill is here in time to be enacted into law. I am going to offer all of the Members of the House a chance to vote for it.

It is a purely American bill. All of the changes made in the bill were made since the bill left this body. A number of bills have been acted on by the committee and reported unanimously to this House, and these bills are now included by the action of the Senate in adding them to the original bill, H. R. 10378, and are presented for your determination.

The bill H. R. 11311 was introduced by Mr. EDMONDS, of Pennsylvania, and it provided for a classification of the vessels of the United States, and it was the first bill passed by this body after the original bill had been adopted on November 8, 1919. That classification bill provides for an American bureau of shipping. This American bureau of shipping is to be a competitor for the business of the world with the British Lloyd's, which has been in effect for a great many years in the British Empire. No expense will be incurred under the bill. The owners of the vessels who have their vessels classified will pay money enough for all of the expenses of the classification, so that this does not cost the United States Government a single penny. It is a good bill, and I want to tell you further that in all of the effort that I have made for the building up of American merchant marine during my membership in this body there has been a mysterious body of men in the United States who seem to prefer to have British shipping encouraged rather than to have American shipping built up and maintained.

I found that same element that have opposed the legislation for the upbuilding of the American merchant marine by the Congress are very largely dominant in the maritime business of the city of New York, and they have their agents and emissaries scattered all over our country. Everywhere whenever there is any amount of shipping the British Lloyd's have their agencies, and they are after the trade of the world. They do not calculate that the American merchant marine shall be established.

I ask for the adoption of this conference report because I know that the American merchant marine will be firmly established after these bills have been enacted into law, and if there is anyone here who does not favor this bill because of any reason, unless it be a very valid one, I propose to classify the man who objects to this bill and who votes against its enactment into law as an affiliated agent of the British Lloyd's, and to put those who vote for the bill as valuable agents of the American Bureau of Shipping. [Applause.]

You can take your choice. I do not care how you vote, but you should not vote a penny to aid the British Lloyd's from the Treasury of the United States. Now, we had another bill that occupied a great deal of time of the committee. We have occupied considerable time since we have been empowered by the votes of this body to prepare and present an American merchant marine bill.

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

Mr. GREENE of Massachusetts. Certainly.

Mr. JUUL. I want to ask the chairman of this committee if there has been any objection raised to the passage of this bill by any seamen's union—to the bill in its present shape?

Mr. GREENE of Massachusetts. I do not recall any such opposition.

Mr. JUUL. And if such, has it been withdrawn if there has been any?

Mr. GREENE of Massachusetts. The gentleman wants it withdrawn?

Mr. JUUL. If there is any objection pending on any section of this bill.

Mr. GREENE of Massachusetts. I do not recall that they did; it would not have affected my action. I am so much of an American I do not care for any organization that does not prefer the promotion of legislation for keeping the American flag on the sea in preference to that of any other nation in existence. Now, I am going to talk about the bill, briefly, I have in my hand.

It is a bill in the interest of the merchant marine. It is to provide for security of investments in mortgages upon vessels of the United States, and for other purposes. It is a bill that has had the careful consideration of the committee of which I am chairman all the time since we commenced to consider it. We took it up just as quickly as we could after the House was organized, last May, and it provides to safeguard mortgages upon vessels—give them the preference—so that they can issue bonds to aid persons who need money with which to build American vessels, the American vessels to be classified by the American Bureau of Shipping, and that bill is one of the bills which the Senate passed without amendment, and they do not

pass many bills in that manner. One hundred and forty-nine amendments were made to the consolidated bills which you are considering to-night, but this other bill passed without one single amendment at all. [Applause.] Now, we have another bill I want to call attention to, presented by Mr. EDMONDS, a bill to promote marine insurance, and for other purposes. Now, perhaps you do not know, but I will tell you, that the marine insurance has been done on the other side of the water by the British companies and of the companies who control the marine insurance there and have forced New York to take their insurance in order that they may obtain the opportunity to engage in foreign trade on their vessels. We are going to place the American vessels in the American insurance organizations that are created by this bill, and we have given patient hearings to this important subject, and that is going to be distinctly American also.

It is a bill to promote marine insurance, and for other purposes, and a good bill or Mr. EDMONDS would not have had anything to do with it, I will tell you that. [Applause.] So that these bills are all right. They ought to be adopted, every one, without any objection. We have taken out every amendment that anybody had in his mind was objectionable and said so, although I was informed by experts that there was not anything in the bills that ought to be halted by reason of points or order; but I am a sort of landlubber, and I do not know much about water except the water I drink, and so I do not know whether the bill is subject to points of order or not; but we found, however, some men did want to make points of order, and I rather imagine these fellows who made points of order are in sympathy with the British Lloyd's and want to delay the passage of this bill. [Laughter and applause.] I may say that—

This is the day I long have sought
And mourned because I found it not.

I stand to-day with no tears in my eyes but tears of joy, that after nearly 22 years of service in this House I am to have the great pleasure of presenting to this House this measure, which I know will meet the approbation of everybody who knows anything about it. I talked to a southern shipbuilder to-day, and he told me it was a perfect bill and every man ought to vote for it, and he told me there was no reason why a living soul who had a spark of patriotism in his breast should vote against it. I agree with him. Now, I want to give Mr. EDMONDS 15 minutes to explain the bill in full, and I yield to Mr. EDMONDS 15 minutes, and thank you for listening to me. [Applause.] Mr. Speaker, I reserve the balance of my time. How much time have I used?

The SPEAKER. The gentleman has used 15 minutes.

Mr. EDMONDS. Mr. Speaker, I must decline to be interrogated.

As the chairman of the committee explained, this bill passed the House last October It was the result of six months' study by the House Committee on the Merchant Marine and Fisheries, and about six months' study by the Senate Commerce Committee. It is a very unfortunate thing that it has to be brought in here in the last few days of the session, because I am sure that every Member of this House would be interested in hearing what it contains. It is one of the most important reconstruction measures that have passed this House this session. It ought to have the support of every Member. There is no doubt that a great many of you are puzzled over the provisions of the bill. Of course, it is hardly to be supposed that men who are located inland would know very much about maritime matters. The committee would have been glad to have had the opportunity to explain the bill fully to you. I have only 15 minutes and I have got to make the most of that time by trying to bring to your attention a few particular features of the bill.

There are two distinct parts of the bill. One is the administrative part; the other one embodies portions of the bill that are of benefit to the merchant marine. The administrative part, in the first place, repeals all the war legislation. That was in the Greene bill that passed the House. Now, the Senate amended that by placing in the bill a section which arranged for the promotion of a new Shipping Board, this new Shipping Board to be composed of seven members, to be paid $12,000 a year each, and with all the restrictions in regard to interests. They should have no other interests excepting the Shipping Board interests, and these seven new men that are to be appointed under this bill are to be men who are to take charge of over $2,000,000,000 worth, probably over $3,000,000,000 worth, of Government property.

This board is divided up geographically. Two of the men come from the Pacific coast, two from the Atlantic, one from the Gulf, one from the Great Lakes, and one from the interior of the country. Our committee agrees that in all probability it is better that we should pay a higher salary and get men who will devote their entire time to conducting the proper business of this commission. It also arranges for the sale of ships and other property. It arranges for the board through themselves or with operators to establish lines of ships where it is found necessary to have them established.

It arranges through a fund of $25,000,000 a year for the board, not to construct ships, as has been stated around the room here, but to lend money to men who wish to construct these special ships that have been stated so frequently by the different members of the Shipping Board are necessary for the rounding up of the fleet. This fund is $25,000,000 for five years. They can lend up to two-thirds of the amount on the value of the ship in mortgage. It arranges for a transfer of all the property acquired from various sources during the war to the board. This includes warehouses and wharves and other facilities that would be useful in building up a merchant marine and allows all our shipping facilities to be handled by the board. It arranges for an investigation, in connection with the Secretary of War, of port facilities, to see whether or not they can be improved. It gives a definition, a new definition, of citizenship, in which it is required that men or corporations or firms or associations that are in the coastwise trade must at least have 75 per cent American capital in their business.

Those in the foreign trade are left with a controlling interest of American capital in the business. And I want to say to you, gentlemen, while some criticize that, yet at the same time it is found that a great many countries are willing to put up a portion of the capital in a steamship line running to their country, and as long as the control and the officers remain in this country I do not see how we can object. I call your attention to the China Mail Line. That is 60 per cent American and 40 per cent Chinese. There does not seem to be any good reason why, when we can not raise enough capital in this country to dispose of all this property, we should not take advantage of the money offered us by friendly countries.

It arranges for a cooperation between the departments in marine matters, so that all matters that are taken up in the different departments that have to do with such matters will be taken up with the Shipping Board also, thus seeing that they are fairly taken care of and that no interests are injured. Now, that takes up in a general way the administrative portion of the bill.

The portions of the bill for the benefit of shippers are as follows: The bill arranges for marine insurance pooling. Unfortunately the marine insurance companies in this country have never worked together. A company would get a policy much larger than it cared to take individually, and it would reinsure in foreign ports. Our pooling arrangement has been successful. I am announcing it to-night, I think for the first time on the floor here, that it has been successfully completed. The insurance companies have arranged for a line in purely American companies of $2,000,000 on any hull in this country. They have arranged for a line of $3,000,000 on the larger hulls, but $1,000,000 of that is in what are known as admitted companies, companies with foreign capital but that are admitted and do business and pay taxes in this country.

Mr. McKEOWN. Will the gentleman yield at that point?

Mr. EDMONDS. I do not want to yield until I get through with my explanation, and then I will.

The insurance companies in connection with the Shipping Board have arranged for a duplicate salvage bureau. The large salvage association in this country to-day is the London salvage bureau. It works with Lloyd's, and is generally found where Lloyd's classification bureau is found. It is not the same concern. It is a different concern and has a different purpose to accomplish.

Insurance companies in this country, along with the Shipping Board, are going to duplicate that service, not only in this country but all over the world. The bill arranges for a class of preferred mortgages. It does not disturb the present mortgage law, but it arranges for a class of preferred mortgages. A small shipper could not get a mortgage taken on his ship because the mortgage came after all liens; the security was too indefinite. This gives the mortgage on this a new position. Part of the liens come after; part of them come before. The small shipper to-day, a man who wants to own four or five ships, can utilize this preferred mortgage and get capital for financing his line. It has been impossible in the past to get trust companies to take ship mortgages on account of this fact, and I think this will make them popular with the bankers of the country. The bill arranges for a marine classification bureau.

Mr. MILLER. Mr. Speaker, will the gentleman yield there for a question?

Mr. EDMONDS. No; not now.

It arranges for an American classification bureau. A bill for that purpose had already passed the House and it was sent

over to the Senate, but it was incorporated in this bill. It was unanimously passed by this House. It also arranges to restrict the rates, the import and export rates, on railroads to American ships unless American ships are not serving at the point of debarkation of the freight. This is a great advantage to American ships. It is no loss to the Government, and it is no loss to the railroads, and it stands in the way of a subsidy to American ships.

As an example I call attention to the fact that in Philadelphia steam anthracite coal takes a $1.70 rate to Philadelphia. Foreign ships will pay that rate. Anthracite outside takes a $1.50 rate. That is a 20 cent advantage in the rate, and that advantage will go to the American ships. The railroads lose nothing, but the American ship gets the advantage.

It also arranges for postal subventions, only within the limit of the appropriation, of course. It arranges to prevent discrimination against our ships in the foreign trade. I regret to state that the point of order made to-day against the conference report forced us to take out of the bill a very complete measure of this kind which would have allowed our lines to continue to compete with foreign lines between foreign ports, but it was subject to a point of order, and at the last conference it was withdrawn. The item that is retained in there is, I regret, not the provision that ought to be there.

A number of large steamship lines have formed an association to give preferred rebates between the West Indies and Europe. Our lines have to compete against that, and they can not, under our law, join it because they can not give preferred rebates. The amendment that was proposed this afternoon would have taken care of that, and would have prevented those lines from competing with us in any but a fair manner.

It also allows the carriage of passengers on cargo boats. We passed through the House a bill to accomplish this purpose, and it is incorporated in this bill without change. It arranges to protect our coastwise trade and keep our coastwise trade for our own ships. It arranges that in Alaska, where we have been kept out by Canadian ships, we can come back there. The coastwise protection is extended to the Philippines providing the President, after a thorough examination of the conditions there, deems it advisable.

It allows also for the abrogation of treaties with different countries, and provides that this Congress can at any time arrange for discriminating customs duties in favor of our ships. I would like to call attention to the fact, gentlemen, that when we get our import and export rates settled on our ships these discriminating duties will bring us return cargoes.

It arranges to change in some parts the La Follette bill, but all in favor of the sailor. The gentleman from Illinois [Mr. JUUL] asked a question about that a few moments ago.

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

Mr. EDMONDS. May I not have a little more time?

Mr. GREENE of Massachusetts. I yield to the gentleman two more minutes.

Mr. CANNON. Right there, Mr. Speaker, will the gentleman yield for a question? I hope that the gentleman may have all the time that he desires. I do not know much about this bill. I have got to take it on faith.

Mr. EDMONDS. Will the gentleman ask unanimous consent for an extension?

Mr. CANNON. Yes. I ask unanimous consent, Mr. Speaker, that the gentleman from Pennsylvania may have such time as he may desire to explain this bill.

Mr. GRIFFIN. And to answer questions.

Mr. CANNON. Yes; and to answer questions. I would like to vote for the bill, but I would like to know more about it before I vote for it. I ask that the gentleman from Pennsylvania may proceed for 10 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for 10 minutes more.

Mr. SABATH. How much time has the gentleman now?

The SPEAKER. He has no time.

Mr. SABATH. I understand four minutes has been yielded to him.

The SPEAKER. No; two minutes. The gentleman from Illinois has asked that he may have 10 minutes.

Mr. GRIFFIN. Reserving the right to object, if the gentleman is going to take 10 minutes in the elucidation of the bill there will be no time left for inquiries at all. But I will not interpose an objection.

Mr. EDMONDS. It also arranges—and this is a matter of interest to you all—to release taxes on excess profits only in event they are to be used in new ship construction. In other words, a shipowner can be relieved of his income taxes provided he uses those taxes to build a new ship. He must put two-thirds of the money into that new ship himself. Only one-third of the new construction can come out of the taxes. But a man who bought a ship in 1914 or before that and sold it to-day at a profit such as would accrue, say three or four hundred thousand dollars, if he puts that entire sum into new construction he is relieved from the taxes on that profit. Now, I know that this is rather unusual legislation, but I have heard every man in this House make the statement that he wished to build up the American merchant marine, and a great many do not want to give subsidies. I think that this is an easy way for us to build up the American merchant marine, and let us see whether we can put it on the sea, doing business without subsidy. Let us see whether this bill will not make that possible.

Mr. BANKHEAD. Will the gentleman yield for a question in this connection?

Mr. EDMONDS. Yes.

Mr. BANKHEAD. There seems to be some impression, at least on this side of the House, that there is some provision in this bill which provides for a subsidy. I should like to have the gentleman deny that statement very emphatically.

Mr. EDMONDS. There is absolutely nothing in this bill except what I have explained to you that in any way takes any money out of the Treasury of the United States. These to-be-earned taxes come out of the Treasury. The freight arrangement does not come out of the Treasury. There is nothing here except the postal subvention that could be in any way construed to be a subsidy.

Mr. WHEELER. Will the gentleman yield?

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

Mr. WHEELER. I am very much opposed to the sale of these ships. Does the gentleman really believe that provision should have remained in the bill?

Mr. EDMONDS. It just depends on whether the gentleman is for Government ownership or whether he is opposed to Government ownership. Surely there is no question in the minds of those who are opposed to Government ownership and operation of these ships. The Government can not keep them always. It must sell them.

Mr. GRIFFIN. In connection with that question will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. GRIFFIN. I should like to ask, if this is truly a bill for the upbuilding of the American merchant marine, why did you retain in it the provision for the sale of ships to aliens?

Mr. EDMONDS. For the simple reason that the wooden ships, for instance, are absolutely useless in American trade.

Mr. GRIFFIN. Why did you not confine it to the wooden ships?

Mr. EDMONDS. There are some of the steel ships in the same category. The gentleman must realize that this bill requires that five out of the seven members of the board have to agree to the sale of a ship to an alien, and they have to make public their reason for so doing.

Mr. ROWAN. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from New York.

Mr. ROWAN. If this bill is for the promotion of an American merchant marine, I should like to ask why it provides for an indirect method of selling American ships to foreigners, no matter what the tonnage or age of the ship?

Mr. EDMONDS. I should like to ask the gentleman what he means by an indirect method?

Mr. ROWAN. This provides in section 9, in the third paragraph, that it shall be unlawful to charter, sell, transfer, or mortgage 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 unless with the consent of the board.

Mr. EDMONDS. That is a case where a man is already operating a ship purchased from the Shipping Board and it belongs to him.

Mr. ROWAN. And he can immediately turn around and sell it to an alien.

Mr. EDMONDS. He dare not sell it without the consent of the board.

Mr. ROWAN. Any kind of a ship, a ship of over 6,000 tons, a passenger ship, no matter what is the age of the ship, it does not make any difference, he can sell it.

Mr. EDMONDS. It does not make any difference what the ship is when it belongs to a private owner. Certainly he has a right to do what he wants with his property, and all we require is that he shall go to the Shipping Board and obtain their consent before he sells it, and they do not have to give their consent unless they want to.

Mr. ROWAN. If they give their consent, he can sell it to an alien.

Mr. EDMONDS. That is the existing law that you are talking about. That is nothing new. That is in the law now.

Mr. LINTHICUM. That is what we are kicking about.

Mr. JOHNSTON of New York. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. The gentleman referred to the fact that this bill provides for prior liens by way of preferred mortgages.

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. What relief or protection has a man got who supplies material to a ship? Does his lien for material furnished or labor supplied antedate and become prior to the lien referred to by the gentleman?

Mr. EDMONDS. No; it does not.

Mr. CHINDBLOM. Except this, that maritime liens retain their priority.

Mr. JOHNSTON of New York. Not for repairs.

Mr. CHINDBLOM. Those are not maritime liens. Those are contract liens.

Mr. OVERSTREET. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. OVERSTREET. I should like to have the gentleman explain sections 40 and 41. They have been amended in the conference report so as to protect the interests of owners of stock in corporations.

Mr. EDMONDS. Sections 40 and 41?

Mr. OVERSTREET. Yes; and also section 29—sections 29, 40, and 41.

Mr. EDMONDS. I have explained that.

Mr. OVERSTREET. I did not hear it.

Mr. EDMONDS. They have to have 75 per cent of American ownership before they are recognized as citizens under the bill. A man in the foreign trade has to have——

Mr. OVERSTREET. Is that satisfactory to the American people owning stock in corporations?

Mr. EDMONDS. It is absolutely satisfactory to them all.

Mr. McKINIRY. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. McKINIRY. Is there anything in the bill to prevent the Shipping Board being formed by a bare majority and selling the $2,000,000,000 worth of ships practically in possession of the board to an alien, provided the sale is first put through an intermediary of American citizens?

Mr. EDMONDS. Yes; no ship having been in possession of the board before, even if sold outright, can be sold except with the board's permission.

Mr. McKINIRY. Then they could be sold?

Mr. EDMONDS. You would not take away a man's right to his own property?

Mr. PELL. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. PELL. Are the ships to be sold as a whole or separate?

Mr. EDMONDS. That is impossible for anybody to provide by legislation. Common sense would say that the board would take the best trade they could get. I understand that 14 German ships have been turned over to a New York line for operation.

Mr. PELL. Is there any reason why these ships should not be sold to Americans and only to Americans?

Mr. EDMONDS. I think the law requires that to be done, unless they find that they are ships that they do not want and can not use and, therefore, they would find a customer where they could sell. This requires that five out of seven members of the board shall sign every sale to an alien, whether a wooden or a steel ship; and they must give their reasons in writing.

Mr. PELL. Would we not be better off if we obliged the ships to remain under the American flag?

Mr. EDMONDS. The gentleman knows that many ships were built during the war that are not commercial possibilities for this country. They can be used in the Mediterranean or in the Baltic, but we have no use for them here. No member of the Shipping Board would sell a ship to anybody if we had any use for it here. That would be impossible. You would not expect the Shipping Board to be any less American than we are.

Mr. PELL. We have not got the big lines—the big shipping companies—and it will take time to form those companies, and it will take time to raise enough capital. If we could hold these ships for the Government until such lines could be formed, there would be time to develop the companies. If these are to be sold in a short time, and there is no American line, they will go abroad.

Mr. EDMONDS. The gentleman realizes that nothing deteriorates more than a ship that is not in use. If we can operate the ships, we will operate them. If we sell them and we can not sell them in America, we will have to sell them to aliens.

Mr. PELL. It will take years to form these big lines.

Mr. EDMONDS. We are developing a merchant marine faster than any country in the world. Let the gentleman go down to the Shipping Board and see the list of ships they have allocated.

Mr. McKINIRY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point of order that no quorum is present. The Chair will count. [After counting.] Two hundred and nineteen Members, a quorum is present.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that the gentleman from Alabama may use some of his time. There is only one more speech on this side.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker and gentlemen of the House, it is not any pleasant task for a man who has only been here a short time to undertake to raise his voice against the approval of a conference report, especially when that conference report is brought in by a man of such distinguished service in this House and for whom we all have the utmost respect. But, gentlemen, the proposition that is brought here in this bill not only affects the future of the merchant marine of this country, it not only affects the future policy of the United States Government in handling the shipping of this country, but it involves $3,000,000,000 of property that was paid for out of the proceeds from Liberty bonds bought by the people of this country at their face value and now selling for 85 or 90 cents. It means a sacrifice of millions when we sell the ships to private individuals as provided in this bill, which is brought in here without an opportunity of knowing what is in it. I might be for the bill if I understood all of the terms. I do not think the gentleman would bring it in with the intention of doing any injury to the country.

It is not right and not fair to the American people for this Congress at this late hour to pass a measure that involves as much property as this does, with nobody knowing what it contains. [Applause.] The gentleman from Massachusetts [Mr. GREENE] has said that those of us who make opposition are agents of the English Lloyds. Gentlemen know that I live in Oklahoma, away in the interior of the country. I may not know all about maritime matters nor about a merchant marine. I do know, however, that under this bill if a man in my State was the most competent man in the United States to sit upon this board, he could not be placed there because you say the members of the board shall be made up, two men from the Pacific Coast States, two men from the Atlantic States, one from the Great Lakes and one from the Gulf States. What is the rest of the United States that pays the cost, that pays the freight, going to think about that? Are they not entitled to have their sons appointed on this board if they want to and are found to be competent? The man who is competent and lives in a coast State may have to move to the interior for the sake of his wife's health, or of some member of his family, yet he could not go on this board. I say that it is an unconstitutional provision, and you can not divide this country into preferred States like that. [Applause.]

There is not a man who is not on the conference committee who can tell you what is in this report. They can not tell you now the provisions of this bill. We passed a bill of 8 pages through this House, and the Senate amends the bill and the conferees come in now and bring back a hodgepodge, and a bill 59 pages long, and being a new bill written in conference, the conferees bring it in here and say to the Congress, "If you object to it, you are the agents of the English Lloyds." I say it is not a fair way to legislate, and this conference report is not entitled to the approval of this Congress under the circumstances.

I believe in a merchant marine because in Oklahoma we can not ship our grain and our cotton unless we have merchant ships to sail the seas. Whatever nation owns the arteries of commerce will control the wealth of the world, and while we were busy building up railroad transportation we let the other countries of the world build up their transportation on the seas, and for that reason they have gotten control of the export trade. I am not opposed to the United States going out and getting commerce, but I am opposed to disposing of this matter at this late hour without everybody having a fair chance to know the contents of the bill. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen of the House, we are about to be called upon to vote upon the most important and most far-reaching measure that has been presented to this Congress for action. It is not only important because of the immense amount involved but in other particulars. It provides for the sale and disposition by the Shipping Board of what will amount to about 14,000,000 tons of shipping, worth $3,000,000,000, owned by the Government, and paid for by taxes collected from the people. Furthermore, it defines and fixes the future policy of this Government with regard to our merchant marine. And now, without any adequate opportunity for discussion, without any opportunity for the Members of the House to read, much less to consider and study, the provisions of this lengthy, intricate bill, and this conference report, which contains 36 closely printed pages, and without any opportunity whatsoever to amend in any particular, we are called upon to vote for or against the conference report.

As has already been stated, the committee, after careful, extensive hearings, after a thorough consideration, perfected and unanimously reported a bill defining our policy with regard to the merchant marine and providing for the disposition and sale of our ships. It had the indorsement of the Shipping Board and the approval and support of the present Secretary of Commerce, who was at that time a Member of this House and of the Committee on the Merchant Marine and Fisheries which reported out the bill. Here is a copy of it. It contains about eight pages, as compared to this other with 59 pages that comes from the Senate. This House passed the House bill almost unanimously and should have done so. I indorsed and voted for that measure because it was a clear, concise, definite, correct statement of the policy of this House as well as of the Merchant Marine Committee, and I think that it represented the views of the great majority of the American people.

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

Mr. DAVIS of Tennessee. I must decline, because my time is so limited. That House bill was all right, and, as the chairman of the Committee on the Merchant Marine and Fisheries, who introduced it, has told you, it passed the House last November and then rested in the archives of the Senate for some seven months. They finally got busy, but, instead of accepting the House bill, they adopted 149 amendments to it, carried in over fifty-odd pages, and sent it over here a few days before adjournment.

Then it went to conference a few days ago, and I want to state that in my opinion the House conferees have worked faithfully and diligently and endeavored to defeat some of those vicious provisions imposed in the way of amendment by the Senate. They at first succeeded in eliminating some of these vicious provisions, but there are still contained in this bill and in the conference report vicious and un-American provisions—provisions which not only do not protect the interests of the American people and will not protect and preserve our American merchant marine, but which will have the contrary effect. This bill as reported contains provisions adopted at the instance of and for the benefit of certain private shipping and railroad interests, and was written by their representatives. In fact, the tenor, general purport, and apparent purpose of the bill is to take care of the private shipowners and other interests instead of to protect the stupendous interests of the American people.

Mr. CROWTHER. What are they?

Mr. DAVIS of Tennessee. If you will give me the time, I will go into a detailed discussion, but, of course, in 10 minutes I can not do more than make a general statement with regard to the 59-page bill, 149 amendments, and 36 pages of conference report, which has been changed three times in the last two days. [Applause.]

Mr. CROWTHER. Will the gentleman yield?

Mr. DAVIS of Tennessee. I must decline to yield, because my time is too limited. Now, as I said, the House conferees at first succeeded in eliminating some of these vicious provisions, but in their zeal and in their desire to get some sort of a bill passed this session they finally went back into conference and agreed to most of these objectionable features being reinstated, and eliminated some House amendments, so as to avoid further possible points of order being made. Some of the conferees have told me that they seriously object to many of the provisions of this Senate bill as reported, but that they reluctantly agreed to it, and at least one of them told me that it was hoped that hereafter we would be able to amend this bill so as to eliminate these objectionable features. However, I tell you that such a course is impossible. If you do not meet the issue right now, if you pass this bill in its present form, you will not be able to rectify this measure in the future. [Applause.] We would doubtless be able to pass such an amendatory measure through the House, but the same influences that caused the introduction and adoption of these Senate amendments over there, and which have caused the Senate conferees to insist upon the retention of these objectionable provisions so strenuously and effectively as to cause the House conferees to yield, will certainly prevent the passage of any bill which the House may subsequently pass to eliminate those vicious provisions, provided we pass this bill at this time. It takes an affirmative vote of both the Senate and the House to pass the bill, but the negative vote of the Senate could and doubtless would defeat any remedial bill which we might pass. The time to eliminate those objectionable features is now.

It is not necessary for any bill to pass at this time. It is infinitely more preferable to let it go over until the next session and then take the time to carefully consider, discuss, and perfect it and pass a proper bill than it is to ram through such a bill as this in the closing hours of the session, without any intelligent knowledge or consideration being possible, simply in order to pass some kind of a bill dealing with the subject. The House conferees all admit that it contains provisions which they do not approve. If, as a matter of fact, it is essential to pass a merchant-marine bill during this session, we should postpone the date of adjournment long enough to at least give this important matter careful, intelligent consideration. It is inconceivable to me that this Congress is willing to dispose of $3,000,000,000 worth of the people's property and fix our future merchant-marine policy in the manner and under such circumstances as these. I venture the assertion that there is perhaps not a Member of this House, outside of the conferees and perhaps a few other members of the Merchant Marine and Fisheries Committee, who has found the time to even read this bill as reported and the conference report; in fact, three reports have been made within the past 36 hours, and the last one was not only not printed but was not read in full. Two of the conferees have told me that they did not know just what was in the last report. There has been so many rapid changes and so much confusion that not a Member of this House or anybody else could know fully just what we are acting upon.

Mr. YATES. Will the gentleman tell us some of the objections? Some of us want to know. I may be with the gentleman in the matter if I know.

Mr. DAVIS of Tennessee. Well, in the first place, the bill provides for the sale of our ships, which is all right—I am not objecting to that. I think that our ships ought to be sold, provided we sell them at an adequate price and in such manner and upon such conditions as to protect the interests of the people, and so that the ships will remain a part of our American merchant marine. However, I do not think that this bill affords sufficient protection in either respect. Although, as stated, we have about 14,000,000 tons of shipping, involving an ultimate investment of about $3,000,000,000, and are experiencing very great difficulty in finding a sale for such vessels, and it is a foregone conclusion that we can not sell them at cost price, and although this bill directs a sale of our said shipping, yet section 11 of the bill provides for a construction fund of $25,000,000 annually to be set aside out of the revenues from sales and operations, and—

the board shall use such fund to the extent required upon such terms as the board may prescribe to aid persons, citizens of the United States, in the construction by them in private shipyards in the United States—

And so forth. Attention is called to the fact that such fund can only be used "in private shipyards."

Furthermore, this bill permits discrimination in rates on connecting railroad and ship lines, when the vessel so transporting such persons or property by water is documented under the laws of the United States.

One Member asked one of the conferees, who was speaking, to deny that this bill provides for a subsidy. I say that there are several provisions in the bill which in effect amount to a subsidy. It contains many discriminations in favor of different private interests and against the interests of the public. One subsidy to which I wish to call attention, and which has already been admitted and discussed by the gentleman from Pennsylvania [Mr. EDMONDS], is that private shipowners are exempted from the payment of war profits and excess profits taxes imposed by the revenue act of 1918, for a period of 10 years, provided that the amount of such taxes are put into a construction fund, to be used toward the construction of ships of such owners. In my opinion, there is no more reason for thus discriminating in favor of and aiding private shipowners than there is in like manner encouraging the wheat grower, the cattle raiser, the manufacturer, or any other necessary industry. There are innumerable industries in this country which are at least as essential and as worthy of aid and encouragement as are the private shipowners. Indeed, the very fact

that the shipowners will have war profits and excess profits will in itself be sufficient evidence that they are prospering and do not need to be subsidized by the Government.

The SPEAKER. The time of the gentleman has expired.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman asks that the gentleman's time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS of Tennessee. There is another feature to which I wish to call attention——

Mr. WELTY. Before passing to that, the gentleman spoke about persons being permitted to invest their income taxes due the Government in these ships.

Mr. DAVIS of Tennessee. In their own ships.

Mr. WELTY. In their own ships, and after investing them in their own ships are they permitted to sell those ships to aliens under this bill?

Mr. DAVIS of Tennessee. Yes; with the consent of five members of the Shipping Board they can even sell to aliens the ships which they have purchased from the Government, and certain kinds of the Government ships can be sold direct to aliens upon certain conditions. I think that the provisions in this respect are entirely too liberal.

Mr. LINTHICUM. Will the gentleman point out the provision in the bill in regard to discriminating rates of which he was speaking?

Mr. DAVIS of Tennessee. I can not lay my hand on it right now—yes; I believe it is on pages 32 and 33 of the bill.

Now, on the question of subsidies—and I am aware that some favor ship subsidies and some do not—this bill commits us to a policy more than a subsidy. If you will turn to the top of page 2 of the bill you will note that, after it is declared to be our purpose and policy to sell these ships to private interests, the bill further provides:

> And it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine.

I am heartily in favor of a great American merchant marine. I think that we ought to do much to foster and establish same; I am in favor of adopting any reasonable means, consistent with the general public interest, and involving a proper governmental function; but I do not think that we should, at least, without more careful consideration, definitely commit ourselves to a policy that we are going "to do whatever may be necessary to encourage and develop a merchant marine" owned by private citizens.

Mr. McDUFFIE. Will the gentleman yield?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WHITE of Maine. The gentleman does not mean to contend that that mere declaration of purpose writes anything into the law?

Mr. DAVIS of Tennessee. If it means anything, it means what it says, and if it does not mean anything, why is it in there? [Applause.]

Mr. WHITE of Maine. Because it is a declaration of purpose of what we provide.

Mr. DAVIS of Tennessee. It is a declaration of policy. I know it does not carry an appropriation, but it is a declaration of policy of this Congress, and it will be so treated by the Shipping Board and all those officials, and hereafter when other matters arise it will be contended that we have already settled that policy.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. DAVIS of Tennessee. I can not yield any further. As I was saying, I am in favor of a real American merchant marine, but I want it established and maintained for the service and protection of the American people [applause] and not in favor of any special interests. This Government has the ships, and I am in favor of selling these ships to private American interests at fair prices and under such conditions as will protect the interests of the public and insure a proper disposition and use of these ships. This bill is apparently constructed on the idea that the primary purpose of the establishment of a merchant marine is in order that the private shipping interests may reap rich rewards. However, my conception is that our purpose in establishing and maintaining a large merchant marine is to serve the American people and their great agricultural, commercial, and industrial interests; to carry our products to foreign marts throughout the world, and to bring back in exchange their commodities which we may desire to purchase; in other words, to afford adequate facilities of transportation and distribution from and to our shores.

One of the reasons that we want a merchant marine is in order that new lines may be established to all the ports in the world where we can probably build up a trade with the other countries, and also to establish additional or supplemental lines when the present lines are inadequate. In fact, this bill itself expressly provides that investigation shall be made with that end in view, and lines established, either by the allocation of ships that may be sold or by lease or Government operation prior to sale. This purpose is twofold. In the first place, as suggested, it is to create a trade and provide for the transportation of our products to such ports and of their products to our ports. In the second place, the purpose of establishing such lines by lease or Government operation is to demonstrate that such lines are profitable, to the end that we can then sell ships to private interests when it shall have been found to be profitable. The Government can afford to experiment along that line when the private shipping interests would be unwilling to do so.

In this connection, I wish to call attention to how the present shipping trust and private interests succeeded in having their interests protected even against the interests of the Government and the people by the insertion of the following provision in this bill as reported:

> 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.

Of course, if adequate service is already being given, there would be no reason or desire for establishing a supplemental line, the only reason for the establishment of such supplemental lines being in the event the existing service was inadequate to meet the requirements. However, according to this provision where there is any existing service, no matter how inadequate, the Government can not establish a new line except upon the conditions stated. Consequently this provision practically amounts to a prohibition against the establishment of Government lines in such cases, either by allocation, lease, or Government operation, because the case would be rare indeed where a new line established anywhere would from the beginning not only pay all operating expenses but also "a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In other words, in order to favor the private shipping interests and to avoid any competition for them, the public must go unserved, and the Government must lose an opportunity of using its ships to advantage while it owns them and at the same time creating opportunities for the sale thereof.

I do not mean to indicate that I think the Government should operate a line any great length of time without it paying the cost of operation. However, the general provision in the bill with regard to the operation of such lines as may be established by the Government is as follows:

> The board shall operate vessels on such line until the business is developed, so that such vessels may be sold on satisfactory terms and the service maintained, or unless it shall appear within a reasonable time that such line can not be made self-sustaining.

I think that this rule should be applicable to all lines, and that no exception, such as that to which I have called attention, should be made in cases where there happens to be some character of existing service.

Mr. OLIVER. Did all of the conferees sign this conference report?

Mr. DAVIS of Tennessee. No; all of them did not sign this last conference report.

Mr. OLIVER. How many of the conferees declined to sign this report?

Mr. DAVIS of Tennessee. I am not prepared to state as to that. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Speaker, I desire to make a very brief statement in connection with this conference report. I was not one of the original conferees appointed upon the disagreement between the two Houses. Judge HARDY of Texas and Mr. LAZARO of Louisiana were the minority conferees. I was not present when they had the main discussion upon the differences which existed between the two Houses upon the provisions of this bill. I was appointed only yesterday afternoon as one of the conferees after the gentleman from Louisiana [Mr. LAZARO] had left the city. I have been deprived of the opportunity of conferring with these conferees upon the technical differences that have arisen and which are now submitted for the judgment of the House. But I desire to make this statement, especially to my Democratic colleagues upon this floor.

I am not urging any of my colleagues to vote for this bill, because I realize that we have had possibly an unfair oppor-

tunity to give it mature consideration. But it is very important, as it has been urged upon the Committee on the Merchant Marine and Fisheries ever since last summer, that the Congress should enact at this session certainly some legislation declaring the policy of Congress and the judgment of Congress with reference to the disposition of this merchant marine which we have built up at an expense to the taxpayers of this country of $3,000,000,000. The bill which passed the House I regard as a very fine piece of legislation. That bill met almost the unanimous approval of the House, because there were only eight votes cast against it. The Committee on the Merchant Marine and Fisheries of the House in the meantime, after the passage of that bill, the main purpose of which was to declare the policy of the Congress and to put restrictions and limitations upon the power of the board as to the disposition of the merchant marine after it had passed our committee, took up various measures affecting the development and maintenance of an adequate merchant marine, and it reported some of those bills to Congress, and some of them had passed the House and been sent over to the Senate.

I think it is unfortunate that the different measures, one providing for the mortgages, and one for the maritime liens, and the one building up an insurance department, were not brought in as separate measures. But the Senate of the United States, doubtless under the stress and emergency of the short time at their disposal, undertook to compose all these different measures into this one bill, and the bill now presented by the conferees represents the aggregate disposition of these various features of legislation that were proposed for the building up of our merchant marine. I want to say, gentlemen, that it is my judgment that this bill is not subject to the grave objections and perils suggested by some gentlemen on this side of the House who have opposed it.

In my judgment, upon a fair consideration of all of the provisions of this bill, with the limited opportunities I have had to digest them, it is a reasonably good bill; and in view of the fact that the Shipping Board, especially Judge Payne, a man for whom I think every man in this House has a very high regard and the highest respect for his judgment and his honesty and his integrity—in view of the fact that he and the other members of the Shipping Board have been most insistent in urging upon our committee the passage of legislation of this character, not only declaring the policy of our Government, but setting out regulations under which they would be guided and controlled and restricted, not only in the sale of our merchant marine but in the building up of these great foreign trade routes, I think it should be passed.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield for a question?

Mr. BANKHEAD. I will be very glad to yield to the gentleman.

Mr. HUMPHREYS. The present Secretary of Commerce——

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

Mr. BANKHEAD. Mr. Speaker, may I have five minutes more?

Mr. GREENE of Massachusetts. I am sorry I have not the time.

Mr. ROWE. Mr. Speaker, I ask that the gentleman may have five minutes more, outside of the time arranged for.

The SPEAKER. The gentleman from New York asks unanimous consent that the gentleman from Alabama may have five minutes more. Is there objection?

Mr. CANNON. Mr. Speaker, I hope that the gentleman may have much more than that if he desires it. Make it 10 minutes or 15 minutes. We want to know about this bill.

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

There was no objection.

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

Mr. BANKHEAD. I will be glad to yield to the gentleman from Mississippi.

Mr. HUMPHREYS. As to the present Secretary of Commerce, for a number of years chairman of the Committee on the Merchant Marine and Fisheries——

Mr. BANKHEAD. Judge Alexander——

Mr. HUMPHREYS. Yes; Judge Alexander, a man thoroughly familiar with the questions involved—can the gentleman from Alabama state what his views are on this bill?

Mr. BANKHEAD. Unfortunately, the gentleman to whom the gentleman from Mississippi refers left Congress before we had considered all these aspects included in the present bill, but it was the judgment of the former chairman of this committee, the present distinguished Secretary of Commerce, that the House bill which we passed, and which is substantially incorporated in the first features of the pending bill, was a very fine piece of legislation, and it met with his hearty and entire approval; and in fact he very largely framed with his own hand the third section of the bill, which definitely declared the policy of our Government with reference to the disposition of these ships.

Mr. HUMPHREYS. I have been told to-night that the Secretary of Commerce has stated that he was in favor of this bill just as it is now, and has told Members of the House that if he were here, he would vote for it. I wanted to know if the gentleman from Alabama could verify that statement.

Mr. BANKHEAD. I regret I have not had any recent conversation with him.

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

Mr. BANKHEAD. Yes.

Mr. EDMONDS. The gentleman also knows that Judge Alexander had a hand in all the legislation that was passed through the House and which we are incorporating in this bill.

Mr. BANKHEAD. He had.

Mr. RUBEY rose.

Mr. BANKHEAD. Now I yield to the gentleman from Missouri.

Mr. RUBEY. Mr. Speaker, I will say to the gentleman from Alabama—and I do not think I shall betray any confidence in doing so—that I have just talked with Secretary Alexander, and he tells me that from his information as to this bill, while there are features in it to which he objects, he believes, taking it as a whole, that I would be justified in voting for it.

I asked him for the purpose of informing myself as to this bill and as to whether or not I should give it my support, and in that conversation he stated that if he were here he would vote for it, in the hope that at some future meeting of the Congress these objectionable features might be corrected by legislation. [Applause.]

Mr. BANKHEAD. I am very glad to have that statement, because I am sure that this House knows of no man in whose judgment in matters affecting the merchant marine they have greater confidence than our former colleague, Judge Alexander, of Missouri.

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

Mr. BANKHEAD. Yes.

Mr. RAYBURN. What is the tax-exemption feature of this bill?

Mr. BANKHEAD. The tax-exemption feature of this bill, as I understand it, is that they shall not be exempted absolutely from the payment of the income tax, but that they shall be given an allowance on the income tax with the understanding that an amount equal to that shall be invested in new ships.

Mr. RAYBURN. That was the question I wanted to come to. I will ask my friend as a lawyer what he thinks of the legality of an exemption from a tax with the condition imposed that the money that is brought back to the concern in the exemption is to be expended in a certain way? I must say that this is a stumblingblock to me in this legislation.

Mr. BANKHEAD. I will say very frankly to the gentleman that I have not given that phase of it any consideration.

Mr. YATES. Mr. Speaker, it is a joke and a farce to try to discuss the bill with everybody talking at once. We can not hear anything.

Mr. RAYBURN. I will say to my friend that to my mind that raises a most serious question as to the legality of this act.

Mr. BANKHEAD. Possibly that might be a subject of doubt as to its constitutionality. I am not prepared to make a statement one way or the other upon that phase of it, because I have not given it mature consideration from that aspect, the question having not been heretofore raised.

Mr. OLIVER. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. OLIVER. Is that exception limited to profits received from the sale of ships purchased years ago?

Mr. BANKHEAD. Under the general provisions of the income-tax law.

Mr. OLIVER. Under the general provisions of the income-tax law?

Mr. BANKHEAD. Yes.

Mr. WELTY. Under what section of the bill is the tax provision?

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. I ask that the gentleman have three minutes more.

Mr. BANKHEAD. I do not care for any more time.

Mr. BLANTON. I should like to ask the gentleman a question.

The SPEAKER. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. I yield the remainder of my time, which I understand to be eight minutes, to the gentleman from New York [Mr. ROWE].

Mr. BLANTON. Will the gentleman from New York yield for a question?

Mr. ROWE. I have only eight minutes, and I should like to explain the provisions of the conference report first.

Mr. BLANTON. I have not had any time. I should like to ask the gentleman a question.

Mr. ROWE. All right.

Mr. BLANTON. Why is it that in the substitute for Senate amendment 132, as shown on page 12 of the report, Alaska was excepted from the provisions of this bill?

Mr. EDMONDS. Alaska was not, but the Yukon is.

Mr. BLANTON. Alaska is particularly mentioned.

Mr. ROWE. Simply because of the fact that they are dependent in a certain measure on English ships there, and will have to be for some years to come.

Mr. BLANTON. Then this is a subsidy in behalf of English ships, so far as Alaska is concerned?

Mr. ROWE. No; the gentleman is wrong. It leaves the Yukon free to American and English ships alike.

Mr. Speaker, there has been a good deal said here to-night in reference to the sale of ships, and one would think from hearing the discussion, if he had just come in here, that there had been a change in the authority given the Shipping Board as to the sale of ships. The only change has been to restrict the sale of ships, to put limits on the Shipping Board which there were not in the former law. Let me read to you from the shipping act:

> All ships constructed, purchased, or requisitioned under authority herein or hereafter, or heretofore or hereafter acquired by the United States shall be managed, operated, and disposed of as the President may direct.

All that authority has been given to the Shipping Board by the President of the United States. There is no limitation.

If they wished to do so to-day, the Shipping Board could sell without any regard to the value of the ships. They have too much authority. Our committee felt that their authority was altogether too great. Let me read the words in this bill.

Mr. GREENE of Massachusetts. Will the gentleman yield to me?

Mr. ROWE. Certainly.

Mr. GREENE of Massachusetts. Was not that law which the gentleman has quoted passed under the administration of Woodrow Wilson by a Democratic Congress and approved by him?

Mr. ROWE. It was.

Mr. GREENE of Massachusetts. The Shipping Board acts were framed by Judge ALEXANDER'S committee, a Democratic committee, and passed by a Democratic Congress.

Mr. ROWE. That is correct. It was passed under their administration.

Now, in the first place the committee felt that too great a leeway was perhaps given as to the length of the mortgage. In the House bill it was 15 years. In the Senate bill it was 20 years. The conference committee put it back to 15 years.

Now, listen to some of the things that they must take into consideration. If you will turn to page 9 of the bill and examine it you will see that there are some very carefully drawn restrictions as to the value of these ships and as to what they will sell for. In selling the ships they must take into account the prevailing domestic and foreign market price, the available supply, and the demand for ships, existing freight rates and prospects of their maintenance, the cost of constructing vessels of similar type under prevailing conditions, as well as the cost of construction or purchase price of vessels already sold.

Now, Mr. Speaker, having just mentioned the limitations which we put upon the sale of these ships, let me go over the whole bill very rapidly as to what it accomplishes.

Mr. Speaker, the first provision of importance in this bill is the reorganization of the board. It increases the number to seven and increases the salary to $12,000 a year. All the commissioners of other boards are paid $12,000 a year salary. We have felt that this work, which was very limited in the beginning, would take only a part of their time, and the original law was so framed, but the work has now become so extensive that the commissioners must give all of their time to it.

Mr. McKEOWN. Will the gentleman yield?

Mr. ROWE. I will.

Mr. McKEOWN. Why was it that the appointment of the commissioners was limited to certain parts of the United States as against other portions?

Mr. ROWE. The House did not put that provision in the bill. The committee discussed it for a long time. The restrictions put in are the results of almost the unanimous demand of the Senate and a great many Members of the House. It gives two to the Atlantic coast, two to the Pacific coast, one to the Gulf of Mexico, one to the Great Lakes, and one to the interior. I think you will find, if you look it over, that that is a fair apportionment.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. ROWE. I will.

Mr. WHITE of Maine. Is not the purpose to spread the representation on the Shipping Board throughout the country rather than to have it bunched in any one locality?

Mr. ROWE. Yes; it will be much more representative of the whole Nation than any board so far appointed.

Mr. RAYBURN. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. RAYBURN. I want the gentleman's judgment as to the supply of ships as compared with the commerce of the world.

Mr. ROWE. In 1914 there were about 49,000,000 gross tons of shipping in the world. There are now something over 52,000,000 tons, according to the English statistics.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McDUFFIE. Mr. Speaker, I ask that the gentleman's time be extended 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the time of the gentleman from New York be extended 10 minutes. Is there objection?

There was no objection.

Mr. McKEOWN. I want to ask the gentleman, before he leaves this part, what about this $25,000,000 that is invested each year in a revolving fund. In that program how much money each year will be involved—how much will the taxpayers have to pay?

Mr. ROWE. None of it comes direct from the taxpayers; it comes out of the sale of the ships. The gentleman will readily recall that the United States built most of these ships during the war and that they are almost entirely freighters, and the Shipping Board wants to build some ships for the South American and eastern trade that would carry part passengers and part freight. They insisted on a much larger sum—twice that sum. The conferees reduced it from $50,000,000 to $25,000,000 for five years. We changed the plan so that the Shipping Board can not build ships, but can loan on mortgage covering ships being constructed by private parties not to exceed two-thirds of the cost.

Mr. NOLAN. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. NOLAN. The gentleman speaks about passenger and freight carrying ships. Those ships would be 15,000 tons, and the fact is that we can only build about 8 of them—at the outside 10—for $25,000,000 at the present prices, can we?

Mr. ROWE. The plan is to build large, high-speed ships. It would not mean very many ships, unless the people building the ships put in a great deal of money.

Mr. McDUFFIE. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. McDUFFIE. The gentleman from Tennessee said that certain parts of the bill were objectionable on account of the discriminatory freight rates that were provided for by consent of the Interstate Commerce Commission. I wish the gentleman would explain that provision.

Mr. ROWE. Nearly every country in the world gives special rates on the railroads of that country for export trade. For instance, if goods were started at Chicago and going via Philadelphia for Europe, they would get something less in freight rates allowed by the Interstate Commerce Commission.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. CLARK of Missouri. If we are going to sell what ships we have, what is the sense of building any more?

Mr. ROWE. We have been selling some ships, but we are not selling them fast enough. This bill stops the Shipping Board from building. The only reason for assisting others to build is to get an entirely different type. We have no passenger ships running to South America. I say none; within the last two weeks one company has begun the operation of ships very limited in size to South America. The idea is that they want ships built for the South American trade of fifteen or eighteen thousand tons to carry part passenger and part freight; and that would bring people from South American ports to the United States as rapidly as they can be carried to Great Britain.

Mr. CLARK of Missouri. Would not the private shipbuilders build these ships?

Mr. ROWE. They are building them now, but not as rapidly as the Shipping Board wishes. They say that passenger vessels do not pay as well as freight, and the only way they will use this

money is to encourage the building of the kind of ships necessary to complete our merchant marine.

Mr. CLARK of Missouri. Does the gentleman think that because a man happens to live on the Atlantic seaboard or the Gulf of Mexico, or the Pacific seaboard, or the Great Lakes, he knows anything more about shipping than a man who lives in Utah or Nebraska?

Mr. ROWE. The fact is that one of the best men we have ever had on the Merchant Marine and Fisheries Committee came from Missouri.

Mr. CLARK of Missouri. And that demonstrates the fact that there is no sense in locating these men on the seaboard.

Mr. ROWE. The House committee has always believed the matter should be left with the President, but the fact is that the President has appointed members of the present Shipping Board who do not represent all sections of our country.

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

Mr. ROWE. Certainly.

Mr. GARRETT. Is there any estimate as to the amount that the Treasury will be deprived of by this provision in here for exemption, or is it possible to make an estimate?

Mr. ROWE. No. The whole sum would be for five years, five times the $25,000,000, and it is in the nature of a revolving fund, which comes out of sales or rentals.

Mr. GARRETT. I am speaking of the exemption that is given on the income tax.

Mr. ROWE. I did not understand the gentleman.

Mr. GARRETT. Is it possible to make an estimate on that?

Mr. ROWE. No. The Treasury Department was consulted with reference to that, and drew the provision stricken out here to-day on a point of order. It would not be very great, because the construction of ships is a profitable business, and we get a good deal of income from the shipbuilding, so that while you would take it off on one side you would add it to the other. I can say, however, in reference to the question just asked, that Great Britain has followed recently this policy, and has done the very same thing that we are proposing in this bill.

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

Mr. ROWE. I do.

Mr. BEE. I wanted to ask the gentleman from New York with reference to a provision I find refunding to the city of Hoboken certain amounts of money. Is not that a very large amount, and is it money collected from the city of Hoboken that ought not to have been collected.

Mr. ROWE. It was not collected from the city of Hoboken. The German docks at the city of Hoboken were taken over during the war. They are very expensive property. They constitue, as I understand it, about one-fourth or one-sixth of the assessed value of the whole city of Hoboken.

Mr. EAGAN. About one-twelfth, I would say to the gentleman.

Mr. ROWE. I thank the gentleman. The conference committee felt a great deal of sympathy for the city of Hoboken and its representative here [Mr. EAGAN], but we felt that as there were other pieces of property that might be in like circumstances all over the country, that in this bill the matter should not be taken up, but it will be seen that when you come to take away one-twelfth of the income of a city by taxation you strike a tremendous blow at that city. That is the case with the city of Hoboken.

Mr. BEE. What was in my mind, I will say to the gentleman, was exactly the suggestion that he made that these conditions might exist in other places in the United States. I wondered why the city of Hoboken was selected.

Mr. ROWE. I think it is one of the greatest sufferers.

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

Mr. ROWE. I yield.

Mr. EAGAN. The situation with regard to Hoboken is paralleled in no other place in the United States. Hoboken is less than a mile square and has about 70,000 people, is fully developed, and has no opportunity to recoup itself for the enormous loss it will sustain if a way is not found whereby the little city of Hoboken may get the $400,000 now due to it in back taxes on this very valuable pier property as well as the taxes for this and succeeding years. Unless some legislation to this end is enacted at the coming session of Congress, the city will be perilously near the point of bankruptcy. I felt Hoboken's case in the matter of these pier taxes was so eminently just that the conferees would have no difficulty in agreeing to keep the item in the bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. CANNON], may be allowed five minutes to speak on the bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Illinois have five minutes. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I am anxious to vote for this bill if I can do so with safety, if it will not harm the present conditions, but more especially if it will improve the present conditions. As was stated, we have $3,000,000,000 worth of these ships. If they lie in the harbors, they will deteriorate, and I apprehend that the price of shipbuilding will decrease all over the world instead of increasing; so from that standpoint alone I would be in favor of selling these ships as rapidly as possible, because the deterioration will be great, as I am informed.

I am not a shipbuilder. I live away 2,000 miles, 1,200, 1,500 [laughter] from the seaboard. Now, then, I want an American merchant marine. [Applause.] We can not get it unless we follow a policy that will enable us with greater wages on the world's highway to sail ships. If we get a merchant marine we have to contrive some means to make up the difference between what it costs the world to sail on the world's highway and what it costs us. Now, I have been in doubt and I expect I know as much about this bill as most of you do. [Applause.] But what I do not know about it would probably make several books. [Laughter.] But I do not see, after listening to all that has been said, how we can make the condition any worse than it is now, so I have come to the conclusion that I am going to vote for this conference report. [Applause.]

The opinion has been stated here to-night, and I have no doubt correctly stated, of the head of the Department of Commerce and that has something of influence with me. He is a member of the party upon that side, a most intelligent man, and I have great confidence in his honesty, and I am satisfied if we are to have anything done with these ships, deteriorating as they are, that we ought to try to have it done now. Now, that is about all I want to say. Oh, I could talk an hour about this, about what has been done heretofore, how we have been driven from the sea because we could not compete with the world, but I will not attempt to do it. One thing there is with this bill, and that is it protects the coastwise trade of the United States. [Applause.] And we would have been in purgatory if we had not had the coastwise trade prior to the war, because we did have some ships in the coastwise trade and some shipbuilding establishments on the coasts of the United States. I thank the House. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the adoption of the conference report.

The question was taken.

The SPEAKER. The ayes seem to have it.

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Obviously a sufficient number; and the yeas and nays are ordered.

The question was taken; and there were—yeas 166, nays 107, answered "present" 2, not voting 152, as follows:

YEAS—166.

Ackerman	Focht	Kleczka	O'Connor
Andrews, Md.	Foster	Knutson	Ogden
Andrews, Nebr.	French	Kraus	Olney
Ashbrook	Garland	Kreider	Osborne
Aswell	Glynn	Lea, Calif.	Platt
Bankhead	Good	Lehlbach	Radcliffe
Barbour	Goodykoontz	Little	Raker
Bee	Graham, Ill.	Luce	Ramsey
Begg	Green, Iowa	Lufkin	Reber
Benson	Greene, Mass.	Luhring	Reed, N. Y.
Bland, Ind.	Greene, Vt.	McDuffie	Reed, W. Va.
Bland, Va.	Hadley	McFadden	Ricketts
Bowers	Hardy, Colo.	McKenzie	Robsion, Ky.
Brooks, Pa.	Harrison	McLaughlin, Mich.	Rogers
Brumbaugh	Hawley	McLaughlin, Nebr.	Rowe
Burdick	Hays	McPherson	Rubey
Burroughs	Hersey	MacGregor	Sanders, Ind.
Byrnes, S. C.	Hickey	Magee	Sanders, N. Y.
Campbell, Kans.	Hicks	Major	Sanford
Campbell, Pa.	Hill	Mann, S. C.	Schall
Cannon	Hoch	Mapes	Scott
Chindblom	Holland	Martin	Sells
Christopherson	Howard	Mays	Shreve
Classon	Hull, Iowa	Michener	Sinnott
Cramton	Humphreys	Miller	Stevenson
Crowther	Husted	Minahan, N. J.	Strong, Kans.
Dallinger	James	Monahan, Wis.	Summers, Wash.
Davis, Minn.	Jefferis	Mondell	Swope
Denison	Johnson, S. Dak.	Montague	Taylor, Colo.
Dickinson, Iowa	Johnson, Wash.	Moore, Ohio	Temple
Dominick	Jones, Pa.	Moores, Ind.	Thompson
Dunbar	Kahn	Morgan	Tilson
Echols	Kearns	Morin	Timberlake
Edmonds	Kelly, Pa.	Mott	Tincher
Emerson	Kendall	Mudd	Tinkham
Esch	Kennedy, Iowa	Murphy	Towner
Evans, Mont.	King	Newton, Mo.	Vaile
Evans, Nebr.	Kinkaid	Nolan	Venable

Walsh	Welty	White, Me.	Woods, Va.
Walters	Whaley	Wilson, La.	Zihlman
Wason	Wheeler	Winslow	
Watson	White, Kans.	Wood, Ind.	

NAYS—107.

Almon	Doughton	Lee, Ga.	Rainey, Ala.
Ayres	Eagan	Lesher	Rainey, H. T.
Babka	Fields	Linthicum	Rainey, J. W.
Barkley	Fisher	Lonergan	Rayburn
Bell	Flood	McAndrews	Riordan
Black	Gallagher	McGlennon	Robinson, N. C.
Bland, Mo.	Gallivan	McKeown	Romjue
Blanton	Gandy	McKinley	Rose
Box	Ganly	McLane	Rouse
Brand	Gard	MacCrate	Rowan
Briggs	Garrett	Maher	Sabath
Browne	Goldfogle	Mead	Siegel
Burke	Goodwin, Ark.	Milligan	Sims
Byrns, Tenn.	Griffin	Moon	Smith, N. Y.
Candler	Hamill	Moore, Va.	Steagall
Carew	Huddleston	Neely	Sumners, Tex.
Casey	Hudspeth	Nelson, Mo.	Tague
Clark, Mo.	Hull, Tenn.	O'Connell	Taylor, Ark.
Cleary	Igoe	Oldfield	Thomas
Collier	Jacoway	Oliver	Upshaw
Connally	Johnson, Ky.	Overstreet	Vinson
Crisp	Johnston, N. Y.	Padgett	Welling
Cullen	Jones, Tex.	Park	Wilson, Pa.
Davey	Kincheloe	Parrish	Wingo
Davis, Tenn.	Lanham	Pell	Wright
Donovan	Lankford	Phelan	Young, Tex.
Dooling	Larsen	Quin	

ANSWERED "PRESENT"—2.

Watkins	Yates

NOT VOTING—152.

Anderson	Dupré	Kelley, Mich.	Scully
Anthony	Dyer	Kennedy, R. I.	Sears
Bacharach	Eagle	Kettner	Sherwood
Baer	Elliott	Kiess	Sinclair
Benham	Ellsworth	Kitchin	Sisson
Blackmon	Elston	Lampert	Slemp
Boies	Evans, Nev.	Langley	Small
Booher	Fairfield	Layton	Smith, Idaho
Brinson	Ferris	Lazaro	Smith, Ill.
Britten	Fess	Longworth	Smith, Mich.
Brooks, Ill.	Fordney	McArthur	Smithwick
Buchanan	Frear	McClintic	Snell
Butler	Freeman	McCulloch	Snyder
Caldwell	Fuller, Ill.	McKinley	Stedman
Cantrill	Fuller, Mass.	Madden	Steele
Caraway	Garner	Mann, Ill.	Steenerson
Carss	Godwin, N. C.	Mansfield	Stephens, Miss.
Carter	Goodall	Mason	Stephens, Ohio
Clark, Fla.	Gould	Merritt	Stiness
Coady	Graham, Pa.	Mooney	Stoll
Cole	Griest	Nelson, Wis.	Strong, Pa.
Cooper	Hamilton	Newton, Minn.	Sullivan
Copley	Hardy, Tex.	Nicholls	Sweet
Costello	Harreld	Paige	Taylor, Tenn.
Crago	Hastings	Parker	Tillman
Currie, Mich.	Haugen	Peters	Treadway
Curry, Calif.	Hayden	Porter	Vare
Dale	Heflin	Pou	Vestal
Darrow	Hernandez	Purnell	Voigt
Dempsey	Hersman	Ramseyer	Volstead
Dent	Hoey	Randall, Calif.	Ward
Dewalt	Houghton	Randall, Wis.	Weaver
Dickinson, Mo.	Hulings	Reavis	Webster
Doremus	Hutchinson	Rhodes	Williams
Dowell	Ireland	Riddick	Wilson, Ill.
Drane	Johnson, Miss.	Rodenberg	Wise
Drewry	Juul	Rucker	Woodyard
Dunn	Keller	Sanders, La.	Young, N. Dak.

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).

Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).

Mr. LAMPERT (for) with Mr. SULLIVAN (against).

Mr. LAZARO (for) with Mr. WATKINS (against).

Until further notice:

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. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. DALE with Mr. EVANS of Nevada.

Mr. RODENBERG with Mr. SANDERS of Louisiana.

Mr. ELLIOTT with Mr. CARSS.

Mr. SLEMP with Mr. RANDALL of California.

Mr. HARRELD with Mr. MCCLINTIC.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. PURNELL with Mr. SEARS.

Mr. SMITH of Michigan with Mr. WISE.

Mr. PAIGE with Mr. RUCKER.

Mr. MCARTHUR with Mr. WEAVER.

Mr. SNELL with Mr. KETTNER.

Mr. DUNN with Mr. FERRIS.

Mr. IRELAND with Mr. KITCHIN.

Mr. KIESS with Mr. SHERWOOD.

Mr. WILLIAMS with Mr. SCULLY.

Mr. VOIGT with Mr. JOHNSON of Mississippi.

Mr. NELSON of Wisconsin with Mr. SMALL.

Mr. TREADWAY with Mr. BOOHER.

Mr. SWEET with Mr. SISSON.

Mr. STEPHENS of Ohio with Mr. NICHOLLS.

Mr. HUTCHINSON with Mr. STOLL.

Mr. REAVIS with Mr. DREWRY.

Mr. DEMPSEY with Mr. CANTRILL.

Mr. ANTHONY with Mr. MOONEY.

Mr. MASON with Mr. POU.

Mr. PORTER with Mr. DEWALT.

Mr. MADDEN with Mr. DICKINSON of Missouri.

Mr. GRIEST with Mr. HARDY of Texas.

Mr. FORDNEY with Mr. HEFLIN.

Mr. MANN of Illinois with Mr. GARNER.

Mr. FESS with Mr. CARAWAY.

Mr. GOODALL with Mr. HERSMAN.

Mr. STEENERSON with Mr. COADY.

Mr. FAIRFIELD with Mr. GODWIN of North Carolina.

Mr. FREEMAN with Mr. BRINSON.

Mr. NEWTON of Minnesota with Mr. HOEY.

Mr. MCKINLEY with Mr. EAGLE.

Mr. LONGWORTH with Mr. STEDMAN.

Mr. FREAR with Mr. SMITHWICK.

Mr. DARROW with Mr. MANSFIELD.

Mr. CRAGO with Mr. STEPHENS of Mississippi.

Mr. CURRIE of Michigan with Mr. DOREMUS.

Mr. DOWELL with Mr. DUPRÉ.

Mr. BUTLER with Mr. DENT.

Mr. BACHARACH with Mr. BLACKMON.

Mr. COOPER with Mr. BUCHANAN.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the conference report.

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

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 120, answered "present" 4, not voting 158, as follows:

YEAS—145.

Ackerman	Goodykoontz	McDuffie	Robsion, Ky.
Andrews, Md.	Graham, Ill.	McFadden	Rogers
Andrews, Nebr.	Greene, Mass.	McKenzie	Rowe
Ashbrook	Greene, Vt.	McLaughlin, Mich.	Rubey
Aswell	Hadley	McLaughlin, Nebr.	Sanders, Ind.
Bankhead	Hardy, Colo.	McPherson	Sanders, N. Y.
Bee	Harrison	MacGregor	Sanford
Benson	Hawley	Magee	Scott
Bland, Ind.	Hersey	Mann, S. C.	Shreve
Bland, Mo.	Hickey	Mapes	Sinnott
Bland, Va.	Hicks	Martin	Smith, Idaho
Bowers	Hill	Mays	Steenerson
Brooks, Pa.	Hoch	Michener	Stevenson
Burdick	Holland	Miller	Strong, Kans.
Burroughs	Howard	Monahan, Wis.	Summers, Wash.
Campbell, Kans.	Hull, Iowa	Mondell	Swope
Campbell, Pa.	Humphreys	Montague	Temple
Chindblom	Husted	Moore, Ohio	Thompson
Classon	Jefferis	Morgan	Tilson
Crago	Johnson, Wash.	Morin	Timberlake
Cramton	Jones, Pa.	Mott	Tincher
Crowther	Kahn	Mudd	Towner
Dallinger	Kearns	Murphy	Vaile
Davis, Minn.	Kendall	Newton, Mo.	Wason
Dickinson, Iowa	Kennedy, Iowa	Nolan	Watson
Dominick	King	Ogden	Welling
Dunbar	Knutson	Olney	Whaley
Echols	Kreider	Osborne	Wheeler
Edmonds	Langley	Overstreet	White, Me.
Emerson	Lea, Calif.	Platt	Wilson, La.
Esch	Lee, Ga.	Radcliffe	Winslow
Evans, Nebr.	Lehlbach	Raker	Woods, Va.
Focht	Lesher	Ramsey	Wright
Foster	Little	Reber	Zihlman
French	Luce	Reed, N. Y.	
Garland	Lufkin	Reed, W. Va.	
Glynn	Luhring	Ricketts	

NAYS—120.

Almon	Byrns, Tenn.	Doughton	Hays
Ayres	Candler	Eagan	Huddleston
Babka	Carew	Evans, Mont.	Hudspeth
Barbour	Casey	Fields	Hull, Tenn.
Barkley	Christopherson	Fisher	Igoe
Begg	Clark, Mo.	Flood	Jacoway
Bell	Cleary	Gallagher	James
Benham	Collier	Gallivan	Johnson, Ky.
Black	Connally	Gandy	Johnson, S. Dak.
Blanton	Crisp	Ganly	Johnston, N. Y.
Box	Cullen	Gard	Jones, Tex.
Brand	Davey	Garrett	Kelly, Pa.
Briggs	Davis, Tenn.	Goldfogle	Kincheloe
Browne	Donovan	Goodwin, Ark.	Kleczka
Buchanan	Dooling	Griffin	Kraus
Burke	Doremus	Hamill	Lanham

Lankford	Moon	Rainey, Ala.	Tague
Larsen	Moore, Va.	Rainey, H. T.	Taylor, Ark.
Linthicum	Neely	Rainey, J. W.	Thomas
Lonergan	Nelson, Mo.	Rayburn	Tinkham
McGlennon	O'Connell	Riordan	Upshaw
McKeown	O'Connor	Romjue	Venable
McKinley	Oldfield	Rose	Vinson
McLane	Oliver	Rouse	Walters
MacCrate	Padgett	Rowan	Welty
Maher	Park	Sabath	Wilson, Pa.
Major	Parrish	Siegel	Wingo
Mansfield	Pell	Sims	Wood, Ind.
Mead	Phelan	Smith, N. Y.	Yates
Minahan, N. J.	Quin	Steagall	Young, Tex.

ANSWERED "PRESENT"—4.

McAndrews	Schall	Sumners, Tex.	Watkins

NOT VOTING—158.

Anderson	Eagle	Kettner	Sells
Anthony	Elliott	Kiess	Sherwood
Bacharach	Ellsworth	Kinkaid	Sinclair
Baer	Elston	Kitchin	Sisson
Blackmon	Evans, Nev.	Lampert	Slemp
Boies	Fairfield	Layton	Small
Booher	Ferris	Lazaro	Smith, Ill.
Brinson	Fess	Longworth	Smith, Mich.
Britten	Fordney	McArthur	Smithwick
Brooks, Ill.	Frear	McClintic	Snell
Brumbaugh	Freeman	McCulloch	Snyder
Butler	Fuller, Ill.	McKinley	Stedman
Byrnes, S. C.	Fuller, Mass.	Madden	Steele
Caldwell	Garner	Mann, Ill.	Stephens, Miss.
Cannon	Godwin, N. C.	Mason	Stephens, Ohio
Cantrill	Good	Merritt	Stiness
Caraway	Goodall	Milligan	Stoll
Carss	Gould	Mooney	Strong, Pa.
Carter	Graham, Pa.	Moores, Ind.	Sullivan
Clark, Fla.	Green, Iowa	Nelson, Wis.	Sweet
Coady	Griest	Newton, Minn.	Taylor, Colo.
Cole	Hamilton	Nicholls	Taylor, Tenn.
Cooper	Hardy, Tex.	Paige	Tillman
Copley	Harreld	Parker	Treadway
Costello	Hastings	Peters	Vare
Currie, Mich.	Haugen	Porter	Vestal
Curry, Calif.	Hayden	Pou	Voigt
Dale	Heflin	Purnell	Volstead
Darrow	Hernandez	Ramseyer	Walsh
Dempsey	Hersman	Randall, Calif.	Ward
Denison	Hoey	Randall, Wis.	Weaver
Dent	Houghton	Reavis	Webster
Dewalt	Hulings	Rhodes	White, Kans.
Dickinson, Mo.	Hutchinson	Riddick	Williams
Dowell	Ireland	Robinson, N. C.	Wilson, Ill.
Drane	Johnson, Miss.	Rodenberg	Wise
Drewry	Juul	Rucker	Woodyard
Dunn	Keller	Sanders, La.	Young, N. Dak.
Dupré	Kelley, Mich.	Scully	
Dyer	Kennedy, R. I.	Sears	

So the conference report was agreed to.

Mr. BLAND of Indiana. Mr. Speaker, how am I recorded?

The SPEAKER. As voting "yea."

Mr. BLAND of Indiana. Is the Mr. BLAND of Missouri recorded?

The SPEAKER. Yes.

Mr. BLAND of Indiana. I may have voted for both of us, but he said if so he would stand for it.

Mr. McLANE. Mr. Speaker, how am I recorded? I did not hear my name called.

The SPEAKER. Was the gentleman present and listening?

Mr. McLANE. No.

The SPEAKER. Then the gentleman can not qualify.

Mr. SUMNERS of Texas. Mr. Speaker, I voted "aye." I am paired with the gentleman from Louisiana [Mr. DUPRÉ]. I desire to withdraw my vote and vote "present."

Mr. WALSH. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. WALSH. I was not present in the Hall, listening.

The SPEAKER. Then the gentleman can not qualify. Gentlemen should not ask how they are recorded unless they have reason to think that they have not been recorded. It takes the time of the House. The only ones who have the right to appear for that purpose are those who voted or wish to change their votes.

Mr. McLANE. Mr. Speaker, I was present in the Hall.

The SPEAKER. Was the gentleman present in the Hall, listening?

Mr. McLANE. Yes, sir.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. McLANE, and he answered "nay."

The Clerk announced the following additional pairs:

On the vote:

Mr. CANNON (for) with Mr. MCANDREWS (against).

Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).

Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).

Mr. LAMPERT (for) with Mr. SULLIVAN (against).

Mr. LAZARO (for) with Mr. WATKINS (against).

Mr. DUPRÉ (for) with Mr. SUMNERS of Texas (against).

Until further notice:

Mr. WALSH with Mr. TAYLOR of Colorado.

Mr. GOOD with Mr. STEPHENS of Mississippi.

Mr. STINESS with Mr. MILLIGAN.

Mr. DARROW with Mr. CODY.

Mr. DENISON with Mr. ROBINSON of North Carolina.

Mr. STRONG of Pennsylvania with Mr. CLARK of Florida.

Mr. HAUGEN with Mr. BRUMBAUGH.

Mr. COOPER with Mr. BYRNES of South Carolina.

The result of the vote was announced as above recorded.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, had requested a conference with the House, and had appointed Mr. NORRIS, Mr. BRANDEGEE, and Mr. KIRBY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey, in which the concurrence of the House of Representatives was requested.

VETO MESSAGE—THE BUDGET BILL.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning without my signature H. R. 9783, "An act to provide a national budget system, an independent audit of Government accounts, and for other purposes." I do this with the greatest regret. I am in entire sympathy with the objects of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional. This is the provision to the effect that the comptroller general and the assistant comptroller general, who are to be appointed by the President with the advice and consent of the Senate, may be removed at any time by a concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. The effect of this is to prevent the removal of these officers for any cause except either by impeachment or a concurrent resolution of Congress. It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it, as an incident, the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal derived from the Constitution.

The section referred to not only forbids the Executive to remove these officers but undertakes to empower the Congress by a concurrent resolution to remove an officer appointed by the President with the advice and consent of the Senate. I can find in the Constitution no warrant for the exercise of this power by the Congress. There is certainly no express authority conferred, and I am unable to see that authority for the exercise of this power is implied in any express grant of power. On the contrary, I think its exercise is clearly negatived by section 2 of Article II. That section, after providing that certain enumerated officers and all officers whose appointments are not otherwise provided for shall be appointed by the President with the advice and consent of the Senate, provides that the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of department. It would have been within the constitutional power of the Congress, in creating these offices, to have vested the power of appointment in the President alone, in the President with the advice and consent of the Senate, or even in the head of a department. Regarding as I do the power of removal from office as an essential incident to the appointing power, I can not escape the conclusion that the vesting of this power of removal in the Con-

gress is unconstitutional and therefore I am unable to approve the bill.

I am returning the bill at the earliest possible moment with the hope that the Congress may find time before adjournment to remedy this defect.

WOODROW WILSON.

THE WHITE HOUSE, *June 4, 1920.*

Mr. GOOD. Mr. Speaker, I regret more than I can express that the President has thought it necessary to veto the budget bill. I can not arrive at any conclusion other than that the legal advice he has received as to the constitutional powers of Congress in this respect is, indeed, faulty.

The Committee on the Budget went into this matter very carefully, and in considering the matter there was never a vote, either on this subject of creating the general accounting office and providing for the comptroller general and his assistants or in the budget itself, where there was any division of sentiment between the members of that committee.

In creating the general accounting office and providing for the comptroller general and the assistant comptroller general, the committee was guided by a single thought, and that was that these two officers should be placed upon a plane somewhat comparable to the position occupied by Federal judges. The positions are semijudicial, and it was the opinion of the committee that we should remove them as far as possible from political considerations. It was considered that as to the President's appointment, if it was made a political office, the President would in all likelihood appoint some one of his own political faith. If the political situation should change and a President of some other political faith should assume the duties of that office, then that succeeding President would likewise appoint some one of his political belief. It was the desire of the committee that that situation should be avoided if possible.

You will recall that a former President, somewhat miffed because a Comptroller of the Treasury had ruled against his contention, sent word to the comptroller that if he could not change the opinion of the comptroller he could change the comptroller. It was the opinion of the committee that that condition should not be possible in the office that we were creating, an office that is to be, as it were, an arm of the Congress, where the official might be compelled to say to the executive officials, "This appropriation shall not be expended for any other purpose than that expressly provided for in the appropriation." We all know the tremendous influence that has always been brought upon the Comptroller of the Treasury, no matter who was President of the United States or to what political party he belonged, or who might occupy the position of comptroller.

The committee brought forth a provision in this bill somewhat unique, it is true, but a provision which the committee believed answers every provision of the Constitution and satisfies the decisions of the courts in the construction of the Constitution. The provision is this:

> The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of negligence of duty or malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause, and in no other manner except by impeachment.

Article II, section 2, of the Constitution, referred to by the President in his veto message, which is descriptive of the powers of the President, specifies—

> And he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

The Federal statutes, in the latest annotation, contain this provision with regard to Article III, section 2, of the Constitution:

> 4. Removal of inferior officers. When Congress by law vests the appointment of inferior officers in the heads of departments, it may limit and restrict the power of removal as it deems best for the public interest. The head of a department has no constitutional prerogative of appointment to office independent of the legislation of Congress, and by such legislation he must be governed, not only in making appointments but in all that is incident thereto.

There is no decision of the Supreme Court of the United States construing a statute such as we have attempted to enact. I think it may be stated as a general rule that the power given to the President to appoint an officer carries with it the inherent power of removal, unless that inherent right or incidental right is taken away by the statute itself. And that is what this Congress attempted to do, to take from the President the incidental right of removal, and to provide the circumstances and the methods of removal.

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

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress, by legislation, can deprive the Executive of an inherent right that inheres in his office?

Mr. GOOD. I misspoke myself when I said "inherent." I meant "incidental" right. I have used the word as employed in all of the decisions of the Supreme Court. They did not use the words "inherent right."

Mr. BARKLEY. Does not the word "incidental," as used in that connection carry with it the idea that it inheres in the authority conferred upon the Executive, and therefore really is inherent?

Mr. GOOD. I think not. I think it is only incidental, and is referred to in the decisions as an incidental right. In all the decisions, or a great many of them at least, a distinction is made between the class of cases where Congress does not attempt to legislate with regard to that incidental right and where it does attempt to legislate; and yet in that respect the decision is only a dictum as a general rule.

Mr. STEVENSON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. STEVENSON. Is there not also a distinction as between the officer whose term of office is stated and limited and the officer whose term of office is to continue indefinitely or during good behavior? Is not that held to be practically at the pleasure of the appointing power, and is not that distinction made?

Mr. GOOD. I grant that in one case I have in mind, where an officer was appointed for a period of four years, the incidental right of the President to remove him before the end of his term adhered, and the President could exercise that power.

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

Mr. GOOD. Certainly.

Mr. DOREMUS. I am not quite clear as to whether what the gentleman read a moment ago was a quotation from the statute or from the Supreme Court decision.

Mr. GOOD. I was reading the annotated statutes.

Mr. DOREMUS. It was an extract from the statute?

Mr. GOOD. It was an extract from the annotated statutes and not from any decision; but it is followed by a great many of the notations with regard to it.

Mr. BRIGGS. Was that the statute itself or the annotation under the statute?

Mr. GOOD. That is the annotated statutes.

Mr. BRIGGS. Is the extract which the gentleman read a note to the statute?

Mr. GOOD. No; I did not read the note to the statute.

Now, in the case of Duncan *v.* Hennen (38 Peters, p. 230) there was a motion for a rule on the district judge of the eastern district of Louisiana to show cause why a mandamus should not be issued to make him restore this man to the office of clerk of the district court, the court made use of this language:

> It can not be admitted that it was the intention of the Constitution that those offices which are denominated inferior offices should be held during life; in the absence of all constitutional or statutory provision as to the removal of such officers, it would seem to be a sound and necessary rule to consider the power of removal as incident to the power of appointment.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MONTAGUE. Would the gentleman not construe statutory regulations as meaning in conformity with the Constitution and not independent of the Constitution?

Mr. GOOD. Of course, if the statute is unconstitutional or any provision of the statute is unconstitutional, then to that extent the statute must necessarily fall. But the Supreme Court passing on that measure said that "in the absence of unconstitutional provision or statutory regulation"—and therefore the Supreme Court had in mind that where Congress by an act attempted to regulate the removal of an officer that Congress had that power under the Constitution. If Congress did not have that power under the Constitution, why did the Supreme Court in that case say that in the absence of a constitutional provision or a statutory regulation the right to remove was indentical to the right to appoint.

Mr. BARKLEY. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress would have the constitutional power to pass a law providing that Federal judges could be removed by a concurrent resolution of Congress?

Mr. GOOD. The Constitution itself contains the provision in regard to Federal judges, fixing their terms and tenure of office. The gentleman from Iowa would not be foolish enough

to say that where the Constitution provided for the appointment of an official and then provided how he should be removed that Congress would have that power.

Mr. BARKLEY. The gentleman is referring to the Supreme Court, and I did not refer to the Supreme Court.

Mr. GOOD. The gentleman said Federal judges.

Mr. BARKLEY. There are other Federal judges. These judges are not what we may call constitutional officers, except in the case that Congress is authorized to create inferior courts, and we have provided for them a life tenure of office. My question was: If under the Constitution we would empower Congress to remove these Federal judges who had a life tenure by a concurrent resolution, how could we construe the other section of the Constitution to give us that power with reference to another officer which has in effect the life tenure?

Mr. GOOD. I have not examined all of the provisions of the Constitution or all of the decisions. I have confined myself to consideration of the matter now under consideration. Applying the dictum in the case I have just read to this case, where we have specifically provided by this act not only the method of removal but the causes of removal, I think we have brought ourselves entirely within the provision of that case.

Mr. BEE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BEE. Is not this the practical difficulty, that in overruling the President's veto and enacting it without his signature this question being raised will throw the budget into litigation?

Mr. GOOD. No; the only way this question could possibly be raised would be if the President of the United States sometime in the future should seek to exercise the power which he claims is incidental to the appointing power and remove a comptroller general or an assistant comptroller general. I do not believe any President will ever attempt to exercise such power.

Mr. WALSH. Will the gentleman yield?

Mr. GOOD. I will.

Mr. WALSH. Does the gentleman find anything in the Constitution which permits Congress to create an office and to say how the appointment shall be made, where it is powerless to say how the removal shall be made?

Mr. GOOD. Nothing of that kind in the Constitution.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I will yield to the gentleman.

Mr. BLANTON. If this section is constitutional, then the act of Congress does not affect this in any way; it does not affect any rights of the President under the Constitution.

Mr. GOOD. That is the claim of the President—that it does.

Mr. BLANTON. If under the Constitution he has the right to remove, our act would not affect him in any way.

Mr. GOOD. Of course, the Constitution being the fundamental law of the land, it would govern the President, but I think that is hardly the question.

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

Mr. GOOD. Yes.

Mr. PELL. If we pass this over the President's veto and then the Supreme Court should uphold the contention of the President, this bill would not fail, would it? The bill would continue.

Mr. BLANTON. Certainly.

Mr. PELL. The failure of this one clause would not destroy the whole thing?

Mr. GOOD. I have not given that any consideration. I think it is very remote. I do not see how the question can be raised except it be raised by some person who has been appointed to the position of comptroller general or assistant comptroller general, and the President attempts to remove him in violation of the provisions of the statute that created the office.

Mr. PELL. I am not a lawyer, but almost anything is possible in law.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREENE of Vermont. The only office that exists is the one that Congress creates. That is the only one that the President has the right to appoint anyone to, and the character of that office must depend upon the limitations which Congress itself puts upon it when it creates it. This Congress creates an office that has certain limitations upon it as to removal. That is the only office the President must fill, and he must fill it subject to those limitations.

Mr. GOOD. I think that is true.

Mr. BLAND of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLAND of Missouri. I understood the gentleman to say that the only way the question of constitutionality would be invoked would be by the President attempting to remove. Would it not more properly arise if Congress in the exercise of the power it attempts should attempt to remove, and then could not the comptroller or the assistant comptroller question the constitutional power of Congress?

Mr. GOOD. That might be raised in the same way.

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

Mr. GOOD. Yes.

Mr. PHELAN. Is there not something else involved in the constitutional objection than the taking away from the President of the right to remove, namely, the interference of Congress in his appointive power in this way? If Congress has the right to remove an appointee of the President for the reasons given in this bill, then it does it because it has the general right to remove presidential appointees, for what reasons it may care to give, and among other reasons it could well within the exercise of the power, if it has it, have the right to remove because it is its pleasure to remove. If Congress can remove an appointee of the President at its pleasure——

Mr. GOOD. No; not at its pleasure. We have specified here certain reasons.

Mr. PHELAN. You have specified certain reasons, but if you have the right to specify those reasons you have the right to specify other reasons, and you have the right to say that Congress can remove this man at the pleasure of Congress; or, if you have the right to say that Congress can remove an appointee of the President at pleasure, it follows that just as soon as he appoints a man Congress can remove him, and so on indefinitely; and that to me is plainly an interference with his right to appoint. [Applause.]

Mr. RAMSEY. Will the gentleman yield to me?

Mr. GOOD. Yes.

Mr. RAMSEY. I want to make this inquiry of the gentleman. If the Congress of the United States has the right to create an office and provide for the method of appointment, it is not a constitutional office; it is created by Congress. If the power exists to create and place in a person or body the right to appoint, does not the same right exist to create a right by which removal can be had as a legal constitutional question?

Mr. GOOD. I yield to the gentleman from Michigan [Mr. DOREMUS].

Mr. RAMSEY. I would like to have the gentleman answer that question.

Mr. DOREMUS. I am very sure that my friend from Iowa has no intention of misleading the House in what he was reading a moment ago from the Federal Statutes, annotated.

Mr. GOOD. Yes.

Mr. DOREMUS. It was not an extract from the statute at all; it is no part of the statute.

Mr. GOOD. I understand that; it is from the annotated statutes; it is in the annotation.

Mr. DOREMUS. I think the gentleman led many of us to believe that he was quoting from the statute itself.

Mr. GOOD. Oh, no; there is no statute; it is just the annotation.

Mr. GOODWIN of Arkansas. The gentleman so stated in reply to my inquiry.

Mr. RAMSEY. Just one moment in reference to my question.

Mr. GOOD. What is the gentleman's question?

Mr. RAMSEY. Supposed Congress assumed the power of appointment?

Mr. GOOD. That is denied by the Constitution.

Mr. RAMSEY. But would not Congress have the right to remove the officer?

Mr. GOOD. Now, that question was considered by the committee.

Mr. RAMSEY. Giving it the right to control it?

Mr. GOOD. The committee thought so. Section 2 of the Constitution provides how the officers of the United States shall be selected. It was the opinion of the Select Committee on the Budget that the House or the Senate, acting separately or the two acting together, could not appoint an officer of the United States, that an officer of the United States must be appointed under the provisions of the Constitution, and that question is not involved in the message of the President at all. The only question, the sole question, involved in the President's veto message is whether or not the power given under Article II, section 2, of the Constitution to the President to appoint an official carries with it the incidental power to remove, and that incidental power could not be taken away from him by express statute.

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. MOORE of Virginia. The gentleman knows I am as much interested in the budget system as he is?

Mr. GOOD. Yes.

Mr. MOORE of Virginia. We are considering in a very hasty and offhand way a very important matter. At the outset I was a little inclined to take the view the gentleman is now expressing. This is the question I would like to put to the gentleman: Is this official, the comptroller general, an inferior officer within the meaning of the constitutional provision or is he not clearly otherwise—a superior officer, so to speak. If he is not an inferior officer——

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. Let us admit he is not an inferior officer.

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. I think so.

Mr. GOOD. What difference?

Mr. MOORE of Virginia. I think if he were an inferior officer you might vest the appointment of the officer in some other appointing authority than the President, but you would not have——

Mr. GOOD. Oh, yes; the Constitution provides, in the same section, he may be appointed by the head of a department.

Mr. MOORE of Virginia. I do not think we would have this difficulty if he could be considered an inferior officer but, in my opinion, he can not be so considered. Now, if he is not an inferior officer, does not the gentleman's contention that Congress can divest the President of the power of removal take you logically to the admission that Congress can divest the President of power to remove a Cabinet officer. A Cabinet officer is created by statute. This official is to be created by statute. If the gentleman's argument is a good argument, then Congress possesses the power to take from the President authority to remove a Cabinet officer.

Mr. GOOD. I do not believe that the question of whether this officer is an inferior officer or an officer of another class provided for under the Constitution has anything to do with the contention raised by the President in his veto message.

The latest expression of the Supreme Court upon this subject, while not deciding this case, contains a dictum that, it seems to me, is indicative of what the opinion of the Supreme Court would be if this question was placed squarely before that court.

On July 17, 1890, there was appointed a general appraiser of merchandise under the act of June 10, 1890, and that nomination was consented to on the following day by the Senate, and the appellant was thereupon commissioned to be such general appraiser of merchandise. He accepted that office and took the oath required on July 24, 1890, and remained in such office and was paid the salary attached thereto up to May 15, 1899. On May 3 of that year he received the following communication from the President:

EXECUTIVE MANSION,
Washington, D. C., May 3, 1899.

SIR: You are hereby removed from office of general appraiser of merchandise, to take effect upon the appointment and qualification of your successor.

* * * * * * *

The office of general appraiser of merchandise was created by the twelfth section of the act of Congress approved June 10, 1890, and commonly called the customs administrative act.

Section 12 of that act provides:

That there shall be appointed by the President, by and with the advice and consent of the Senate, nine general appraisers of merchandise, each of whom shall receive a salary of $7,000 a year. Not more than five of such general appraisers shall be appointed from the same political party. They shall not be engaged in any other business, avocation, or employment, and may be removed from office at any time by the President for inefficiency, neglect of duty, or malfeasance in office.

In passing upon that provision, upon the question raised by the person who was removed, in an action for the recovery of his salary, the court said:

We assume for the purpose of this case that Congress—

I wish the gentlemen who are questioning this matter would pay close attention to what the Supreme Court has said.

Mr. BLANTON. All of us who want to hear can hear the gentleman. We hear him plainly.

Mr. GOOD. They said:

We assume, for the purposes of this case only, that Congress could attach such conditions to the removal of an officer appointed under this statute as it might deem proper, and therefore could provide that the officer should only be removed for the causes stated, and for no other, and after notice and opportunity for a hearing. Has Congress by the twelfth section of the above act so provided?

It can not now be doubted that in the absence of constitutional or statutory provision the President can by virtue of his general power of appointment remove an officer, even though appointed by and with the advice and consent of the Senate. To take away this power of removal in relation to an inferior officer created by statute—

The gentleman from Virginia [Mr. MOORE] will notice in this that the Supreme Court makes no distinction between an officer in that regard and other officers of the Government.

Although that statute provided for an appointment thereto by the President and confirmation by the Senate, would require very clear and explicit language. It should not be held to be taken away by mere inference or implication. Congress has regarded the office as of sufficient importance to make it proper to fill it by appointment to be made by the President and confirmed by the Senate. It has thereby classed it as appropriately coming under the direct supervision of the President and to be administered by officers appointed by him, and confirmed by the Senate, with reference to his constitutional responsibility to see that the laws are faithfully executed.

Have we in this statute been explicit? Have we been direct? Have we acted in a way that is uncertain? That is the only question under that decision that can be raised. Let me read again what we have done, and I submit that English language could not be framed to express more explicitly what the intention of Congress was as to the removal of this official:

The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

I submit that it is not possible for the human tongue to frame a provision that is more explicit and definite than that. We have not in this language drawn a provision that can be misconstrued by anyone. It is just as clear, it is just as forceful, as language can make it. It was made clear and forceful in order that this officer could be removed from all political consideration of any President who might ever occupy the presidential chair.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. GOODYKOONTZ. Does not he think that the comptroller general would be rather an agent or a mere arm of Congress, which in itself has the power to select committees or agencies to gather information for it, and does not come within the category of general officers contemplated to be beyond the jurisdiction of Congress itself?

Mr. GOOD. It was the opinion of the committee that framed the law that the officer we were creating here was an officer of the United States, and his appointment would have to fall under the provisions of Article II of section 2 of the Constitution.

Now, I want to yield some time.

Mr. SIMS. Mr. Speaker, will the gentleman yield? I want to ask the gentleman from Iowa a question.

Mr. GOOD. Yes.

Mr. SIMS. I appreciate the attempt to take this matter away from consideration as a political matter; but does the gentleman think that the President is more likely to act from partisan considerations than would a partisan Congress, where both Houses are of the same political party?

Mr. GOOD. That is one of the reasons why we provided in the law the causes for removal, and the only causes are inefficiency, incapacity, neglect of duty, malfeasance in office, or some offense that involves moral turpitude.

Mr. SIMS. You could prescribe those reasons for the President as well as for Congress. You take all power of removal away from the President.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes; I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Mr. Speaker, the Budget Committee was united in the sentiment that the President must be vested with the power to make these appointments, and there was no division in that committee or in the conference committee as to the right of Congress to reserve to itself the power to remove these officers by concurrent resolution.

Mr. GOOD. The gentleman is correct in that. There was no division of sentiment on that question then, and there is no division of sentiment between the members of the committee on that question now, so far as I have been able to ascertain. [Applause.]

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

Mr. GOOD. Yes; I yield for a question.

Mr. ROSE. I was much impressed with the statement of the gentleman from Virginia [Mr. MOORE]. It seems to me at first blush that it would appear that the statement the gentleman made is unanswerable. But I think in looking into this question somewhat further we find that the premises he assumes are entirely wrong. He argues that if the Congress has the right to pass a statute creating an official position, and which carries with it the right of removal of an officer appointed by virtue of the provisions of such statute, that by analogy we could

enact laws to remove a Cabinet officer. But when Cabinet officers were provided by statute, no such provision accompanied the statute, and therefore this proposed law can not be taken as the assertion of a right on the part of Congress to pass a law to remove an officer appointed under a law already in force, and which carries with it none of the limitations found in the bill now under consideration.

Mr. MOORE of Virginia. Mr. Speaker, I will take the liberty to ask my friend from Iowa to enable me to make reply to that.

Mr. OVERSTREET. Mr. Speaker, a parliamentary question.

Mr. MOORE of Virginia. One minute. My proposition is this: Congress may institute to-morrow, Congress may create to-morrow a new department, a department of public health, with a secretary of public health. Let us assume that in such a statute Congress should provide that that official shall be removable by Congress, or removable otherwise than by the President. Then you would have a case analogous to this.

Now, as I understand, in the very first Congress the first Cabinet position that was created was that of Secretary of State, and that Mr. Madison said on the floor of Congress that the President would have the undoubted power to appoint that official and would have the equal power to remove him, and there was no power vested otherwise to remove him than in the President. Members of Congress contested that view, but that view was apparently adopted by Congress.

I respectfully submit that there is no escape from the logic. However desirable the action we have taken may be—and I admit that it is desirable—however desirable it may be, it is not constitutional unless it would be constitutional for Congress in creating Cabinet officers to say that the power of removal shall be vested in Congress instead of in the President.

Mr. GOOD. Now, Mr. Speaker, let us look at this question just a moment from the practical aspects. Every decision of the Supreme Court I have been able to find or to read leads me to believe that this incidental right of the President to remove can be taken from him and vested in the Congress of the United States. I think there is no question about that. That being the case, we have simply done what the Supreme Court has indicated Congress has the undisputed right to do.

Suppose, now, you take the other horn of the dilemma. Suppose you vest this power of removal in the President of the United States. One President comes in and appoints a comptroller general; that comptroller general will not be able to learn the duties of that great office and perform them as they should be performed, perhaps, before he would be removed by the succeeding President.

But that is not all. It gives the President the right to remove a comptroller general of the United States who renders a decision that will not permit the executive departments to deplete the Treasury of the United States. That is just what we are trying to get away from. Comptrollers have been embarrassed by that very thing, and the embarrassment of the Comptroller of the Treasury would by that provision be continued. The very office that you are creating here will not be the efficient office that it will be if we make this official an independent officer of the United States who can render a decision according to the law and let the chips fall where they may.

Mr. Speaker, I feel that the matter to which the President has called attention is one that should not have come before the House. I believe that his fears in this respect are not well founded, and I am thoroughly convinced that the power we have vested in Congress is a power that we have a right to vest there, and that we have exercised that right in the way that every gentleman here believing in budgetary legislation would have exercised it. [Applause.] In that decision the gentleman from North Carolina [Mr. KITCHIN], the gentleman from Tennessee [Mr. BYRNS], the gentleman from Texas [Mr. GARNER], the gentleman from Colorado [Mr. TAYLOR], and the gentleman from Oklahoma [Mr. HOWARD] were just as firm in their conviction as any man who sat on the Republican side of the table. In coming to a decision upon this question I hope the membership of this House will be guided by the same high motives that actuated their colleagues in arriving at this decision when this whole question was thrashed out in the committee. [Applause.]

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? On this question the Constitution provides that the vote shall be taken by the yeas and nays. The Clerk will call the roll.

The question was taken; and there were—yeas 178, nays 103, answered "present" 1, not voting 145, as follows:

YEAS—178.

Ackerman	Esch	Knutson	Reed, N. Y.
Andrews, Md.	Evans, Nebr.	Kraus	Reed, W. Va.
Andrews, Nebr.	Fields	Kreider	Ricketts
Babka	Focht	Langley	Robsion, Ky.
Bankhead	Foster	Larsen	Rogers
Barbour	French	Lea, Calif.	Rose
Bee	Gallivan	Lehlbach	Rowe
Begg	Garland	Little	Sanders, Ind.
Bell	Garrett	Luce	Sanders, N. Y.
Benham	Glynn	Lufkin	Sanford
Black	Good	Luhring	Schall
Bland, Ind.	Goodykoontz	McDuffie	Scott
Bland, Mo.	Graham, Ill.	McFadden	Sells
Bland, Va.	Green, Iowa	McKenzie	Shreve
Blanton	Greene, Mass.	McLaughlin, Mich.	Siegel
Bowers	Greene, Vt.	McLaughlin, Nebr.	Sinnott
Brand	Griffin	McPherson	Smith, Idaho
Brooks, Pa.	Hadley	MacCrate	Strong, Kans.
Browne	Hardy, Colo.	MacGregor	Summers, Wash.
Buchanan	Hawley	Magee	Swope
Burdick	Hays	Maher	Taylor, Colo.
Burke	Hersey	Mapes	Temple
Burroughs	Hickey	Michener	Thompson
Byrnes, S. C.	Hicks	Miller	Tilson
Byrns, Tenn.	Hill	Milligan	Timberlake
Campbell, Kans.	Hoch	Monahan, Wis.	Tincher
Cannon	Howard	Mondell	Tinkham
Chindblom	Huddleston	Moore, Ohio	Towner
Christopherson	Hull, Iowa	Moores, Ind.	Upshaw
Classon	Humphreys	Morin	Vaile
Crago	Igoe	Mott	Vinson
Cramton	James	Mudd	Walsh
Crisp	Jefferis	Murphy	Walters
Crowther	Johnson, S. Dak.	Newton, Mo.	Wason
Dallinger	Johnson, Wash.	Nolan	Watson
Darrow	Jones, Pa.	O'Connor	Wheeler
Davey	Jones, Tex.	Ogden	White, Kans.
Davis, Minn.	Juul	Parrish	White, Me.
Denison	Kahn	Pell	Wilson, Ill.
Dickinson, Iowa	Kearns	Platt	Winslow
Dominick	Kelly, Pa.	Porter	Wood, Ind.
Dunbar	Kendall	Radcliffe	Woodyard
Echols	Kennedy, Iowa	Ramsey	Zihlman
Edmonds	Kinkaid	Rayburn	
Emerson	Kleczka	Reber	

NAYS—103.

Almon	Gallagher	McKiniry	Romjue
Ashbrook	Gandy	McLane	Rouse
Aswell	Ganly	Major	Rowan
Ayres	Gard	Mann, S. C.	Rubey
Barkley	Goldfogle	Martin	Sabath
Benson	Goodwin, Ark.	Mead	Sims
Box	Hamill	Minahan, N. J.	Smith, N. Y.
Briggs	Harrison	Montague	Steagall
Campbell, Pa.	Hersman	Moon	Stevenson
Candler	Holland	Moore, Va.	Sumners, Tex.
Carew	Hudspeth	Morgan	Tague
Casey	Hull, Tenn.	Neely	Taylor, Ark.
Clark, Mo.	Jacoway	Nelson, Mo.	Thomas
Cleary	Johnson, Ky.	O'Connell	Venable
Collier	Johnston, N. Y.	Oliver	Watkins
Connally	Kincheloe	Olney	Welling
Cullen	King	Overstreet	Welty
Davis, Tenn.	Lanham	Padgett	Whaley
Donovan	Lankford	Park	Wilson, La.
Dooling	Lee, Ga.	Phelan	Wilson, Pa.
Doremus	Lesher	Quin	Wingo
Doughton	Linthicum	Rainey, Ala.	Woods, Va.
Eagan	Lonergan	Rainey, H. T.	Wright
Evans, Mont.	McAndrews	Rainey, J. W.	Yates
Fisher	McGlennon	Raker	Young, Tex.
Flood	McKeown	Riordan	

ANSWERED "PRESENT"—1.

McClintic

NOT VOTING—145.

Anderson	Dowell	Hayden	Nelson, Wis.
Anthony	Drane	Heflin	Newton, Minn.
Bacharach	Drewry	Hernandez	Nicholls
Baer	Dunn	Hoey	Oldfield
Blackmon	Dupré	Houghton	Osborne
Boies	Dyer	Hulings	Paige
Booher	Eagle	Husted	Parker
Brinson	Elliott	Hutchinson	Peters
Britten	Ellsworth	Ireland	Pou
Brooks, Ill.	Elston	Johnson, Miss.	Purnell
Brumbaugh	Evans, Nev.	Keller	Ramseyer
Butler	Fairfield	Kelley, Mich.	Randall, Calif.
Caldwell	Ferris	Kennedy, R. I.	Randall, Wis.
Cantrill	Fess	Kettner	Reavis
Caraway	Fordney	Kiess	Rhodes
Carss	Frear	Kitchin	Riddick
Carter	Freeman	Lampert	Robinson, N. C.
Clark, Fla.	Fuller, Ill.	Layton	Rodenberg
Coady	Fuller, Mass.	Lazaro	Rucker
Cole	Garner	Longworth	Sanders, La.
Cooper	Godwin, N. C.	McArthur	Scully
Copley	Goodall	McCulloch	Sears
Costello	Gould	McKinley	Sherwood
Currie, Mich.	Graham, Pa.	Madden	Sinclair
Curry, Calif.	Griest	Mann, Ill.	Sisson
Dale	Hamilton	Mansfield	Slemp
Dempsey	Hardy, Tex.	Mason	Small
Dent	Harreld	Mays	Smith, Ill.
Dewalt	Hastings	Merritt	Smith, Mich.
Dickinson, Mo.	Haugen	Mooney	Smithwick

Snell	Stiness	Treadway	Webster
Snyder	Stoll	Vare	Williams
Stedman	Strong, Pa.	Vestal	Wise
Steele	Sullivan	Voigt	Young, N. Dak.
Steenerson	Sweet	Volstead	
Stephens, Miss.	Taylor, Tenn.	Ward	
Stephens, Ohio	Tillman	Weaver	

So two-thirds not having voted in favor thereof, the House on reconsideration refused to pass the bill.

The following pairs were announced:

On this vote:

Mr. VOIGT and Mr. RANDALL of Wisconsin (for) with Mr. SULLIVAN (against).

Mr. LAMPERT and Mr. NELSON of Wisconsin (for) with Mr. CALDWELL (against).

Mr. SLEMP and Mr. FULLER of Massachusetts (for) with Mr. SCULLY (against).

Mr. ANTHONY and Mr. HOUGHTON (for) with Mr. CANTRILL (against).

Mr. SNYDER and Mr. NEWTON of Minnesota (for) with Mr. HEFLIN (against).

Mr. EAGLE. Mr. Speaker, I would like to vote "no."

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. EAGLE. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

Mr. GOOD. Mr. Speaker, I move to refer the veto message to the Committee on the Budget.

The motion was agreed to.

REPEAL OF WAR-TIME LEGISLATION.

Mr. WALSH. Mr. Speaker, I ask that House joint resolution 373 be taken from the Speaker's table and agree to the Senate amendments.

The SPEAKER. The gentleman from Massachusetts moves to take from the Speaker's table and agree to the Senate amendments to House joint resolution 373, declaring that certain acts of Congress by proclamation shall be construed as if the war had ended and the present existing emergency had expired.

The Clerk read the Senate amendments.

Mr. WALSH. Mr. Speaker, the Senate amended this resolution by adding to the acts excluded from its provisions "An act to prevent in time of war the departure from and entry into the United States contrary to public safety," which was approved March 22, 1918. This act was exempted from the provisions of the resolution repealing the war laws. The Senate was prompted to include that in the exemption by reason of a communication from the Commissioner of Internal Revenue; and I ask to have read in my time the letter from Mr. Williams to Senator NELSON, chairman of the Senate Committee on the Judiciary.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, June 4, 1920.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: House joint resolution 373, which would repeal the act of May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," would cause serious consequences to the public revenues in that the collection of income tax from departing aliens is based entirely upon regulations promulgated by the Secretary of State pursuant to the act of May 22, 1918.

The department collects from departing aliens approximately $10,000,000 a year at the different ports of the United States, and the only means we have of forcing them to pay such tax is by Executive order No. 3231, dated February 20, 1920, whereby departing aliens are required to secure and present a certificate of compliance with the income-tax law.

It is urgently requested that this act be continued in force and effect until such time as an amendment may be procured to the revenue laws to cover this situation.

With assurances of my esteem, I am,
Sincerely, yours,

WM. M. WILLIAMS, *Commissioner.*

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman.

Mr. GREEN of Iowa. Mr. Speaker, my attention having been called to this matter of the revenue, I will say, speaking for myself particularly, and I think for all members of the Ways and Means Committee, although I have not had an opportunity to consult with all of them, it seems very important that this amendment offered by the Senate should be adopted. The attention of the Ways and Means Committee has not been called to this subject until this time, otherwise revenue legislation would have been proposed to cover the subject. The only way now, from a hasty examination, that the departure of these aliens could be stopped, unless this amendment is adopted, would be by the use of the writ of ne exeat, which would take so long that it is probable that the aliens would have departed before it could issue, and therefore the committee regards it as important that the Senate amendment be adopted.

Mr. GARRETT. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT. I would like to ask the gentleman from Massachusetts if, in view of the apparent necessity for this amendment as shown by the action of the other body, as has been stated by the gentleman from Iowa, he does not think that the not over numerous but eminently respectable minority that voted against the bill is entirely vindicated in so doing?

Mr. WALSH. Does the gentleman expect an unbiased and frank reply to his very concise question?

Mr. GARRETT. I shall have to leave the reply to the gentleman from Massachusetts.

Mr. WALSH. I think the distinguished gentleman from Massachusetts and his colleagues are very alert to grasp at this particular situation as an excuse and justification for their voting against it, because they had no knowledge whatever of the situation at the time they voted.

Mr. GARRETT. If the gentleman will permit, that is the reason. We did not have the knowledge. It is an illustration of the danger of undertaking to repeal some 60 or more laws, lumping them all together, in 40 minutes' debate under suspension of the rules, and the very second day thereafter we find the great danger in it.

Mr. WALSH. I think the majority of the membership of the House, as well as the American people, are very glad to face whatever danger there may be from a legislative standpoint, in order to get these war laws repealed and get the country back to a peace basis once more. Mr. Speaker, I more the previous question.

The previous question was ordered.

The Senate amendments were agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, 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. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska; and

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

MERCHANT MARINE.

The SPEAKER laid before the House the following Senate concurrent resolution (S. Con. Res. 30):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of 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, the Clerk be, and is hereby, authorized and directed to number the sections thereunder in consecutive order.

The resolution was agreed to.

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. 14208. An act 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;

H. R. 13266. An act 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;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, 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. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and insists upon its amendments numbered 4 and 18.

DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill (H. R. 14335) to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which I send to the desk and ask to have read.

The conference report and 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. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, 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 3, 5, 8, 12, 13, 14, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 22, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58, 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 the matter inserted by said amendment insert the following:

"ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees, and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding $4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, $7,500"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering,' Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

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 matter inserted by said amendment insert the following:

"PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, $2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding $1,740 per annum except one at $3,000, one at $2,400, one at $2,000, and two at $1,800 each."

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 line 4 of the matter inserted by said amendment strike out "$20" and insert in lieu thereof "$15"; 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 matter inserted by said amendment insert the following: "*Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and the House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof, and payment therefor shall be made before delivery"; 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: Strike out in lines 2 and 3 of the matter inserted by said amendment the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "$863,568.91" and insert in lieu thereof "$854,735.49"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 4 and 18.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.

F. E. WARREN,
CHARLES CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

Mr. GOOD. Mr. Speaker, the House has agreed to all matters in dispute with the exception of Senate amendment No. 4, known as the Harrison amendment, which has to do with the appointment of the Board of Education in the District of Columbia. The Senate amendment changes the present law and takes from the District of Columbia Supreme Court the right to appoint the Board of Education and vests that power in the President. It also changes the number of members of the board from six to nine. It is legislation. The House was not willing to yield when the first report was presented to the Senate, and there was so much objection because the conferees had first agreed to eliminate that item that the conferees on the part of the Senate were obliged to withdraw the conference report, and a second conference was had. We have brought that amendment back to the House.

The next amendment is No. 18, found on page 31, and carries $368,978.33. The river and harbor act approved March 2, 1919, carries the following provision:

That the Secretary of War is hereby authorized to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors, for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained, the Secretary of War shall transmit to Congress

for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

It will be observed that this section does not authorize any settlement whatever. It simply authorizes the Secretary of War to secure the information and report it to Congress. The Secretary of War has done that, and the total amount of the claims is the amount carried in the Senate bill. Inasmuch as Congress has never authorized the payment of these claims, the managers on the part of the House did not care to set a precedent unless directed by the House to report the appropriation for these matters. We thought it best to bring the item back.

I have consulted quite a number of Members of the House with regard to the situation since the managers have brought these matters back, and there seems to be a disposition to pay these claims. There seems to be a thought that these claims fall into the same category as claims that Congress decided should be paid to contractors on public buildings where the contract was entered into before we entered the war and the work was completed after the beginning of the war and there was an increased cost of material and labor because of the war.

I shall, therefore, offer an amendment in lieu of the Senate amendment to provide for the payment of these claims, approved by the Secretary of War, out of appropriations already made.

The House has receded on the appropriation of $292,000 carried in the Senate bill for the transfer of the Subtreasuries. It is estimated by the Treasury Department that it will require an appropriation of that amount to transfer funds, and so forth, to the Treasury of the United States or the Federal reserve banks. The House also receded on an item of $1,000,000 for limited indemnity for the Postal Service. The only other items of any magnitude from which the House receded are the sums for the judgments of the Court of Claims and claims allowed by the accounting officers. The Senate has receded on a large number of the other items.

Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. GOOD. Mr. Speaker, I move 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, which I send to the desk.

The SPEAKER. The gentleman offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD moves that the House recede from its disagreement to the amendment of the Senate No. 18 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "River and Harbor work; readjustment of contracts: The sum of $368,978.33 found to be due various contractors under the provisions of section 10 of the river and harbor appropriation act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, may be paid by the Secretary of War from any unexpended balances of appropriations heretofore made for the project on which such work was performed."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa.

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

Mr. BLANTON. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The motion his been agreed to.

Mr. BLANTON. I offer another motion, which is preferential. I move——

The SPEAKER. The gentleman from Iowa was recognized first.

Mr. GOOD. What amendment is the gentleman interested in?

Mr. BLANTON. I was going to move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

Mr. GOOD. I yield to the gentleman.

Mr. BLANTON. Mr. Speaker, I move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

SEVERAL MEMBERS. What is that?

Mr. BLANTON. That is in reference to the school organization.

Mr. BYRNES of South Carolina. Mr. Speaker, amendment No. 4 provides school legislation for the District of Columbia. If there is anything which has caused Members of Congress to complain, and justly complain, it is the habit of including in appropriation bills legislative propositions. Bad at all times, it is especially vicious when in the closing hours of a session at this hour of the night a legislative proposition is brought into the House upon which the House has never had any hearings and on which, as a matter of fact, the regular committees of the Senate have had no hearings.

This amendment provides that the present board of education shall be abolished. It provides that instead of the board of education being appointed by the judges of the supreme court, as is now the case, they shall hereafter be appointed by the President, by and with the consent of the Senate. It provides that no person shall be eligible for membership unless he has resided in the District for seven years. A man is eligible to be appointed a commissioner of the District when he has resided here three years, but under this amendment in order to be eligible for appointment to the board he must have resided here seven years. The superintendent of schools is eligible for appointment if he has resided here five minutes, but the members of the board of education must reside here for seven years. It provides for a survey of the schools of the District by the chairman of the District Committees of House and Senate. We have just completed a survey at an expense to the Government. This carries an appropriation of $15,000, and the only result of it will be a report to Congress making recommendations for additional expenditures. There is no reason on earth why we should go absolutely crazy on this subject of surveys. Every bill that comes in provides for a survey. There may be merit in some of the provisions contained in this amendment. Some of its provisions, in my opinion, are exceedingly unwise. At this hour we have no opportunity to give it the consideration it deserves. This matter is in the jurisdiction of the Committee on the District of Columbia. This Congress has been in session for months, and it could have been submitted to them. The District Committee is familiar with local affairs and should legislate on this subject if legislation is necessary. This House should not pass upon it in the closing hours of a session unless the Committee on the District of Columbia does investigate it——

Mr. BEE. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield now. The judges of the supreme court, who under the present law are charged with the appointment of members of the board of education, have never had an opportunity to make a statement to any legislative committee nor to the Committee on Appropriations of their views of this matter; and here, without any information, when no Member has had opportunity even to read the amendment, the Congress is asked to agree to it. The conferees on the part of the Senate, knowing that it was a legislative proposition and that the rule has been, whenever there is a disagreement, that the House offering legislation to an appropriation bill should recede, agreed to recede. It went back to the Senate, and because a Member or two or three Members interested in this proposition insisted on it it comes here for a vote.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BLANTON. The gentleman is not in favor of placing riders upon appropriation bills?

Mr. BYRNES of South Carolina. It is always best not to do it.

Mr. BLANTON. But the gentleman said that he is not in favor of that, and yet the gentleman's committee placed the whole budget system as a rider upon one of the appropriation bills.

Mr. BYRNES of South Carolina. Oh, yes; but the gentleman knows that that rider had already passed this House unanimously after the most careful consideration. It had been considered for months by a committee of this House. This proposition has been considered by no committee of the House and by no regular committee of the Senate, and it is an entirely different proposition. In the case of the budget, the House had voted unanimously, and it was added to an appropriation bill simply to force action by the Senate on the budget. And I hope that notwithstanding the veto, we will get favorable action on it.

Mr. Speaker, I desire to ask the chairman of the committee if he will yield to the gentleman from Kentucky [Mr. JOHNSON]?

Mr. GOOD. I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, this is but another attempt of the other branch of Congress to presume on the impotency of this body. Who in this House knows anything at all even of the alleged reason for the proposed change in the appointment of the school board? The schools of the District of Columbia for years have been the storm center for quarrel after quarrel. Before the present arrangement, politics always disturbed the schools until Congress in its wisdom took politics out of them. When the school board was appointed by political authority and for political reasons, politics was always in the

schools. Then the Congress, as I say, in its wisdom, changed it and gave the appointment of this board to the judges of the Supreme Court of the District of Columbia, made up of Republicans and Democracts—men who had no political ax to grind, men whose tenure of office was for life. There it rests, and there it ought to continue. It is no secret at all that delegates to national political conventions have been selected through the channel of the school board, and that was one of the principal reasons why the appointment of the board was taken out of politics and put in the hands of the judges of the supreme court. Those judges now are made up of Democrats and Republicans—men from the North and from the South.

Here in the District there is a very mixed population. The members of the board have been apportioned among the races. In the Senate amendment there is a proposition that the President of the United States will appoint the board, and there is nothing said about race or color.

The only limitation is that a part of that board shall be made up of women. We all know that the present quarrel in the school board has arisen because of a certain colored member of the board; and because the present chairman of the board has seen fit not to have him removed from the school board without a thorough examination he has invited attack upon himself, which attack is encouraged by a man who himself once was chairman of the school board. Does he say that the present chairman of the school board is dishonest? He dare not say that. But was he himself, when chairman of the school board, free from criticism? A year or two ago, standing on the floor of this House, I referred to the man who was then chairman of the school board and to the principal of one of the schools here, and showed that an addition to the McKinley School was bought at $30,000 more than was asked for it, because the then chairman of the school board——

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. I ask for five minutes more.

Mr. GOOD. I yield to the gentleman five minutes more.

Mr. JOHNSON of Kentucky. At that time I read the correspondence, and it is in the RECORD, that that man, from his early manhood, has been a standing candidate for office in the District of Columbia, and he now holds one, and is a candidate for Commissioner of the District of Columbia at this moment.

Congress appropriated about $190,000 to buy an addition to the McKinley School. A man by the name of Myers was principal, and for the benefit of the District of Columbia he went around and got options on the land to be acquired from the various owners of it.

A real estate agent in the District of Columbia, whose name I gave at the time when I read that correspondence into the RECORD, was the only one who could sell real estate to the District of Columbia. That real estate was taken out of the hands of another agent and put in his hands for sale to the District of Columbia, and when it was in his hands for sale he wrote a letter to the then chairman of the school board, who now is making a malicious fight against the present chairman, and asked that that man Myers be compelled to desist in getting options, not for himself, but for the benefit of the District of Columbia, and those letters showed that Myers was compelled to stop getting those options. And because he persisted he was removed from his position, and the land was bought for about $30,000 more than his options showed that the owners asked for it. Now that former chairman of the board comes as a candidate for the commissionership of the District of Columbia.

The fight was made on the present chairman of the school board in order to discredit him, so that he might be defeated for Commissioner of the District of Columbia and open up the way for his own appointment.

Seven million dollars is carried in this bill for the sick and wounded soldiers. Will you tell me that the other body is going to stand out against that appropriation for those deserving heroes of our war in order that a vicious, scheming man may be elevated to the commissionership of the District of Columbia? I do not believe it, and I believe that this House ought to vote unanimously to instruct the conferees on the part of the House never to accept the proposed amendment. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, the gentlemen who have spoken against this amendment have failed to give us the benefit of some facts. The Senate has, through one of its committees, for days and weeks been holding an exhaustive investigation upon this question. It so happened some time ago in the District of Columbia schools that a teacher was found teaching bolshevism, and Supt. Thurston, through his influence, caused that teacher to be suspended. It is true the teacher was suspended only for a week; the action of Supt. Thurston was overridden, and the teacher reinstated; and then, in punishment of Supt. Thurston, Mr. Commissioner Van Schaick notified him that he was going to be dismissed from the service, and this investigation followed.

It is a question of whether you are going to uphold Supt. Thurston for trying to keep bolshevism out of the schools or whether you are going to uphold Mr. Commissioner Van Schaick in trying to keep bolshevism in the schools. That is the question.

The distinguished Senator from Mississippi [Mr. HARRISON], who formulated this amendment, has designed a way of benefiting the schools, of reorganizing the schools, of keeping them clean here, of keeping them free from the evil influences that have beset them in the past, and I say we are going to make a mistake if we reject this amendment.

The gentleman from South Carolina [Mr. BYRNES] says there has been no investigation made by the House. The subject has had investigation and close, careful consideration by a Senate committee for days and weeks. I am in favor of supporting the result of that investigation. I am in favor in this closing hour of Congress of receiving and accepting that amendment. I think it is the best piece of legislation that has ever been offered here in the closing hour of any Congress. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for three minutes.

Mr. SISSON. Mr. Speaker, I am very much opposed to this method of legislation and I do not believe a single Member of this House knows anything on earth about what is in this amendment.

Now, if you want to vote blindly on a proposition, here is the opportunity to put you to a square test. In the first place, there are many things about this amendment that I do not like.

Mr. HUDSPETH. Tell us about it.

Mr. SISSON. I can not go into it at this particular time, when time is so precious. It is foolish to undertake it. I am going to mention it, however, if I can.

The gentleman from Kentucky [Mr. JOHNSON] was chairman of the District of Columbia Committee for many years and has given his time and thought and attention to it. So has the gentleman from Minnesota [Mr. DAVIS], the present chairman of the Subcommittee on the District of Columbia, under the Committee on Appropriations.

Prior to his chairmanship I was chairman of the subcommittee several terms, and Mr. Page, of North Carolina, was chairman of the subcommittee prior to that time, when I was the ranking member, and we have repeatedly gone into this matter. I say without hesitation that there are several very serious defects in the present system. But I do not believe that the President of the United States ought to be called upon to appoint the school board in a municipality.

In the first place, the President of the United States is not going to be able, with his other duties, to give this matter the attention that ought to be given to it. Your committee in the House on two occasions has vested the power where it ought to be, with the District Commissioners, who look after the fiscal affairs of the city government, and they ought to look after the affairs of the schools, and they ought to appoint the schoolteachers. The District Commissioners, whose business it is to see that we have good city government and good schools, ought to have that power.

The reason why the committee recommended that the District Commissioners should have the power to appoint the schoolteachers was that a few years ago they had a row in connection with a school administration, and on account of that row it was decided that we would remove the schools from politics and vest the appointment of the members of the school board in the judges of the Supreme Court of the District of Columbia because the supreme court judges would accept the recommendations of persons who would be disinterested. But those judges, among them Judge McCoy, and another who is now practicing law in the District of Columbia, say that the supreme court ought not to have anything on earth to do with the appointment of the members of the school board and ought to get rid of it.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield to the gentleman two minutes more.

Mr. SISSON. The supreme court ought not to have anything more to do with it. They want to get rid of it. The gentleman from Virginia [Mr. MOORE] said to me, "I am interested in the schools here"; but the idea of asking gentlemen to vote for this proposition without a single Member of Congress having an opportunity to investigate it is a proposition that is going entirely too far, and I do not believe the Members of this House will accept it. And do you not know

that the Senate is bound to recede on this sort of a proposition, involving as it does so much legislation and involving a revolution in the school system in this District?

There are many other matters in the amendment which I do not like.

Mr. BEE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BEE. The schools will not be hurt by postponing this.

Mr. SISSON. Not a bit. Some gentleman asked me if it involved the question of the teachers' salaries. It does not. That was in the District bill which has passed the House. This does not involve the salaries of the teachers. It involves the question of a reorganization of the school system of the District of Columbia, and is legislative matter. I hope it will be overwhelmingly voted down.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, there is no institution in the District of Columbia of more importance to the District than its schools. This amendment would vitally affect the schools. After considerable investigation of my own of this same school board, I am not very favorably impressed with them, but I am far from being satisfied that a transfer of the method of appointment would greatly change the situation. You must remember that the Supreme Court of the District of Columbia appointed Dr. Van Schaick as a member of the board, and the President appointed him a commissioner, so that both seem to agree as to his qualifications, and I can not see that you would get any improvement by changing the method of appointment of the school board from one to the other.

Further, here at 1 o'clock in the morning we are asked to pass upon a two-page amendment that vitally affects the whole school system. I insist that we are not prepared to do it. Furthermore, I want to warn you that in the closing moments of the session it is not wise to put such a legislative proposition in the bill, that might bring forth a veto of the bill to-morrow morning just before you want to adjourn.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to recede and concur.

The motion was rejected.

Mr. BLANTON. Mr. Speaker, if there is nothing else, I move that we adjourn.

Mr. MAPES. The gentleman from Iowa does not desire to move for a further conference?

The SPEAKER. The gentleman from Iowa announced that he did not propose to ask for a conference.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 10 o'clock this morning.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 10 o'clock this morning. Is there objection?

There was no objection.

Accordingly (at 1 o'clock and 9 minutes a. m., Saturday, June 5, 1920), the House took a recess until 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

Illustrations accompanying a letter from the Secretary of War transmitting reports descriptive of water terminals and transfer facilities in harbors and waterways under jurisdiction of or being maintained by the United States and explaining that a further report of investigations now in progress by the Board of Engineers for Rivers and Harbors (general subject of water terminals) will be transmitted at a later date (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed.

Illustrations accompanying a letter from the Secretary of War transmitting reports on preliminary examinations and survey of New York and New Jersey channels, with a view to securing a ship channel of increased width and depth necessary for the purposes of commerce from lower New York Bay, Arthur Kill, Staten Island Sound, channel north of Shooters Island, and Kill Van Kull, to upper New York Bay (H. Doc. No. 653); 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,

Mr. FESS, from the Committee on Education, submitted a report (No. 1104) on the investigation of the Federal Board for Vocational Education, pursuant to House resolution 495, which said report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13760) for the relief of Milton M. Fenner, reported the same without amendment, accompanied by a report (No. 1105), 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. JAMES: A bill (H. R. 14411) requiring all public-building bills to be submitted to the Secretary of the Treasury for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 14412) to provide a 1-cent postage rate on local letters and reduce the rate of postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. DENISON: A bill (H. R. 14413) authorizing the Secretary of War to donate to the town of Carterville, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14414) authorizing the Secretary of War to donate to the town of Mounds, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14415) authorizing the Secretary of War to donate to the town of West Frankfort, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14416) authorizing the Secretary of War to donate to the town of Christopher, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14417) authorizing the Secretary of War to donate to the town of Johnston, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

By Mr. EAGAN: A bill (H. R. 14418) to provide for the payment of taxes on certain property acquired by the United States during the war with Germany, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14419) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14420) to provide for the payment of taxes on certain property acquired by the United States by or under the provisions of war legislation, and for other purposes; to the Committee on the Judiciary.

By Mr. STRONG of Kansas: A bill (H. R. 14421) to amend sections 9 and 15 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. JAMES: A bill (H. R. 14422) to equalize pensions of retired policemen and firemen of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SUMMERS of Washington: A bill (H. R. 14423) authorizing the erection of a Federal building at Colfax, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. JAMES: A bill (H. R. 14424) providing that no soldier, sailor, or marine who has been dishonorably discharged from the United States Army or Navy shall ever receive a pension from the United States Government, and for other purposes; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14425) amending chapter 209, Thirty-seventh Statutes, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture"; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14426) to protect the public against false pretenses in merchandising, under trade-mark or special brand, of articles of standard quality; to the Committee on Interstate and Foreign Commerce.

By Mr. BEGG: Joint resolution (H. J. Res. 377) prohibiting the exportation of coal oil, gasoline, anthracite coal, and sulphur into the Dominion of Canada until such time as amicable trade relations can be arranged with the Dominion Government and the Provinces of Quebec, Ontario, and New Brunswick relative to the importation of sand, gravel, and pulp wood therefrom

into the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DOREMUS: Joint resolution (H. J. Res. 378) authorizing the Secretary of War to turn over to the Public Health Service necessary tents for use in caring for discharged veterans of the war with Germany; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Joint resolution (H. J. Res. 379) to increase the salaries of school-teachers and other employees in the public schools of the District of Columbia; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BRUMBAUGH: A bill (H. R. 14427) granting an increase of pension to Joseph Malattia; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 14428) granting a pension to Julia McDonald; to the Committee on Pensions.

By Mr. MACCRATE: A bill (H. R. 14429) for the relief of Mary O'Grady; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 14430) granting a pension to Ezra M. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14431) granting a pension to Benjamin H. Sellers; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 14432) granting a pension to Solomon Cyr; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 14433) for the relief of Harry J. Dabel; to the Committee on Claims.

By Mr. PHELAN: A bill (H. R. 14434) granting a pension to Fred Nilan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 14435) granting a pension to Isaac N. Bayless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14436) granting an increase of pension to Lelia Stewart; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14437) granting an increase of pension to John Early; to the Committee on Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 14438) granting an increase of pension to Clara Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14439) granting a pension to Emma Colt; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 14440) granting a pension to Jesse B. Featherston; 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:

4094. By Mr. CAREW: Petition of National Industrial Conference Board presenting 10 minor amendments to the Federal revenue laws; to the Committee on Ways and Means.

4095. By Mr. CULLEN: Petition of International Association of Garment Manufacturers of New York, regarding the railroad question; to the Committee on Interstate and Foreign Commerce.

4096. By Mr. CURRY of California: Petition of Consolidated Chamber of Commerce of Sacramento, Calif., favoring the passage of House bill 7204; to the Committee on Interstate and Foreign Commerce.

4097. By Mr. ESCH: Petition of United Cloth Cap and Hat Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4098. By Mr. EVANS of Nebraska: Petition of residents of Madison, Madison County, and Oakland, Burt County, Nebr., favoring passage of Senate bill 3259 and House bill 10925; to the Committee on Interstate and Foreign Commerce.

4099. By Mr. FULLER of Illinois: Petition of the Board of Directors of the Grundy County (Ill.) Farm Bureau, protesting against the Nolan bill for an additional tax on land values; to the Committee on Ways and Means.

4100. By Mr. GOLDFOGLE: Petition of New York Employing Printers' Association (Inc.), favoring increased pay for postal employees; to the Committee on the Post Office and Post Roads.

4101. Also, petition of sundry citizens and organizations of New York City, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4102. By Mr. HAMILL: Petition of Americans of Ukranian descent, asking for a commission to investigate and relieve suffering in Ukraine; to the Committee on Foreign Affairs.

4103. By Mr. O'CONNELL: Petition of Bronx Radical Youth, Branch 548, and the United Cloth Hat and Cap Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4104. Also, petition of Long Island Chapter, Knights of Columbus, favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4105. Also, petition of Wood & Stevens (Inc.), of New York, favoring preference in transportation of tin cans and tin plate; to the Committee on Interstate and Foreign Commerce.

4106. By Mr. RAKER: Petition of William Cluff Co., of San Francisco, Calif., protesting against Capper-Volstead bill; to the Committee on the Judiciary.

4107. Also, petition of Pacific Cotton Exchange, of Los Angeles, Calif., protesting against tax on stock transactions in bonus bill; to the Committee on Ways and Means.

4108. By Mr. TINKHAM: Petition of Boston Branch Railway Mail Association, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

SENATE.

SATURDAY, *June 5, 1920.*

(Legislative day of Wednesday, June 2, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

CALLING THE ROLL.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Gay	Knox	Pomerene
Brandegee	Gerry	Lodge	Robinson
Calder	Hale	McCumber	Sheppard
Capper	Harris	McKellar	Smith, Md.
Chamberlain	Hitchcock	McNary	Smoot
Culberson	Jones, Wash.	Nelson	Swanson
Curtis	Kenyon	Nugent	Thomas
Dial	Keyes	Page	Warren
Fernald	King	Phelan	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. DILLINGHAM, Mr. NEW, Mr. NORRIS, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. SPENCER, Mr. TRAMMELL, and Mr. WOLCOTT answered to their names when called.

Mr. BORAH, Mr. PHIPPS, Mr. GLASS, Mr. ASHURST, Mr. HENDERSON, Mr. RANSDELL, Mr. REED, Mr. STERLING, Mr. WALSH of Montana, Mr. UNDERWOOD, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE PRESIDENT. There was a unanimous-consent agreement entered into last night which the Chair is going to violate to the extent of laying before the Senate the annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1919, which will be referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. KNOX. In pursuance of the notice I gave yesterday, I offer a resolution amending Rule XXV of the Standing Rules of the Senate.