

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS FIRST SESSION.

SENATE.

WEDNESDAY, June 29, 1921.

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

Gracious God, Thou hast promised to keep at perfect peace the minds stayed on Thee, and we therefore ask, in the midst of the confusion and turmoil of these days, that we may enter into the high privilege of knowing that peace, so that with quietness and assurance we may fulfill every duty and meet Thy approval continually. Through Jesus Christ our Lord. Amen.

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

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

Mr. HARRIS. Will the Senator from Utah kindly withhold the suggestion for a moment?

Mr. SMOOT. Very well. I will withhold the suggestion at the request of the Senator from Georgia.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1837. An act to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act; and H. R. 2422. An act for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona.

AGRICULTURAL CONDITIONS IN THE SOUTH.

Mr. HARRIS. Mr. President, I send to the Secretary's desk a copy of a resolution adopted by the Senate and House of Representatives of the State of Georgia, which I ask may be read and referred to the Committee on Banking and Currency.

The resolution was read and referred to the Committee on Banking and Currency, as follows:

Whereas the farmers of this State have suffered, and are suffering, tremendous losses, due to the shrinkage in the value of their products, as compared with former times, and as a consequence are in great distress and urgent need of financial support to enable them to save their farms and pay their debts; and

Whereas the banks of this State and other lending institutions have extended considerable assistance to the farmers, but are unable to provide the full measure of needed relief and at the same time care for the equally pressing needs of the commercial and manufacturing interests of the State; and

Whereas the Federal farm loan act was passed by Congress to provide machinery whereby loans, upon adequate security, could be made to the farmers of the country in ordinary as well as extraordinary times, but we are advised that the banks organized thereunder are at the present time short of sufficient funds to care for the demand for loans which they are receiving all over the country and particularly this State: Be it

Resolved by the house of representatives (the senate concurring), That we heartily approve the policy of the Congress in the passage of the Federal farm loan act and approve the said act itself, but suggest, recommend, and request the two Senators from this State and all its Representatives in the House to further amend said act so that banks organized thereunder may be immediately supplied with the additional funds urgently needed in the present emergency and urge upon our Senators and Representatives to use their utmost endeavors to accomplish this result with the least delay possible.

Resolved further, That a copy of this resolution be promptly sent to our two Senators and to each of the Representatives.

(Resolutions of Senate and House of Representatives of the General Assembly of the State of Georgia, adopted June 25, 1921.)

Mr. HARRIS. Mr. President, the Legislature of Georgia convened last week. It is composed of some of the ablest farmers, business and professional men of my State. They have not exaggerated financial conditions among those engaged in agriculture as well as other business and professions. I wish to read part of a letter from an officer of the largest bank not only in my State but the entire South, the Citizens and Southern Bank, of Savannah, Atlanta, Augusta, and Macon, showing the

conditions as he sees them. He is in a position to know the financial condition of the people of my section and is most conservative in his statements.

Knowing that you are so deeply interested in the welfare of our State, I write to ask that you use your influence or cooperate toward securing legislation having for its object the betterment of conditions in the South as relates to higher prices for farm products and profitable returns to the farmer. This is absolutely necessary if our State is to emerge from the deep distress in which we have suddenly been plunged. As you know, our farmers are in an awfully depressed state of mind, as well as financial condition, due to the fact that our products have fallen below the cost of production.

I also have a letter from Mr. J. W. Glover, president of the Glover Machine Works, of Marietta, Ga., and I wish to read just a paragraph from it. Mr. Glover is one of the leading business men of his section of my State. He says:

I would be very glad to see the Republicans make a success of this administration, although I am a Democrat, as I feel more interested in America than I do the Democratic Party, but I am very much afraid that the high tariff will be apt to lead to their downfall, and the failure of the present administration would be a great calamity to the United States.

The people of my State are not thinking or caring about politics at this time. They are in a distressed financial condition, and they are interested in what the present administration will do toward helping them, and they will be glad to give credit to this administration if it accomplishes anything for the good of our people.

The other day I called attention of Senators to the fact that except for the export of cotton produced in the South our Government would not have the present large gold reserve. Much of the money that comes to this country from exports of cotton raised by southern farmers is spent in the West with the farmers, and in the East and the North with the manufacturers, amounting to hundreds of millions of dollars annually. Unless everything is done to encourage the cotton farmers of the South, we are going to have a gradual falling off in the production of cotton; our farmers will be compelled to plant crops raised in the West, and then we will come in competition with them, and that would reduce the demand for products raised by the western farmers. Weather and farming conditions in the South are such that we can raise all kind of crops.

I ask to have inserted in the Record an extract from the Board of Trade Journal of Great Britain showing that the British Government are not only taxing their manufacturers of cotton, but they are also appropriating money to encourage cotton production in their country so as to prevent buying from the United States the cotton that we export and keep the gold in that country that they have been sending us to pay for our cotton, which has done so much to build up a large gold reserve in this country.

The VICE PRESIDENT. Without objection, the article will be inserted in the Record.

The article is as follows:

[From the Board of Trade Journal of Great Britain, June 9, 1921.]

EMPIRE COTTON GROWING—GRANT FROM EGYPTIAN SURPLUS.

It has been decided by the Government to allot the British share in the Egyptian cotton surplus, up to a maximum of £1,000,000, to the board of trade for the development of cotton growing within the Empire. It is the intention of the board to devote this surplus as a capital sum to the purposes of the Empire Cotton Growing Corporation.

The Government had previously undertaken to provide £50,000 a year for five years to the corporation under the condition, which has been fulfilled, that the owners of at least 90 per cent of the cotton spindles in the country should agree to a levy at the rate of 6d. a bale on the raw cotton consumed here. The allotment of the above capital sum will be in lieu of this Government grant and will be subject to the continuance of the financial cooperation of the cotton industry.

Mr. HARRIS. Mr. President, without the cotton exported in the past 50 years we would not have to-day our large gold reserve. The exportation of cotton has done more than anything else to create that reserve. It has brought twice as much money into this country as wheat and four times as much as corn, and that is the reason why we now have such a splendid gold reserve, which is the very foundation of our Federal reserve system. And yet the Federal Reserve Board has done less to help the cotton producers than anything else.

I introduced bills at the last session and again at this session to bring about a readjustment of the rates charged by the Federal Reserve Board limiting the discount rate to 5 per cent, so as to help our farmers and business men and also to extend the time on agricultural loans from 6 to 12 months. Finding the Federal Reserve Board and the Senate Banking and Currency Committee against these bills, I appealed to the present Secretary of the Treasury, but he would not approve them. It takes 12 months to raise our crops, and if they are forced to sell cotton as soon as it is ginned it naturally depresses the market. I wish to show that we have not been able to get any help from Congress, and I know that Senators wish to help every section of the country that is in financial distress. The resolution passed by the legislature of my State and the letters I have read show the condition of the southern farmers, laborers, and business men. We can not get the help we should from the Federal reserve banks. I wish also to show what effect this is having on Wall Street gamblers, who are taking advantage of the helpless condition of our farmers to depress the price of cotton. In order to do that, I ask to have inserted in the RECORD a clipping from the Savannah Morning News, one of the most conservative, reliable, and best newspapers in the South, also a letter from a reliable and prominent cotton merchant of Savannah:

The VICE PRESIDENT. Without objection, the article and letter will be inserted in the RECORD.

The article is as follows:

While the market has been laboring recently under a number of real adverse influences the depression has been greatly aggravated by bearish pressure of the kind usually referred to as market wrecking. Wall Street operators put out heavy lines, one trader being said to have sold 30,000 bales. The stock exchange has rules for preventing and disciplining the sort of trading done for purposes of market manipulation, and it would certainly seem that the cotton exchange might do likewise. Unless some action is taken looking to the restraint of manipulation, either in concert or by any one powerful interest, it may be taken as certain that the Government will be called on to interfere. It is useless to advance the claim that it is not possible to know the nature of the business that is offered; the trade knows quite well when orders are for legitimate purposes or merely for the clear intention of affecting prices. There was no real occasion for any such a decline as the market has recently undergone; but a lot of speculators are allowed to shut themselves up in a Wall Street office with the sole companionship of a garrulous ticker and from that point of vantage proceed to dictate the price of a great commodity, to the ruin of the industry and the disorganization of the legitimate trade.

The letter is as follows:

Hon. W. J. HARRIS.

SAVANNAH, GA., June 22, 1921.

United States Senate, Washington, D. C.

DEAR SIR: I am taking the liberty of inclosing you a clipping from the Morning News concerning the manipulation of cotton futures by prominent Wall Street "bears."

This information is founded on facts and is not hearsay, as the trade has been informed that a noted speculator sold nearly 60,000 bales during the "bear" raid last Friday.

The cotton trade knows when orders are for legitimate purposes or merely speculative intentions, and I respectfully submit that rules such as govern the stock exchange in such instances should be extended by Congress to cover cotton speculation as well.

Yours, truly,

Mr. HARRIS. Last week on the New York Cotton Exchange one man sold 60,000 bales of cotton and depressed the price of cotton. He did not have one pound of cotton to sell, but he sold—or, rather, gambled—on the New York Cotton Exchange \$3,000,000 worth.

The New York Cotton Exchange, instead of being used for legitimate purposes to show the real demand and price of cotton, is used by the cotton speculators and gamblers simply to gamble on cotton raised by the sweat of the farmer's brow. Unless we can regulate the cotton exchange and prevent this gambling, I favor their abolishment. They are now a curse to our farmers who raise cotton as well as to the business interests and laboring people who are dependent upon the farmers receiving a fair price for their cotton.

Mr. President, some days ago I introduced a bill directing the Secretary of the Treasury to loan the Federal farm loan banks \$200,000,000 so as to accommodate the farmers whose applications for loans are already equal to this amount, and I wish Congress would grant them this relief. The resolution I have just had read, which was adopted unanimously by both the Georgia Senate and House of Representatives, shows that the bill I introduced to loan money to the Federal farm banks would be most helpful to our people who are in such financial distress.

Mr. President, last fall I urged the Interstate Commerce Commission to reduce the railroad rates and fares, which were so high as to discourage and prohibit production and business in our country. I was the first Member of either House of Congress to publicly urge this reduction of rates, and I shall continue my efforts in this direction.

I voted against the Esch-Cummins bill, and feared at the time it would have exactly the effect on business that those of us who

opposed it feared. I have urged and will continue to urge a reduction of rates from my section on watermelons and peaches and other fruits; the rates are too high. The commission has reduced rates on fruits from California, and I hope they may do the same for my section.

If Congress will only pass the bills I and others have introduced to reduce the Federal reserve discount rate to 5 per cent, extend the time on agricultural loans from 6 until 12 months, loan the farm loan banks money to accommodate the farmers, stop gambling on the New York Cotton Exchange, lower the railroad rates on freight and passenger fares, utilize the money of the War Finance Corporation to export cotton and other products; if all this could be done, the South would soon be prosperous again, and this would help every other section of our country recover from its depressed financial condition.

CALL OF THE ROLL.

Mr. SMOOT. Mr. President, I renew my suggestion of the absence of a quorum.

Mr. HARRISON. Will the Senator withhold that for just a moment? I wish to have something inserted in the RECORD. It will take only a few moments. I think there is practically half of the membership of the Senate present, quite a larger number than I have seen at this hour of the day at any other time. Will the Senator withhold it until I can insert something in the RECORD?

Mr. SMOOT. The Senator can do that after we get a quorum.

Mr. HARRISON. There is a special order for half past 12 and there are nearly 40 Senators present now.

Mr. SMOOT. I suggested the absence of a quorum immediately after the Journal was read and yielded to the Senator from Georgia [Mr. HARRIS]. I must insist now on my suggestion of the absence of a quorum.

The VICE PRESIDENT. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	Harrell	McNary	Shortridge
Brandegge	Harris	Myers	Smith
Broussard	Harrison	Nelson	Smoot
Bursum	Heflin	New	Stanley
Culberson	Johnson	Nicholson	Sterling
Cummins	Kellogg	Oddie	Townsend
Edge	Kenyon	Overman	Trammell
Ernst	King	Phipps	Underwood
Fernald	Ladd	Robinson	Watson, Ga.
Fletcher	Lodge	Sheppard	Willis
Hale	McKinley	Shields	

Mr. SMOOT. I wish to announce that the senior Senator from Kansas [Mr. CURTIS] is absent on official business.

The VICE PRESIDENT. Forty-three Senators having answered to their names, a quorum is not present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. CAPPER, Mr. MCKELLAR, Mr. NORRIS, Mr. POINDEXTER, Mr. POMERENE, Mr. WALSH of Massachusetts, and Mr. WOLCOTT answered to their names when called.

Mr. CAMERON, Mr. GERRY, Mr. FEELINGHUYSEN, Mr. HITCHCOCK, Mr. WALSH of Montana, Mr. JONES of New Mexico, Mr. WARREN, Mr. SUTHERLAND, Mr. KNOX, Mr. GOODING, Mr. WILLIAMS, Mr. RANDELL, Mr. LA FOLLETTE, Mr. DILLINGHAM, Mr. NICHOLSON, Mr. REED, Mr. SIMMONS, and Mr. SWANSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-seven Senators having answered to their names, a quorum is present.

ORDER OF BUSINESS.

Mr. EDGE. Mr. President, I ask unanimous consent for the immediate consideration of a joint resolution which is of extreme importance to the States of New York and New Jersey, but so far as the contents of the measure are concerned it is merely the formal granting on the part of Congress to those two States of permission to enter into certain port agreements. I refer to Order of Business No. 174 on the calendar, Senate joint resolution 63.

Mr. OVERMAN. Before the unanimous consent asked by the Senator from New Jersey is granted we ought to have an opportunity to present business pertaining to the morning hour. Though I do not object to the Senator's measure, I call for the regular order.

Mr. EDGE. If the Senator will just give me one moment in which to explain the importance of the joint resolution, I am quite sure there can not be any objection to its consideration.

Mr. OVERMAN. I have no objection to the consideration of the Senator's joint resolution, but I merely wish to present some morning business if the Senator will permit me to do so.

Mr. EDGE. Very well; I shall, of course, be delighted to yield to the Senator from North Carolina for that purpose.

Mr. ROBINSON. Mr. President, I call for the regular order. A large number of Senators have morning business which they desire to present.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a list of papers and documents on the files of the Quartermaster General's Office which are not needed in the conduct of business and have no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Select Committee on Disposition of Useless Papers in the Executive Departments, to be selected by the Chair. The Vice President appointed Mr. NEW and Mr. McKELLAR members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

PETITIONS AND MEMORIALS.

Mr. HARRIS presented a resolution adopted June 5, 1921, at a meeting of the congregation of St. Paul's Church, of Macon, Ga., favoring the calling of an international disarmament conference of the five great nations, which was referred to the Committee on Foreign Relations.

Mr. FLETCHER. Under the order of petitions and memorials, I wish to supplement certain remarks made by me on the 27th of this month by asking to have printed in the RECORD a communication in the nature of a statement.

The VICE PRESIDENT. Without objection, the matter referred to by the Senator from Florida will be received and printed in the RECORD.

The matter referred to is as follows:

FLORIDA STATE MARKETING BUREAU,
Jacksonville, Fla., June 27, 1921.

Hon. DUNCAN U. FLETCHER,
Washington, D. C.

DEAR MR. FLETCHER: In reply to your letter of the 22d instant will say that I appreciate what you say about the Jacoway bill and hope that it will not be allowed to become a law and conflict with the good work being done by the many State marketing bureaus.

There were thousands of acres of cabbage in Florida that were never marketed; there was quite a lot of citrus fruit that was not marketed; the State is full of potatoes which have not yet been sold; and there will be an immense acreage of melons to rot in the field, because of the high freight rates.

Florida is constantly enlarging her production, and naturally the railroads will have more to ship and will ship a greater tonnage perhaps each year, even though there is a large acreage left to decay in the field on account of this great increase in freight rates.

There were 600 acres of cabbage near Moore Haven that were never shipped on account of the high freight rates.

You are entirely right in your contention that the high freight rates are the cause of a great deal of loss of products, as well as the disposition on the part of the farmers to cut their acreage. They are threatening all over Florida to raise just enough for home consumption, on account of these exorbitant rates.

There is no argument in favor of the present high freight rates. When potatoes can be imported from Denmark to the United States for less than one-third of what it costs to send them from Florida to New York, and when grain can be imported from Argentina to the United States for one-third of what it takes to send it from St. Louis to New York City, there is not only something wrong but there must be an adjustment.

Everything that you can do to secure a reduction in freight and express rates will be greatly appreciated by the people of Florida. Any time I can be of service to you in any of this work please command me.

Very truly, yours,

L. M. RHODES.

Mr. POMERENE. I present a resolution adopted at a mass meeting of citizens of Lima, Ohio, on June 24, 1921, calling upon President Harding to extend immediate recognition to the republic of Ireland and calling upon Congress immediately to pass the Norris resolution, being Senate joint resolution 27, and the La Follette resolution, being Senate joint resolution No. 1. The resolution adopted at the mass meeting is very short, and I ask that it may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

The following resolutions were presented and unanimously adopted at a mass meeting held in Lima, Ohio, Friday evening, June 24, 1921:

"Whereas our Government is a Government of the people, by the people, and for the people; and

"Whereas we have always been willing to give hope and encouragement to struggling republics and have given hope and encouragement in the form of granting such republics recognition, said recognition being the settled policy of our Government; and

"Whereas the republic of Ireland is asking such recognition from our Government, it having established a republic on the principle underlying our Republic, and having to-day a functioning government, de jure and de facto: Therefore be it

"Resolved, That we, citizens of Lima in meeting assembled in the Memorial Hall the evening of June 24, 1921, do hereby call upon President Harding to extend immediate recognition to the republic of Ireland; and be it further

"Resolved, That we call upon Congress to immediately pass the Norris resolution, Senate joint resolution 27, which recognizes a state of belligerency, and the La Follette resolution, Senate joint resolution 1; and be it further

"Resolved, That we call upon our Senators and Congressmen to support the Norris and La Follette resolutions, and that copies of these resolutions be sent to them with the request that they be read into the CONGRESSIONAL RECORD."

Mr. POMERENE. I also present an identical resolution, which was adopted at a mass meeting held in Court House Park, at Defiance, Ohio, on Saturday evening, June 25, 1921, which I ask may be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The resolution will be received and so referred.

Mr. ROBINSON presented petitions of sundry citizens of Grandview and Delight, both in the State of Arkansas, favoring the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions of the Commercial Club; the Rotary Club; the Shakespeare Club; Conway Lodge, No. 1364, Benevolent and Protective Order of Elks; the faculty and students of Central College; the faculty and students of the Arkansas State Normal School; and Theodore Campbell Post, No. 16, American Legion, all of Conway, Ark., favoring the enactment of legislation for the relief of disabled ex-service men, which were referred to the Committee on Finance.

Mr. TOWNSEND presented a resolution of Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., favoring the erection of the proposed Joseph W. Guyton Memorial in Evart, Mich., which was referred to the Committee on the Library.

He also presented a resolution adopted at a meeting of the Port Huron (Mich.) Automobile Association held on the 13th instant, favoring the enactment of the so-called Townsend post roads bill, which was ordered to lie on the table.

He also presented resolutions of Merritt Lamb Post, No. 9, American Legion, of Muskegon, and the Woman's Auxiliary of W. G. Leenhouts Post, No. 6, of Holland, both in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., opposing the enactment of section 11 of the so-called Sweet bill to establish a veterans' bureau, etc., which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Grand Rapids and Tecumseh; and the pastor and congregation of the Fourteenth Avenue Methodist Church, of Detroit, all in the State of Michigan, praying that relief be afforded the imperiled peoples of the Near East, particularly of Armenia, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the rector, wardens, vestrymen, and congregation of St. Paul's Memorial Church, of St. Joseph; sundry citizens of East Lansing; the pastor and congregation of the Ogdensburg Methodist Episcopal Church, of Old Mission; and the congregation of the First Baptist Church of Pontiac, all in the State of Michigan, praying that an international disarmament conference be called by the United States, which were referred to the Committee on Foreign Relations.

Mr. CAPPER presented a petition of sundry members of the Bible class of the Methodist Episcopal Sunday School, of Hays, Kans., praying that relief be afforded the imperiled peoples of the Near East, particularly of Armenia, which was referred to the Committee on Foreign Relations.

He also presented letters and telegrams in the nature of petitions of Heald-Theime Post, No. 316, American Legion, of Goff; Russell Blackburn Post, American Legion, of Strong City; John W. Knowles Post, American Legion, of Belle Plaine; and Homer J. Ball Post, American Legion, of Emporia, all in the State of Kansas, praying for the enactment of Senate bill 506, to provide adjusted compensation for veterans of the World War, and for other purposes, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Manhattan, Clafin, Kansas City, and Rosedale, all in the State of Kansas, praying for the recognition of the republic of Ireland by the United States, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. HARRELD, from the Committee on Claims, to which was referred the bill (S. 1247) for the relief of Frank Carpenter, reported it with an amendment and submitted a report (No. 188) thereon.

He also, from the same committee, to which was referred the bill (S. 1516) for the relief of Lewis W. Flaunlacher, reported it with amendments and submitted a report (No. 189) thereon.

Mr. McNARY, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2170) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States, reported it without amendment and submitted a report (No. 190) thereon.

Mr. POINDEXTER, from the Committee on Naval Affairs, to which was referred the bill (S. 32) for the relief of contractors, subcontractors, and material men who have suffered loss by reason of Government orders, reported it with amendments and submitted a report (No. 191) thereon.

BILLS INTRODUCED.

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

By Mr. OVERMAN:

A bill (S. 2181) to amend section 118 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended; and

A bill (S. 2182) to amend section 215 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. FLETCHER:

A bill (S. 2183) to amend section 3 of the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. NICHOLSON:

A bill (S. 2184) to carry out the findings of the United States Court of Claims in the case of Wesley B. Corby; to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 2185) to accept the cession by the State of Arkansas of exclusive jurisdiction over a tract of land within the Hot Springs National Park, and for other purposes; and

A bill (S. 2186) granting certain lands in Hot Springs, Ark., to the Leo N. Levi Memorial Hospital Association; to the Committee on Public Lands and Surveys.

By Mr. HITCHCOCK:

A bill (S. 2187) to establish a bank of nations, to promote and regulate commerce with foreign nations, and to act as the fiscal agent of the United States; to the Committee on Banking and Currency.

By Mr. NELSON:

A bill (S. 2188) to amend section 5 of an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911, as amended by an act entitled "An act to amend an act entitled 'An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes,' approved February 13, 1911," approved February 7, 1920; to the Committee on Commerce.

AMENDMENT TO INTERSTATE HIGHWAY BILL.

Mr. BURSUM submitted an amendment intended to be proposed by him to the bill (S. 1355) to provide for the establishment, construction, and maintenance of a post roads and interstate highway system, to create a Federal highway commission, and for other purposes, which was ordered to lie on the table and to be printed.

LONGEVITY PAY OF ARMY OFFICERS.

Mr. UNDERWOOD. Mr. President, several days ago the Senate passed Senate bill 775, to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes. There was at that time an amendment proposed to the bill, but the Senate rejected the amendment. The bill was passed without amendment, and, through a mistake in the enrolling office, the amendment was put into the bill. I desire now to offer a resolution to recall the bill from the House of Representatives in order that it may be correctly enrolled as shown by the record of the Senate.

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

The reading clerk read the resolution (S. Res. 103), as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill S. 775, entitled "An act to confer jurisdiction on the Court of Claims to certify findings of fact, and for other purposes," for reengrossment.

Mr. UNDERWOOD. I ask unanimous consent for the immediate consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

PORT OF NEW YORK AUTHORITY.

Mr. EDGE. Mr. President, the States of New York and New Jersey for a number of years have been endeavoring to reach a common agreement whereby they could develop, for the greater use of the Nation, the port of New York. The two States have separately appropriated millions of dollars for that purpose. They have now reached an agreement and signed a treaty, or compact, and are prepared to proceed with the development. As Senators know, it is necessary to have the formal consent of the Congress of the United States before the States entering into the agreement can proceed with the work which is to be undertaken. Senate joint resolution 63 is merely designed to grant the formal authority necessary to enable these two States to go ahead with the work. There can not be the slightest objection to it; it has passed the Commerce Committee without any question whatever. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 63) granting consent of Congress to the States of New York and New Jersey to enter into the agreement for the establishment of "the port of New York authority," which had been reported from the Committee on Commerce with an amendment, in section 1, on page 1, line 9, after the numerals "1921," to insert "Provided, That nothing in this resolution shall be construed as waiving or surrendering any right now vested in the Federal Government," so as to make the section read:

That the consent of the Congress is hereby granted to the States of New York and New Jersey to enter into the agreement for the establishment of "the port of New York authority" for the comprehensive development of the port of New York, pursuant to chapter 154 of the Laws of New York, 1921, and chapter 151 of the Laws of New Jersey, 1921: *Provided*, That nothing in this resolution shall be construed as waiving or surrendering any right now vested in the Federal Government.

Mr. REED. Mr. President, I wish to ask the Senator from New Jersey if he will not tell us in a word what is the purpose of the joint resolution?

Mr. EDGE. I will be very glad to do so, but I desired to save the time of the Senate as much as possible. The purpose is to enable the States of New York and New Jersey to carry out the agreement which they have made, so that they may utilize their joint cooperative efforts and energies in developing the port of New York, rather than to follow the separate methods which have been pursued heretofore. Of course, in order to enable them to do that it became necessary for the legislature of each State to pass legislation giving the necessary authority, and, that having been done, now it becomes necessary for the Congress of the United States to permit these two States, acting jointly, to carry out the agreement into which they have entered looking to the development of the port of New York, and to have that work concentrated under one port authority rather than under the separate and distinct jurisdiction of each State. The Senator will notice that the joint resolution is qualified by the amendment which has been suggested by the committee, which provides that no authority now or in the future reposed in the Federal Government shall be taken away by the passage of this permissive, formal joint resolution.

Mr. HARRISON. Does the joint resolution carry any charge on the Federal Treasury?

Mr. EDGE. Absolutely none whatever.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

BUSINESS OF THE SESSION.

Mr. HARRISON. Mr. President, in yesterday afternoon's Evening Star there was an article carried on the front page in large letters headed:

Inaction in House spurs young G. O. P. Members to unite. Eleven first-termers call conference of new Representatives to cut "tape." "Not in spirit of revolt," asserts leader in move. Failure to accomplish objects stirs young blood to step to make influence felt.

Then the article proceeds, and I shall read it into the CONGRESSIONAL RECORD for the reason that it seems to me that when the patriotic sons of republicanism are trying to move in the right channel they should be felicitated and congratulated on their movement, in the hope that their numbers may augment, so that the promises which were made by these men and their comrades in the late campaign may be appreciated and carried out.

The article proceeds:

Representative ANSONGE, of New York, issued a statement to-day asserting that the new Republican Members of the House were dissatisfied with the progress made by Congress at the present special session, and disclosing that he and 10 others had joined in a call for a conference to-morrow night of the approximately 100 new Republican Members to discuss the situation.

"We are not meeting in any spirit of revolt," said Mr. ANSONGE, adding that the new Members wanted to cut some of the "red tape" and "substitute action for delay."

OBJECTS STILL UNACCOMPLISHED.

Mr. ANSONGE said none of the objects for which Congress was called into special session had been accomplished—

This is a new Republican Member from New York now speaking—

"nor is there definite promise as to when they will be," he added. "There are upwards of a hundred first-term Republicans in the House and they all feel, as I do, that we have not been permitted to make our influence felt."

"Congress was called into special session for certain definite purposes, namely, for revision of the cumbersome, unwieldy, and inequitable system of taxation, the passage of a fair protective tariff, and the passage of a peace resolution."

WANTS TO SEE ACTION.

"Nearly three months"—

Says this Congressman—

"have passed since the calling of the special session and we want to see action, spelled with a capital A."

"We believe, with the Republican Party, that what is best for the country is best for the party, and we want to impress that thought on some of the older Members."

I imagine that this was intended to percolate into the minds of some of the older Members of the Senate, also.

"Many of them have been here so long they seem to have forgotten it. We are not meeting in any spirit of revolt. We have come more recently from the people, and our opinions should have some weight."

It seems that they are not being considered.

"Congress is all tied up with red tape. We want to cut out some of that red tape and substitute action for delay. The seniority rule can go too far. We feel that our districts have as much right to representation as has Uncle JOE CANNON'S."

"This is not a new thought. I have talked it over with the new Members and they believe that conferences from time to time will serve a good purpose."

Others who signed the call for the conference—

All of whom were Republicans, of course—

are Representatives CLARKE, New York; GERNEED, Pennsylvania; KNIGHT, Ohio; HOGAN, New York; ARENTZ, Nevada; BECK, Wisconsin; REDDY, Maine; FENN, Connecticut; FUNK, Illinois; and LINDBERGER, California.

Mr. President, in this same edition of the Evening Star, on page 2, there is a very splendid photograph of five very distinguished statesmen. They all hail from Ohio. In the center is the new Senator from Ohio [Mr. WILLIS]. The picture is headed:

Appeal to President for retention of Ohioans in Government service.

And then, beneath the picture of these distinguished statesmen from Ohio, it says:

A congressional delegation from Ohio who called on the President yesterday to urge the retention of Ohio employees in the Federal Government, claiming that while many States were overrepresented in the civil service the State of Ohio did not have its full quota allowed by civil-service rules.

And in this distinguished array of Ohioans we see, from left to right, Representative C. ELLIS MOORE, Representative CHARLES J. THOMPSON, Senator FRANK B. WILLIS, Representative CHARLES C. KEARNS, and Representative J. C. SPEAKS.

Of course, the country knows and you know that Ohio has been treated very unfairly since the 4th of March; that the great Buckeye State has received none of the large plums that have fallen from the patronage tree, and these gentlemen have a very just cause for protest, and that is why they are speaking to the President. I am curious to know just what the President told them when they appeared at the White House and said that Ohio was not fairly treated in the matter of patronage distribution. I congratulate the distinguished Senator from Ohio upon what he has done, and also the junior Senator from Oklahoma [Mr. HARRELD], as well as the senior Senator from North Dakota [Mr. McCUMBER]. They have been protesting, and rightfully so, against the policy of the present administration in dismissing large numbers of employees in the civil service without considering the apportionment of the States.

When the civil service law was enacted, a stipulation was placed in the letter of the law that when appointments were made the States should be considered, and each should receive its pro rata quota; but in dismissing employees by the thousands, as they have done—and no doubt the various departments are right in dismissing them by the thousands; I am of the opinion that more, probably, should be dismissed—it is

unfair, it is not in conformity with the spirit of the law, that employees should be dismissed from the service from States that have not their quota, when they are equally as efficient as the employees from States that have over their quota.

Some four weeks ago I introduced a resolution asking the Committee on Civil Service to investigate the matter, and calling for the names of the people from the various States who had been fired from the departments in order that we might see what States did not have their quotas and what the departments here are doing. I do not know whether they are getting ready to get rid of people within certain parties, or, in the matter of new appointments, where they will go to make the appointments, but the Senate has a right to know what these facts are. The Committee on Civil Service had some hearings and considered the matter. I understand that they asked the President to issue an Executive order calling this matter to the attention of the heads of the bureaus, so that the States in the far West and the far South and away from Washington should be treated fairly in the dismissal of employees in the Federal service.

I do not know what course the President took. I called up some of the heads of departments this morning, and they said they are not giving any consideration at all to the proposition. You know, because the papers have carried the statement, that thousands of employees are to be divorced from the Federal service between now and the 1st of July, and it seems to me that if we are going to deal with this matter fairly an Executive order should be promulgated before that date and before they are fired rather than calling them back here. I hope that these bureaus will take some action about the matter; and, if the President has not done anything, I hope that he will do something to carry out the sentiment of the Congress of the United States on that proposition.

PROTECTION OF MATERNITY AND INFANCY.

During the delivery of Mr. HARRISON'S speech,

The VICE PRESIDENT. The hour of 12:30 o'clock having arrived, the Chair lays before the Senate the special order, which is Senate bill 1039.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States, which had been reported from the Committee on Education and Labor with amendments.

Mr. KENYON. Mr. President, would not the Senator from Mississippi just as soon advise those new Republicans after 2 o'clock?

Mr. HARRISON. I shall not take very long, because I am in sympathy with the bill that the Senator is advocating.

After the conclusion of Mr. HARRISON'S speech,

Mr. KENYON. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment.

The VICE PRESIDENT. Is there objection?

Mr. KING. Mr. President—

Mr. KENYON. That is the usual, customary method.

Mr. KING. The plan is not to avoid the reading of the bill?

Mr. KENYON. No; it is to be read for amendment. I should like to add to that request that the committee amendments be first considered and disposed of. That does not mean that it shall be done now, but that the committee amendments shall be considered before other amendments are considered. I desire to make that a part of the request.

The VICE PRESIDENT. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, returned to the Senate in compliance with its request of to-day the bill (S. 775) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 1806.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1806) to further amend the interstate commerce act, as amended, to provide for seasonal rates for the transportation of coal.

Mr. KENYON. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 1039) for the public protection of maternity and infancy, and providing a method of cooperation between the Government of the United States and

the several States. I will say very frankly that the motion will supplant the coal bill now before the Senate. That bill has been before the Senate for 10 days and apparently there is no chance of getting a vote on it. If there is, it can be brought back before the Senate after the maternity bill is disposed of. In any event, I feel that it is proper to test the sentiment of the Senate of the question.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Harris	McNary	Smith
Brandagee	Heflin	New	Stanley
Bursum	Hitchcock	Nicholson	Sterling
Capper	Johnson	Norris	Swanson
Caraway	Jones, N. Mex.	Oddie	Trammell
Curtis	Kellogg	Overman	Underwood
Dillingham	Kenyon	Phipps	Walsh, Mass.
Edge	King	Poinexter	Walsh, Mont.
Ernst	Ladd	Pomerene	Watson, Ga.
Fernald	La Follette	Reed	Weller
Fletcher	Lodge	Robinson	Williams
Frelinghuysen	McCumber	Sheppard	Willis
Gooding	McKellar	Shields	Wolcott
Hale	McKinley	Simmons	

Mr. ASHURST. I wish to announce that the junior Senator from Mississippi [Mr. HARRISON] is detained on public business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present.

Mr. FRELINGHUYSEN. Mr. President, of course the motion made by the Senator from Iowa [Mr. KENYON] if agreed to would displace the present unfinished business and permanently lay it aside. That measure is the seasonal coal rate bill which has now been debated before this body for over a week. I presume the enemies of that measure in the Senate will vote to displace it. I presume the influence and efforts of those who have so persistently tried to defeat the legislation for over a week will be thrown against the further consideration of the measure. But before the measure goes to its death in this manner and before the vote is taken, I wish to make a statement of certain facts for the information of the Senate.

For the past week the Senate has been considering Senate bill 1806, whose sole object is the increase of coal production in certain months of the year when the demand is light and the production correspondingly light. This purpose I have proposed to accomplish by authorizing the Interstate Commerce Commission to reduce freight rates in the spring and summer with a corresponding increase in the winter months. This method would establish an artificial demand for coal, thus avoiding the tremendous jam with a corresponding increase in price and an eventful coal famine in the late fall and winter.

Although this is the sole purpose of the bill, which is advocated by the Interstate Commerce Commission and by the Interstate Commerce Committee and which has been carefully studied by scientists who believe that it is the solution of the present unequal distribution of coal, I feel quite sure it will be beaten through this motion. That is to say, the propaganda against all coal legislation, inaugurated and conducted by a remarkably well-organized lobby of coal operators, some of whose representatives now sit in the gallery of the Senate, is so powerful that I feel that the bill will be defeated.

Primarily the amendment of the senior Senator from Kentucky [Mr. STANLEY], who represents in part one of the leading coal States of the country, has so mutilated the bill that it would be ineffective and practically useless even though it should become a law.

It is now proposed to replace the bill. I am opposed to such action, though the motion may prevail. I prefer that the death knell of this very helpful and absolutely unobjectionable measure should be sounded in full view and full hearing of the public. I am opposed to the subterfuge of substitution.

Let us have "pitiless publicity," that the coal-buying and coal-consuming public may know exactly to what lengths the coal operators may go in maintaining the present high prices of fuel.

This is probably my swan song on the coal bill. I shall not attempt to make it very mellifluous, but I shall try to make it very plain and simple, so that not only he who runs may read but, incidentally, he who stands still and burns coal may understand. Thus I shall rehearse a little bit, in giving a brief review of the work leading up to the bill and the companion measure, Senate bill 1807.

Nearly two years ago, on July 18, 1919, I submitted the following resolution, which on August 15, 1919, was passed by the Senate:

Whereas for several years the price of coal to the consumer has from time to time been largely increased; and
Whereas for a period this increase in price was attributed to existing war conditions; and
Whereas in spite of the fact that since the armistice was signed, November 11, 1918, normal peace conditions have prevailed, the price of coal has continued to rise, without any apparent economic or other proper reason therefor: Therefore be it

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be instructed to make inquiry into the cause or causes which have brought about the enormous increase in the market price of coal, and to that end obtain full data regarding freight rates, wages, profits, and other matters bearing upon the question under consideration, with a view to determining who or what may be responsible for such increase in price, whether due to economic causes, and therefore proper and right, or whether due to manipulation or profiteering on the part of miners, shippers, or dealers in coal.

Resolved further, That the Committee on Interstate Commerce, or any subcommittee thereof, be authorized and directed to subpoena witnesses and compel their attendance, to send for persons and papers, and do such further acts as may be necessary to secure any and all information desired in the furtherance of said inquiry.

Resolved further, That the Committee on Interstate Commerce shall report its findings to the Senate, together with such recommendations as may be pertinent and advisable, with a view either to congressional or Executive action, in order to remedy existing conditions or the punishment of any individual or corporation deemed guilty of unlawful acts.

Resolved further, That the expense of the aforesaid inquiry be paid out of the contingent fund of the Senate.

Acting under that resolution the Committee on Interstate Commerce appointed a subcommittee, of which I was made chairman, to make the inquiry. Many meetings were held throughout the fall of 1919 and winter and spring of 1920, as the result of which several bills aiming at a solution of the problem were introduced by me, but no action at the hands of the Senate was possible owing to the pressure of postwar legislation deemed of weightier importance at that particular time.

When the Sixty-seventh Congress convened I reintroduced two of the coal bills referred to. These have received careful consideration by a subcommittee of the Committee on Interstate Commerce, and by the latter committee itself, the result being a favorable report upon the bill now under consideration, S. 1806, and a companion bill, S. 1807, entitled "To aid in stabilizing the coal industry."

Concerning the spirit which has animated the committee conducting this investigation, let me say that I am sure no other Senate inquiry has ever been carried on in a broader spirit or has been conducted with less malevolence. Indeed, there has been no disposition to punish anyone, though such action would have been pertinent, under the terms of the original resolution of inquiry, which called for the "punishment of any individual or corporation deemed guilty of unlawful acts." That phase of the situation was left to the Attorney General and those acting under his authority. Our sole purpose has been to obtain facts, ascertain existing conditions, and suggest remedies.

Hearings were granted to all public officials who were supposed to possess knowledge bearing upon the coal situation. Among those called were Edgar E. Clark, chairman of the Interstate Commerce Commission; Dr. Harry A. Garfield, the Fuel Administrator; Walker D. Hine, Director General of Railroads; Dr. George Otis Smith, Director of the Geological Survey; Francis S. Peabody, chairman of the committee on coal production, Council of National Defense; H. Y. Saint, head of the export coal department, United States Shipping Board; and various officials connected with the Fuel Administration, the Railroad Administration, the Geological Survey, and the Federal Trade Commission.

At a later stage the committee received the active and valuable cooperation of the present Secretary of Commerce, Mr. Hoover, and the present Secretary of the Interior, Mr. Fall.

Among the earliest invited to appear was the head of the United Mine Workers of America, Mr. Lewis, who was unable to be present. His organization was represented, however, by Mr. Wallace, head of its Washington office, and by Capt. Tetlow, its statistician.

Many large consumers appeared, representing traction, gas and electric light companies in various parts of the country, all extensive users of bituminous coal. Particular care was exercised to get the viewpoint of the coal producers of the country, both bituminous and anthracite, to secure the basic facts in the possession of those most familiar with and heavily interested in the fuel industry. Among those heard were Harry N. Taylor, president, and J. D. A. Morrow, vice president, of the National Coal Association; George H. Cushing, managing director of the American Wholesale Coal Association; W. J. Thompson, secretary of the Anthracite Coal Operators' Association; W. D. McKinney, secretary of the Southwestern Coal Operators' Association, and many individual operators, owners of the largest collieries in the United States.

Every facility, every courtesy, was extended to these men to present their views, and every effort was made by consultation and concession to secure agreement upon legislation that would not unduly embarrass the coal trade and at the same time would protect the interests of the Government and of the great body of consumers.

With these men the committee was patient and conciliatory. They asserted that they welcomed proper legislation and would gladly aid in putting it on the statute books of the Nation. I think many of them were sincere. Nevertheless, though we made every concession that we felt justified in making, we find, after two years of conference and the price of coal still high, that practically all of these operators, organized and unorganized, are bitterly opposing the principle of these two bills—first, the season freight rate bill, and, second, the bill "to aid in stabilizing the coal industry"—and have organized an elaborate propaganda with a view to bringing about their defeat.

In shaping this proposed legislation, Mr. President, I was guided by certain specific conceptions of public duty. I am unalterably opposed to paternalism. I agree with the President that we need "less Government in business and more business in Government." I am opposed to Government ownership of public utilities and allied industries. I am, indeed, opposed to such degree of public regulation as may disturb and disrupt private enterprise. I am opposed to Government price fixing. I do not believe the fundamental economic laws, such as those of supply and demand, can be successfully abrogated by statute.

It was because such was and is my belief that I am opposed to drastic legislation on the coal question, legislation that might unduly hamper and paralyze the men and corporations with heavy investments in coal property in the proper and lawful use thereof.

But I am shocked to find these men who have received such consideration at the hands of your committee opposing the very reasonable and helpful legislation which is now proposed. Personally I had looked upon many of these men as entirely sincere and conscientious in their expressed desire for Government aid in solving the fuel problem. In many instances I was convinced that the real profiteers were the middlemen, and, perhaps, the retailer, rather than operators.

In view, however, of the organized opposition of these men to this very proper legislation, I am persuaded that they do not desire Government cooperation; that they do not want to be interfered with, no matter if the price of coal should be boosted to \$20 or, perhaps, \$25 a ton.

Let me say a word about these men, who seem to have combined in "one big union" to prevent all Government oversight into their manipulation of coal prices.

First, there is the National Coal Association, with elaborate headquarters in the Commercial National Bank Building, this city, embracing a very extensive and expensive personnel, presided over by the vice president of the organization, J. D. A. Morrow, whose salary, I understand, is \$15,000, twice that of a Senator of the United States and more than that of a Cabinet officer.

This body, which handles bituminous coal only, has maintained headquarters here for several years, with a trained corps of coal experts. To-day they are using the operators' money to publish publicity matter in the newspapers and otherwise to carry on their publicity department to fight legislation of this character. They have extended their propaganda throughout the country and have induced coal operators to send telegrams to Members of this body urging them to oppose this legislation. Yet I can show by the hearings before the Committee on Manufactures and before the subcommittee of the Interstate Commerce Committee that these gentlemen were not opposed to measures regarding publicity, and so testified.

I wish, however, the public to know that the National Coal Association does not speak for the entire coal industry, nor for the entire bituminous industry, as I am informed its membership includes but 30 per cent of the number of bituminous-coal operators and but 60 per cent of the production. Nor do I believe that the officers of the National Coal Association speak for a united membership, notwithstanding the fact that this single association, according to the testimony of its secretary, Mr. W. B. Reed, before the Senate Committee on Reconstruction (p. 1795), is expending in the neighborhood of half a million dollars a year, which, of course, is contributed by the coal operators and is passed on to the consumers and is an added expense to the public's coal bill. There are many fair and reputable coal operators, members of this association, who believe that it accomplishes little for the industry except to continually keep it in hot water, through the overzealous efforts of its officials in publishing propaganda aimed to influence legis-

lation, which has finally lost for the industry the confidence of the public.

The spasmodic concern of the National Coal Association for the welfare of general industry in times of pending legislation has been conspicuous by its absence in times of coal profiteering, when contractual relations have been broken and thrown to the winds and coal which was sold at a profit at the mines for \$3 was sold to the Government itself at \$11; indeed, as high as \$18 delivered in New York to the Shipping Board; and I am told that the Navy Department now stands to pay \$1,052,000 in addition to what it has already paid for coal commandeered last year to 6 companies out of 42, \$400,000 of which already stands in the form of a judgment against the Government. This money must be specially provided for in appropriations.

Last fall anthracite sold as high as \$27 to the consumer in New England. Such coal prices not only destroy private initiative, for which the coal operators express so much concern in their statement published in the New York Times, but these coal prices have shut down entire industries employing thousands of men and obliged the railroads of the country to pay \$100,000,000 more for coal in 1920 than in 1919. While the peak prices for bituminous coal have fallen, coal, especially anthracite, has not responded to the general liquidation of other commodities.

The anthracite trade has a similar organization, the Anthracite Coal Operators' Association, North American Building, Philadelphia, with W. J. Thompson, secretary, in charge. They have no office in Washington so far as I know, but their agents are active here when necessary.

Next comes the American Wholesale Coal Association, with equally elaborate headquarters in the Woodward Building, this city, presided over by George H. Cushing, managing director.

The retail trade has a similar organization, the National Retail Coal Merchants' Association, located in the Widener Building, Philadelphia, under the supervision at present of E. B. Gordon, secretary-manager. This body has no office in Washington at the present time, but they have representatives here. Possibly I may have something further to say on this score later on.

The National Coal Association has been the chief defender of the coal trade since I became interested in the subject.

As an evidence of the effectiveness of this particular organization, let me mention two facts: Two or three weeks ago there was a conference in the office of the Secretary of the Interior, attended by that official, the Secretary of Commerce, the junior Senator from New York, myself, and representatives of various branches of the coal trade. The National Coal Association produced its own stenographer to take down the full proceedings, not being willing to trust the Government stenographers.

Last week, when the pending measure was first taken up in the Senate, the National Coal Association sent a stenographer to the gallery of the Senate to take down the speeches delivered, so as to avoid a delay of 24 hours consequent upon waiting for the CONGRESSIONAL RECORD to appear. This being contrary to the Senate rules, a gallery attendant, compelled the representative of the coal lobbyists to discontinue his task.

As I have stated, this is a remarkably well-equipped and efficient body, and "I take my hat off" to them for the effective manner in which they have organized to defeat my bill. For a time I looked upon the men of this organization as fair and reasonable, and I sympathized with their demand that the coal trade be permitted to work out its own salvation without Government interference, provided full statistics were obtainable regarding cost of production, transportation, and delivery from the mine to the humblest consumer.

For a time they seemed willing to concede this. But I am finally and reluctantly convinced that my hope in that direction has always been a delusion.

The National Coal Association will agree to nothing which places any obstacle in the way of unrestricted exploitation of the fuel-consuming public. They confess that retail coal prices are too high, but disclaim responsibility therefor. On the other hand, they refuse to acquiesce in any method which will locate the real profiteer through the interposition of Government authority.

The National Coal Association during the last two weeks, since the recent conference at the office of the Secretary of the Interior, has unmasked its batteries and proceeded to attack with a violence almost unprecedented this very simple and practical piece of legislation. Every Senator and every Representative has been subjected to voluminous literary fusillades, each containing an atom of facts and a ton of misrepresentation. Indeed, the whole purpose of this coal lobby is to throw dust in the eyes of the Senate and the public. This it can only do by misstatements and misquotations.

There is not a scintilla of truth in certain of the allegations of the National Coal Association. The charge that this bill in the faintest degree aims at Government operation or control is a delusion and a fraud. I am opposed, as I have heretofore said, to legislation of that scope and never will agree to it unless these men, by their obstructive tactics, make it imperatively necessary.

The sole purpose of this bill is to establish complete and prompt publicity in the departments of Secretaries Hoover and Fall with regard to production, stocks, storage, and prices at the mine, in transit, and in the final retail market; and the seasonal coal rate bill, which is to be replaced as a curtain raiser to the final defeat of S. 1807, aims to stabilize the industry by providing through seasonal coal rates, if possible, equal and uniform production, thereby avoiding the scarcity which has brought about panics in coal, and has made coal four and five times what the public ought to pay for it.

The officials of the National Coal Association have always claimed that it was not the operators who got the big profits. They have contended that their own profits were normal and reasonable. My own inclination has been to agree with them, to a considerable extent, at least. Now, however, in view of their present crusade of misrepresentation concerning the real purpose of this legislation, and the real purpose of myself and those who have aided in shaping these bills, I am disposed to believe they have never been sincere and have never told the truth regarding the operators' profits. If they resort to deceit in one particular, they will do likewise in another.

I shall not speak at length regarding the other active coal organization—the American Wholesale Coal Association—which, with elaborate headquarters in Washington, is bitterly fighting this legislation. The course of its secretary-manager, Mr. Cushing, is so violently absurd and so absurdly violent and his language so rampant and rabid as to be deserving of only meager attention.

Although the chief purpose of this bill is to provide machinery for collecting coal statistics, Mr. Cushing is deluging Congress with vitriolic tirades denouncing it as "socialistic and bolshevistic." With a sublime display of alleged patriotism this coal lobbyist exclaims:

We need not be blind to the plight of a nation which surrenders to bolshevism. We have but to study Russia.

Furthermore, Mr. Cushing flippantly alludes to those who stand for legislation protecting the public from further highway robbery in this coal business as a "small group of Senators." God forbid that the time shall ever come when the membership of this body inclined to oppose in the interests of the public welfare the plans and purposes of high-salaried lobbyists of this Bombastes Furioso type shall become "a small group of Senators."

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

Mr. FRELINGHUYSEN. I should prefer to finish and allow the Senator to reply after I finish.

Mr. McKELLAR. It was not for the purpose of replying that I sought to interrupt the Senator, but merely for the purpose of introducing here a letter that I received from Mr. Cushing and my reply to it. My own views on the coal bill are well known to the Senator; but I agree with him that it is an outrageous thing for any industry to have a lobby here in Washington.

Mr. FRELINGHUYSEN. I have no objection to the introduction of the correspondence after my remarks have been concluded, but I hope the continuity of my speech will not be interrupted by inserting the communications at this point.

Mr. McKELLAR. I shall be glad to wait until the Senator has concluded.

Mr. FRELINGHUYSEN. Mr. President, I am opposed to replacing this bill. We have devoted nearly two years to our work of investigation. We have held many meetings and heard practically all interests. The public is tired of investigations. If any further inquiries are made, let them be made by Government officials authorized to act under the provisions of this legislation duly enacted into law. The public wants action. It demands results. If these high-salaried lobbyists, now fighting to the last ditch, defeat this bill, or even postpone it by replacing it, then the deluge may come to them sooner than they think. The public is long-suffering, but it will not suffer forever.

I say to these men here and now that if they succeed in their present purpose through the propaganda they have inaugurated, a future Congress will not treat them with the same degree of leniency that characterizes the bill introduced by me. An outraged public will demand more drastic legislation.

In these remarks I have reproduced some facts set forth in a public statement of mine appearing in last Monday's papers. My object in repeating them here is to secure the widest measure of publicity, that the masses may fully comprehend the significance of this proposed legislation and the circumstances under which it is bludgeoned to death. I merely wish to set this matter straight, in order that the attempt of the opposition lobby to throw coal dust into the eyes of the public may be negated and defeated.

In that statement I predicted a coal famine next fall and winter. It is bound to come, to a greater or less extent, in any event. This legislation would have avoided it in part, but not entirely.

Valuable time has been lost. There is now a tremendous shortage in coal production this year, chiefly because there has been a pronounced shrinkage in the demand for coal. This lessened demand has been mainly due to the outrageous price asked. People would not buy. They expect to buy later. Thus, in the fall, the whole Nation, unable to delay longer, will be compelled to order coal. The price, being under the absolute control of the coal operators and those affiliated with them, will be higher rather than lower than it is now. But that is not the worst of it. The demand can not be met. The amount in storage will be comparatively small. The current production can not begin to meet the abnormal demand. A coal famine will result and the disaster to the country will be of incalculable proportions.

Now, Mr. President, I have laid this matter before the Senate and before the larger senate on the outside, with a membership of 110,000,000 people. I want to say in conclusion that I am a good sport. I am ready at all times for a fair fight, and if my colleagues do not agree with me I do not object to being beaten in a fair fight; but I hate to see a measure to which one of the most prominent committees of this body has given attention and study and reported it to this body favorably, killed by delay, killed by replacing it with another measure. If you want to beat it, beat it in the open and beat it fairly.

I oppose the motion of the Senator from Iowa.

Mr. STANLEY. Mr. President, after calling attention to the presence of a powerful and insolent lobby the Senator from New Jersey states that—

Primarily, the amendment of the senior Senator from Kentucky [Mr. STANLEY], who represents in part one of the leading coal States, has so mutilated the bill that it will be ineffective and practically useless, even though it should become a law.

The veiled inference contained in the Senator's remarks would be offensive if it were not, to those who are best acquainted with the facts, amusing. During nearly 20 years of political life it is well known to all who have the most cursory knowledge of my political career that much of that time has been spent in more or less bitter political warfare with many of the great coal interests of Kentucky. In many of the great counties in eastern Kentucky, where the bulk of this coal is mined, there are not enough Democrats to sing bass. Were every coal mine in Kentucky to cease operation to-day, and were every man in those mines to leave the State, it would be as solidly Democratic as Alabama or Mississippi.

I am in receipt of one of a hundred telegrams indicative of the state of mind of many coal operators in Kentucky at this time. It reads as follows:

Senator A. O. STANLEY,
Washington, D. C.:

In eastern Kentucky we have operated seven coal mines, and the workers in our mines voted solidly the Republican ticket, feeling that they were safe in believing that the plank in the platform of the Republican Party pledging less government in business, as promised, would be observed. We can not have good business conditions if the Government does to the coal business what it has already done to the railroad and shipping interests, and we call on you to support that plank in the Republican platform pledging help from the Government instead of meddlesome interference.

CALVIN HOLMES.

I have received hundreds of tales of woe like that; but, Mr. President, he is not worthy of a seat in this high place who permits either resentment or avarice or fear to move him; and servility to a great interest is hardly less odious to a statesman of proper vision than a blind and fanatical personal opposition.

That Senator who would allow the fact that those in charge of a great enterprise are his personal or political adversaries to induce him to use his official power to injure that business unnecessarily and thereby injure his country is hardly less despicable than the venal wretch who takes orders from such a master. One is the slave of his avarice and the other of his narrow, unworthy hate. I will join the Senator from New Jersey in the hope that this bill may not be displaced. He is no better sportsman than I. I hope to see this thing fought out here and now and fought to a finish.

The Senator says I have mutilated his bill. I have, if it is a railroad bill; I have not mutilated it if it is designed for the purpose, or if it will operate for the purpose, for which the Senator says it was designed. I have sympathized and cooperated with him in the hope of reducing the price of fuel to the consumer and in the hope of stabilizing the industry. I refuse to follow him in the enactment of any legislation whose effect, if not its design, is a skillful manipulation of freight rates which must inure inevitably to the profit of the carrier.

You talk to me or talk to any other man who knows the A, B, C of this business, which the Senator from New Jersey says he knows so well and has examined so exhaustively, and he will tell you—and the facts now adduced by the Bureau of Mines and Mining in the Geological Survey and by the Interstate Commerce Commission will show—that the 100,000,000 tons used for domestic purposes out of 700,000,000 tons of coal produced is but a drop in the bucket, is but a bagatelle; that the great depression in the movement of coal is due to the slump in industrial enterprises which occurs in the spring. You might distribute the 100,000,000 tons or the seventy or eighty million tons of bituminous coal evenly over the 12 months of the year and you would not have done away with that depression; but when you split the freight rates and put a light rate in the months when there is a light movement of coal and a heavy rate when there is a heavier movement, what do you do?

The average freight rate upon a ton of coal is not less than \$2.50. Take a seasonal reduction, say, of 25 cents a ton, and you have a differential of 50 cents a ton on coal moved in the winter season. Suppose there are a hundred million more tons of coal moved, one-seventh more moved during that period than before. There will probably be 200,000,000 tons more moved. That would mean a hundred million dollars put into the pockets of those who operate the carriers, to go into the coffers of those who hold the railroad securities, secured by the cunning, silent, astute manipulation of freight rates. I saw it and I struck it, and the grief of the Senator from New Jersey over the fact that his bill is mutilated will be shared nowhere, neither among coal producers nor coal consumers nor anywhere else, except among the common carriers or the holders of their securities.

The Senator complains of a lobby. No Senator needs a lobby to cause him to oppose this impotent thing, Senate bill No. 1807, known as the coal stabilization bill. The Calder mountain labored and gave forth the Frelinghuysen mouse. There is nothing in that bill, from the enacting clause to the end, that punishes the profiteer, nothing that punishes any combination formed for the purpose of imposing an exorbitant price upon the consumer of coal. It is not a bill to regulate the coal business; it is a bill to irritate the coal business. It is a fore-runner of Government regulation.

Will Senators here tell me that they are in favor of Government regulation, federalization, and nationalization of the coal interests of the United States? England now is considering the nationalization of her mines, since her entire production of coal is 30,000 tons less a year than the State of Pennsylvania, and her entire coal reserve is a little over 15,000,000,000 tons; you could put it all into a few counties in Kentucky; these properties might be taken over without national bankruptcy. The United States has over 3,000,000,000,000 tons of coal. If the Government were to take it over at 2 cents on the ton royalty, it would incur an indebtedness of \$60,000,000,000, to say nothing of the value of roads and cars, the vast cities that these industries have built, and the billions they have put into plants for the development and operation of these mines. And when you have incurred this colossal indebtedness, what will become of your Liberty bonds and other national securities?

Russia has attempted to own or organize her coal mines. Germany has attempted it, but the entire output of the Saar Valley is not one-half the output of a few counties in Pennsylvania; and Kentucky has more coal than Pennsylvania.

Do you know that all the gold mines in the world to-day do not produce the wealth represented by the production of anthracite coal for a single year? Do you know that as a result of Government ownership or control of mines, having an output of about 500,000,000 tons a year, Germany and France have found their mines demoralized or closed? England to-day still controls her mines, regulates the output, the distribution, and the hours of labor, and every detail of the coal business is in the hands of the English Government. As a result, one miner in West Virginia produces six times as much coal to-day as a miner in Wales.

And now England's entire export trade faces annihilation. From eastern Kentucky and West Virginia we can put as fine a quality of steam or coking coal as is found in the bowels of the earth f. o. b. in Buenos Aires, in Rio de Janeiro, and in the

Mediterranean ports at from \$1 to \$2.50 a ton less than England can do it, and our export trade is growing by leaps and bounds.

Does the Senator from New Jersey know that the control of coal is not the control of an industry, but it is the mastery of the industrial life of the nation that obtains it?

"Coal," said Lloyd-George, "is life," national life, political puissance. England once produced the cheapest fuel in the world, and it gave her the mastery of the world's markets in textiles. By-products from coal and coal-tar made her master of the dye markets of the earth. Cheaper coal drove American ships from the ocean and made England the mistress of the sea in peace as well as in war.

After the Franco-Prussian War the German discovered that the mastery of commerce in peace and the domination of the world in war were to be found, not in the genius of commanding officers, the size of armies, or the thickness of armament, but in the deadly and almost uncanny power of a retort, and that retort was a by-product coke oven. With cheap coal and skill in extracting its by-products, within a generation twenty-odd separate German States that had hitherto been so weak in the times of war that the armies of Napoleon went through them like a hind, became great and flourishing. Great Britain would never have turned over that sea fortress, Heligoland, had she not believed that Germany would never menace the peace of the world.

After the Franco-Prussian War Germany secured the Saar Valley and the coal and iron of Alsace and Lorraine, and at that time she was not transporting a hundred thousand tons of steel to all the world. She advanced over a hundred per cent every 10 years, until at last she caught and passed her greatest competitor, Great Britain, in the fight for control of the iron and steel markets of the world. Her superior knowledge of the production and use of coal-tar products gave to Germany an ironclad monopoly of the earth's markets in dyestuffs. Her puissance rested upon her mastery of coal.

Higher fuel means a higher price for textiles and for everything made of steel from a needle to a crowbar and from a crowbar to a locomotive.

The cost of steel in all its forms is dependent upon the price of pig iron, and the cost of producing pig iron depends in the main upon the cost of the coal necessary to smelt the ore from which it is produced.

A cheap fuel cheapens all materials produced by the use of steam-driven machinery.

The Senator from New Jersey inferentially impugns the motives of men who know something about the business, who study it not for the purpose of introducing a bill or making a speech upon the floor of the Senate, but because it is a great and interesting subject appealing alike to the statesman, the patriot, and the philosopher. If he would approach it in that light, he would be less petulant and less reckless in his denunciation, more conservative and more careful in the nostrums he offers to the Senate as a panacea for all industrial ills.

I hold no brief for the coal companies, but as long as I hold a seat in the Senate I shall endeavor to upbuild and to strengthen the industrial supremacy of my country in time of peace, as I am willing to make any sacrifice to maintain her martial prowess in time of war, and he who is inspired by motives less worthy is unworthy of a seat in the Senate; yea, unworthy of that boon—that honor not less exalted—the honor of being a Kentuckian and a citizen of the United States of America.

Mr. KENYON. Mr. President, I made the motion in perfect good faith and with no desire to be in a position of trying to injure the bill of the Senator from New Jersey. I am not among those who are enemies of his bill. He speaks of lobbyists fighting to displace the bill. I think he hardly means that or means the inference that could be drawn from it. No lobbyist has ever talked to me about a motion to displace the bill or about anything else in connection with the bill. I am not on intimate terms at all with lobbyists for the coal people or the lumber people or the packers or any other lobbyists that I know of. The Senator from New Jersey speaks of bludgeoning the bill to death in this way. The fault I have found with the Senator's bill is that it is not strong enough, and it does not go far enough. I do not know whether it is going to amount to much of anything. I have not studied the bill, and have not given it the study I would have given if I could have been in the Senate for the last week. I did not vote on the amendment of the Senator from Kentucky [Mr. STANLEY] yesterday because I did not understand the bill, but as I understand it now I would have voted for that amendment, for I believe it strengthens the bill.

Whatever happens to a coal bill now, there is no doubt of what is going to happen to the coal operators in this country

if we are compelled to go through another winter like the last one. If there are any lobbyists in the gallery, as the Senator from New Jersey said, lobbyists who are fighting to displace the coal bill, I will say to those lobbyists that in my judgment they represent perhaps as choice a bunch of robbers as we have had on earth since the days of Captain Kidd. If anyone thinks I have anything to do with lobbyists, he is mistaken.

The American people are not going to stand for some of the things that have been going on in the coal business. They are not going to stand for seven or eight corporations in the State of Pennsylvania controlling all the anthracite of the United States and fixing the prices to suit their own sweet will.

Senators may talk until they are pale in the face, they may talk about bolshevism and socialism and undermining the Constitution, and all this kind of thing, but the amount of hard coal that the Lord Almighty has put into the earth up in Pennsylvania and now controlled by a few corporations is eventually going to be regulated for the benefit of the people of the United States. There will be some day no Senate that can stop it.

Speaking of bolshevism, it is my view that the coal operators have had as much as anything else to do with making bolshevists in the country. The Senator from New York [Mr. CALDER] stated, I think on the floor of the Senate, that the coal operators of the country had robbed the American people of a billion and a half dollars. That was a startling statement coming from a stand-pat Senator from the State of New York. If some of the unreliable, unsafe, and dangerous Senators from the Middle West or the West had said such a thing, it would not have been startling; but that startled the coal operators to the extent that one of them came out with an indignant denial, and said they had not robbed the American people of a billion and a half dollars; that it was only \$500,000,000.

I am simply citing these things to show to the Senator from New Jersey, as he should well know, that in making the motion there is no purpose to injure his bill. I am willing to stay here all through the heat of the summer and work to get something that will give relief to the American people. I do not believe his bill is going to do it, though something stronger might. I had thought we could take up the maternity bill, even though in all probability a good many of the same speeches which would have been made on his bill will be made on the maternity bill. We have had speeches now on prohibition and on the sales tax. I suppose a few days will have to be consumed with the Sims controversy, and every other matter that can be spoken of when the maternity bill is before the Senate, but I thought we might go ahead with it and see how we could get along, and then, if we could do nothing about it, if this interminable talk of the Senate on every subject except the subject before the Senate is to go on, we can come back to the Senator's coal bill. I do not wish to injure his bill. I do not desire to be placed in that position.

Mr. FRELINGHUYSEN. Mr. President—

Mr. KENYON. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Following that suggestion, would the Senator consent to lay aside temporarily the unfinished business for the purpose of considering the maternity bill?

Mr. KENYON. I will make that request of the Senator from New Jersey. Would he consent to it?

Mr. FRELINGHUYSEN. I would not object.

Mr. KENYON. Then, I ask that the unfinished business be temporarily laid aside for the purpose of considering Senate bill 1039, the maternity bill.

The PRESIDING OFFICER. There is a motion now before the Senate.

Mr. KENYON. I withdraw the motion now before the Senate and make the request for unanimous consent.

Mr. BORAH. Mr. President, I do not think I shall object to temporarily laying aside the unfinished business, but it occurs to me that we are not making any progress on the coal bill. I wish to say to the Senator from New Jersey that within a very reasonable time, if we did not seem to be making progress, it was my purpose to move to recommit the bill to the committee.

I can not vote for the bill in its present form. I believe the committee, after the debate which has been had, will improve the bill. I have not wished to interfere with the program for a reasonable time, but I have a measure or two myself that I am very anxious to present to the Senate. It has occurred to me that the coal bill, not consciously upon the part of the Senator from New Jersey, but unconsciously perhaps, is being used here as a buffer, and that we could have disposed of it long ago had there been any real support of the bill in the Senate. Within a very reasonable time, if it is not disposed of, I propose to make a motion to recommit the bill to the committee.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent that the unfinished business now be tempo-

rarily laid aside, and that the Senate proceed to the consideration of Senate bill 1039, the maternity bill. Is there objection?

Mr. REED. I object.

The PRESIDING OFFICER. Objection is made.

Mr. BORAH. Mr. President, I think we ought to bring this matter to a conclusion, one way or the other. I move that Senate bill 1806, the coal bill, be recommitted to the Committee on Interstate Commerce. I believe that is the best disposition which the friends of the measure can make of it. My opinion is that if the motion does not prevail the bill itself will ultimately be defeated. There are some features of the bill which ought to be preserved, and many things added to it, if it is to be effective. I therefore make the motion, and upon that motion I demand the yeas and nays.

Mr. WILLIS. Mr. President, I wish to suggest to the Senator from Idaho that he include in his motion Senate bill 1807, the companion coal bill. Has the Senator examined that measure? It is a companion bill to the coal bill now before the Senate. If the Senator will permit me to say it, I think it is a very much more unsatisfactory bill than Senate bill 1806. I think both should go back to the committee. Will the Senator not include that in his motion?

Mr. UNDERWOOD. Will the Senator allow me to make a suggestion? I am in thorough accord with the view expressed of the bill, but I do not see how the Senator can make a motion concerning a bill that is not before the Senate. I do not see how it would be in order to move to recommit both bills at the same time, although if one motion is agreed to and one bill is recommitted, the other motion would then be in order.

Mr. BORAH. I presume in all probability, if the judgment of the Senate should be that Senate bill 1806 should go back to the Committee on Interstate Commerce, the Senator from New Jersey would likely not urge the other bill, but would be willing to have it go back to the committee. At any rate, I presume I could not make the motion now. On the motion which I have made I demand the yeas and nays.

Mr. FRELINGHUYSEN. Mr. President, the situation has changed. There is a motion made by the Senator from Idaho to recommit the bill. I anticipated that a motion would be made either to recommit or a motion to substitute, and I have not been surprised in either direction.

I shall oppose any effort, of course, to displace or take from the calendar Senate bill 1807. I would have suggested to the Senator from Ohio that he might as well move that all the bills on the calendar be recommitted to the various committees. Such a motion would be equally in order. Because he is opposed to the pending measure, the Senator should not, in my opinion, express his prejudice in that manner.

I shall continue in my effort to have Senate bill 1807 enacted and shall keep up my fight for it, as I shall for Senate bill 1806, the pending legislation. I do not believe that it is necessary to recommit the measure. It is a plain, simple proposition. I do not agree with the Senator from Idaho that it should be recommitted.

I do not desire to delay the business of the Senate. There was sufficient time to debate the bill if the Senate had been interested in it, without interposing other measures and speeches on other subjects to delay it. The truth of the matter is that the reason why it has been delayed and the reason why it is to be recommitted is that Senators wish to get rid of it and defeat the measure. They do not desire to have any coal legislation. That is the truth. I am simply going to oppose the motion, vote against it, and put it down to experience with this body; but I say to you, Senators, that before the present session of Congress adjourns efforts will be made by others, yielding to a public demand, to enact some coal legislation for the relief of the people.

The PRESIDING OFFICER. The Senator from Idaho moves that Senate bill 1806 be recommitted to the Committee on Interstate Commerce, and on that motion demands the yeas and nays.

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

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], who is absent. I do not know how he would vote on this matter if present. Therefore I do not feel at liberty to vote, and withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLEAN], who is absent. I transfer that pair to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL]. I transfer that pair to the junior Senator from New York [Mr. CALDER] and will vote. I vote "nay."

Mr. SWANSON (when his name was called). I have a pair with the senior Senator from Washington [Mr. JONES]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. WARREN (when his name was called). I inquire if the junior Senator from North Carolina [Mr. OVERMAN] has voted? The PRESIDING OFFICER. He has not voted.

Mr. WARREN. I have a pair with that Senator, and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. PENROSE]. I have not been able to secure a transfer of the pair. If at liberty to vote, I should vote "nay"; but I am not, and therefore withhold my vote.

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. He is not present, and I am not, therefore, at liberty to vote, not being able to secure a transfer of the pair. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I transfer my pair with the junior Senator from Virginia [Mr. GLASS] to my colleague the Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. CURTIS. I desire to announce that the Senator from New Jersey [Mr. EDGE], who is necessarily absent, is paired with the Senator from Oklahoma [Mr. OWEN]. If the Senator from New Jersey were present and permitted to vote, he would vote against the motion to recommit the bill.

I also desire to announce the pair of the Senator from Illinois [Mr. MCCORMICK] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 38, nays 26, as follows:

YEAS—38.

Ashurst	Ernst	Moses	Smoot
Borah	Harrell	New	Sterling
Brandegge	Harris	Overman	Sutherland
Broussard	Harrison	Polindexter	Swanson
Bursum	Heflin	Pomerene	Underwood
Cameron	Jones, N. Mex.	Ransdell	Watson, Ga.
Capper	Knox	Reed	Weller
Caraway	Ladd	Sheppard	Willis
Curtis	Lodge	Simmons	
Elkins	McKellar	Smith	

NAYS—26.

Cummins	King	Nicholson	Stanley
Dillingham	La Follette	Norris	Townsend
Frelinghuysen	McCumber	Oddie	Trammell
Hale	McKinley	Phipps	Walsh, Mass.
Hitchcock	McNary	Robinson	Walsh, Mont.
Kellogg	Myers	Shields	
Kenyon	Nelson	Shortridge	

NOT VOTING—32.

Ball	France	Lenroot	Pittman
Calder	Gerry	McCormick	Spencer
Colt	Glass	McLean	Stanfield
Culbertson	Gooding	Newberry	Wadsworth
Dial	Johnson	Norbeck	Warren
Edge	Jones, Wash.	Owen	Watson, Ind.
Fernald	Kendrick	Page	Williams
Fletcher	Keyes	Penrose	Wolcott

So Mr. BORAH's motion to recommit Senate bill 1806 to the Committee on Interstate Commerce was agreed to.

PROTECTION OF MATERNITY AND INFANCY.

Mr. KENYON. I move that the Senate proceed to the consideration of Senate bill 1039.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States.

Mr. REED obtained the floor.

THE COAL BILL AND LOBBYING ACTIVITIES.

Mr. McKELLAR. Mr. President, I desire to put into the Record a letter in reference to the coal situation and to make a short statement in reference to the vote cast by me a few moments ago. Will the Senator from Missouri yield to me for that purpose?

Mr. REED. Yes; gladly.

Mr. McKELLAR. Mr. President, I have just voted to recommit Senate bill 1806, known as the seasonal coal rate bill, to the Committee on Interstate Commerce. My reason for the vote I cast is that I do not believe the bill as reported by the committee will have the effect that it is intended to have, and for the further reason that its undoubted effect will be that, while it may reduce coal rates and consequently the price of

coal in the summer months to those who are best able to buy it, in the wintertime, when the poor people have to buy their coal, it will raise the price of coal to them. That is one motive that actuated me in casting my vote to recommit the bill. My intention also is to vote against the coal regulation bill as reported by the Committee on Interstate Commerce. It is a modified form of a reestablishment of the Fuel Administration created during the war, and I do not believe this war-time measure should be rehabilitated in times of peace. It was of doubtful value during the war. Besides, the same powers intrusted to the Secretary of Commerce by this bill are now intrusted to the Federal Trade Commission. There would be a duplication of service at an enormous cost.

But, Mr. President, it was not for the purpose of discussing these measures that I arose. A few days ago I received a letter from a representative of the American Wholesale Coal Association, which was referred to awhile ago by the Senator from New Jersey [Mr. FRELINGHUYSEN], and I think it is my duty as a legislator to call the attention of the Senate and of the country, and especially of the coal men who are maintaining lobbyists here, to this letter and to my reply. I first read the letter, which is written on paper bearing the letterhead "American Wholesale Coal Association, 729 Woodward Building, Washington, D. C.," with an embossed seal on one side and right under it the name "George H. Cushing, managing director." The letter is dated June 24, 1921, and is addressed to Hon. KENNETH McKELLAR, United States Senate, Washington, D. C. The letter reads:

My dear Senator—

I want to say that if I have ever met the gentleman, so far as I can recall, I have no knowledge of him—

A registered letter from this office, addressed to you, was returned yesterday, marked "refused."

I feel that this must have been refused without your knowledge and will be pleased to have you confirm my beliefs.

In previous communications, I had said that we had been denied a hearing upon the coal bills. For that reason we were forced, against our inclinations, to memorialize Congress.

The right of petition is, of course, open to every citizen. I was but using it. The mere acceptance of a petition does not, as I see it, place any obligation upon you to agree with or to be governed by what the petition says. Nor does the acceptance of it prevent you from throwing it in the waste paper basket. But to refuse to accept a memorial amounts to a denial of the right of petition to your constituents. It is to set this possible interpretation at rest that I call the circumstance to your attention.

It so happens that I represent quite a number of your constituents. We have a considerable membership in the State of Tennessee and a local organization in your home town of Memphis.

If you have any doubts as to our sincerity or public spirit, if you would appoint a time when I could see you, for such a time as you might designate, I would be pleased to acquaint you with the point of view of those constituents of yours whom I represent.

Respectfully, yours,

GEO. H. CUSHING.

To that I answered as follows:

JUNE 27, 1921.

Mr. GEORGE H. CUSHING,
Managing Director American Wholesale Coal Association,
729 Woodward Building, Washington, D. C.

DEAR SIR: Your letter of the 24th has just been received. I did not personally know about the refusal to receive these letters.

As a matter of fact, I had never seen the letters and never heard of them so far as I can now recall. My secretary had the good sense not to call them to my attention. He no doubt knew they were the propaganda of professional lobbyists, and he knew my views of the value of such communications; no possible right of petition was involved.

My secretary says these letters containing propaganda had been coming in frequently from the same source, having virtually the same matter, and that he had for that reason refused to sign for the last one. Of course, I can understand his position in the matter, and uphold him in it, and it does seem exceedingly foolish to register a letter to me on such a subject. It also contains an implication that I am not attending to my mail.

Whether you may think it or not, I believe I know as much about the coal matter as you do, and I resent any lobbying in reference to it. A petition is one thing, but constant lobbying, either written or personal, is a wholly different thing. None of my constituents have advised me that you represent them, and, as strange as it may seem to you, I feel that I am, myself, one of their representatives here. The law so accounts me, at all events. It does not account you as a representative before Congress, and I can not consider you as such.

I do not question either your sincerity or public spirit, and I can see no reason for a personal interview on that ground. I do believe that it is a very great mistake upon the part of the American Wholesale Coal Association to employ representatives here to lobby, either by mail or personally, with Senators and Representatives. It is wholly contrary to democratic institutions and can not be too severely condemned.

I reserve the privilege of putting your letter and this reply to it in the Record for the information of the public. I am familiar with the coal question, and I do not feel that I need your assistance, interested, as you admit you are, on one side of it, in my consideration and action in reference to it.

Very truly, yours,

KENNETH McKELLAR.

Mr. President, I want to say in addition that while I am fortunate in having very few of these lobbyists come to me—and

you can easily see why they do not come, I think, from my attitude toward them—this lobbying about the Capitol has gotten to be a shame and a scandal in the National Capital, and I want to say especially to the coal interests and all other interests in my State that I hope they will not contribute to keep these lobbyists here at the Capitol. I believe that no good cause is aided by them. It almost gives a Member of Congress a biased view of a question to be constantly importuned by lobbyists here. You almost instinctively feel that any professional lobbyist has a bad cause, and that otherwise he would not be here. The Congress ought to take some measures stricter than we have heretofore taken to prevent lobbying. It is an outrageous situation that we, who are sent here to attend to the people's business, are to have letters like this addressed to us, or be constantly advised without our request for advice, by lobbyists as to our duty before Congress.

I do not believe that such advice does any good. I believe it is a waste of money for any interest to have professional lobbyists here. In the end it is bound to have the opposite effect to that which they intend or expect; and I hope, so far as Tennessee is concerned, and so far as the interests in other States also, that they will not in the future contribute to keep professional lobbyists in the city of Washington in an effort to attend to their business. Any man, from wherever he may be in the United States, if he has interests before Congress, has the right to come here and attend to them, and if they are of sufficient importance that somebody should look after them, there is no one who is so familiar with them and no one who is so competent to look after them as the man himself; but this idea of having a paid organization here to buttonhole Members of Congress, to write them letters, to seek personal interviews, to give them advice unsought, is wholly repugnant to democratic institutions and to my idea of what is right.

I sincerely hope that the party in power, through the appropriate committee, will present a bill here either licensing lobbyists, if they are willing to agree to have them here at all, or, if we are not going to have them here, then that they will forbid them to practice their trade in the Capital. They ought not to be here. In the end they will hurt rather than forward the interests they are supposed to represent.

I am opposed to Senator FREELINGHUYSEN'S coal bills, but I indorse what he says about lobbyists here, and I hope he, as one of the representatives of the majority Republican Party in charge of this Congress, will introduce and get passed a bill regulating lobbyists. Such a bill would be of much more value to the country than a bill regulating business in peace time.

CONSTRUCTION OF TERM "RURAL POST ROADS."

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1072) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The amendment of the House was to strike out all after the enacting clause and insert:

That section 2 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended by section 5 of the act 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," approved February 28, 1919, is hereby amended to read as follows:

"Sec. 2. That for the purpose of this act the term 'rural post road' shall be construed to mean any public road, a major portion of which is now used, or can be used, or forms a connecting link not to exceed 10 miles in length of any road or roads now or hereafter used for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart; the term 'state highway department' shall be construed to include any department, commission, or board having adequate powers and suitably organized to discharge, to the satisfaction of the Secretary of Agriculture, the duties herein required of the State in the construction and maintenance of roads improved hereunder; the term 'construction' shall be construed to include reconstruction and improvement of roads; 'properly maintained,' as used herein, shall be construed to mean the making of needed repairs and the preservation of a reasonably smooth surface, considering the type of the road, but shall not be held to include extraordinary repairs nor reconstruction; necessary bridges and culverts shall be deemed parts of the respective roads covered by the provisions of this act."

Sec. 2. That the portion of section 3 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, which reads: "Provided, That in States where the constitution prohibits the State from engaging in any work of internal improvements, then the amount of the appropriation under this act apportioned to any such State shall be turned over to the highway department of the State or to the governor of said State to be expended under the provisions of this act and under the rules and regulations of the Department of Agriculture when any number of counties in any such State shall appropriate or provide the proportion or share needed to be

raised in order to entitle such State to its part of the appropriation apportioned under this act," is hereby amended to read as follows: "Provided, That any State desiring to avail itself of the benefits of this act shall, not later than three years after the adjournment of the first regular session of the State legislature from and after the passage and approval of this act, provide State funds each year at least equal to the amount apportioned for such year by the Federal Government to said State for the construction of highways: *Provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws, or to receive their proportionate share of each year's appropriation under existing constitution and laws until three years after the adjournment of the next regular session of the legislature from and after approval of this act."

Sec. 3. That section 4 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to read as follows:

"Sec. 4. That so much, not to exceed 3 per cent, of the appropriation for any fiscal year made by or under this act as the Secretary of Agriculture may estimate to be necessary for administering the provisions of this act and for carrying on necessary highway research and investigational studies independently or in cooperation with the State highway departments and other research agencies, shall be deducted for these purposes, available until expended. Within 60 days after the close of each fiscal year the Secretary of Agriculture shall determine what part, if any, of the sums theretofore deducted for such purposes will not be needed and apportion such part, if any, for the fiscal year then current in the same manner and on the same basis as are other amounts authorized by this act apportioned among all the States, and shall certify such apportionment to the Secretary of the Treasury and to the State highway departments. The Secretary of Agriculture, after making the deduction authorized by this section, shall apportion the remainder of the appropriation for each fiscal year among the several States in the following manner: One-third in the ratio which area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States, at the close of the next preceding fiscal year, as shown by the certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary of Agriculture: *Provided*, That no State complying with the provisions of this act shall receive less than one-half of 1 per cent of the total sum apportioned among the States for each fiscal year."

Sec. 4. That the first paragraph of section 6 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended, is hereby amended to read as follows:

"Sec. 6. That any State desiring to avail itself of the benefits of this act shall, by its State highway department, submit to the Secretary of Agriculture project statements setting forth proposed construction of any rural post road or roads therein. If the Secretary of Agriculture approve a project, the State highway department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require: *Provided, however*, That the Secretary of Agriculture shall approve only such projects as may be substantial in character, and the expenditure of funds hereby authorized shall be applied only to such improvements: *And provided further*, That he shall not approve any projects in any State until said State shall provide a State fund adequate for the maintenance of Federal-aid roads and by law shall place said maintenance work under the direct control of the State highway department: *Provided further*, That in any State where the existing constitution or laws do not provide for such maintenance or will not permit a State fund for maintenance, the Secretary of Agriculture shall continue to approve projects for said State until three years after the adjournment of the first regular session of the legislature from and after the approval of this act: *Provided further*, That the funds for maintenance are appropriated or provided by the civil subdivision of the State and are expended under the direct control of the State highway department. Items included for engineering, inspection, and unforeseen contingencies shall not exceed 10 per cent of the total estimated cost of the work."

"If the Secretary of Agriculture approve the plans, specifications, and estimates, he shall notify the State highway department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this act on account of such projects, which shall not exceed 50 per cent of the total estimated cost thereof, except that in the case of any State containing unappropriated public lands and reservations under Federal control exceeding 5 per cent of the total area of all lands in the State, as shown by certificate of the Secretary of the Interior, which he is directed to make and furnish annually to the Secretary of Agriculture, the share of the United States payable under this act on account of such project shall not exceed such 50 per cent of the total estimated cost thereof plus a percentage of such total estimated cost equal to one-half of the percentage which the area of the unappropriated public land plus the area embraced in reservations under Federal control in such State bears to the total area of such State: *Provided*, That the limitation of payments not to exceed \$20,000 per mile, which the Secretary of Agriculture may make, be, and the same is hereby, increased in proportion to the increased percentage of Federal aid authorized by this amendment. No payment of any money apportioned under this act shall be made on any project until such statement of the project and the plans, specifications, and estimates therefor shall have been submitted to and approved by the Secretary of Agriculture."

Sec. 5. That section 7 of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to read as follows:

"Sec. 7. To maintain the rural post roads constructed under the provisions of this act shall be the duty of the States. If at any time the Secretary of Agriculture shall find that any road in any State constructed under the provisions of this act is not being properly maintained, he shall give notice of such fact to the highway department of such State, and if within 100 days from the receipt of said notice said road has not been put in a proper condition of maintenance by the State highway department, then the Secretary of Agriculture shall thereafter refuse to approve any project for road construction in

said State until such road has been put in a condition of proper maintenance, and if within 100 days from the receipt of said notice the said road has not been put in a proper condition of maintenance, then the Secretary of Agriculture, in addition to such refusal to approve any further project for road construction in said State, shall proceed immediately to have such road put in a condition of proper maintenance by letting contract therefor and shall charge the costs thereof against the Federal funds allotted to such State. Upon reimbursement by the State of the amount expended by the Federal Government for such maintenance work, said amount shall be paid into the United States Treasury to the credit of miscellaneous receipts, and the Secretary of Agriculture shall then approve further projects for said State."

SEC. 6. That in approving projects to receive Federal aid under the foregoing provisions, the Secretary of Agriculture shall give preference to such projects as will expedite the completion of an adequate and connected system of roads, interstate in character. Before any projects are approved in any State, such State, through its State highway department, shall select or designate not to exceed 7 per cent of the total road mileage of such State as shown by the records of the State highway department at the time of the passage of this act. Upon this system all Federal-aid apportionments shall be expended. Roads which may receive Federal aid shall be divided into two classes, one of which shall be known as primary or interstate roads and shall not exceed three-sevenths of the total mileage which may receive Federal aid, and the other which shall be known as secondary or intercounty roads and shall consist of the remainder of the mileage which may receive Federal aid. The Secretary of Agriculture shall have authority to approve in whole or in part the systems as designated or to require modifications or revisions thereof: *Provided*, That the States shall submit to the Secretary of Agriculture for his approval any proposed revisions of the designated systems of roads above provided for. Not less than 60 per cent of all Federal aid allotted to any State shall be expended upon the primary or interstate roads until provision has been made for the improvement of the entire system of such roads. Whenever provision has been made by any State for the completion and maintenance of a system of interstate and intercounty roads equal to 7 per cent of the total mileage of such State, as required by this act, said State, through its State highway department, by and with the approval of the Secretary of Agriculture, is hereby authorized to add to the mileage of interstate and intercounty road system as funds become available for the construction and maintenance of such additional mileage.

SEC. 7. That section 8 of the act 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," approved February 28, 1919, is hereby amended to provide that 50 per cent of the appropriations therein made shall be expended on roads within or partly within the national forests and embraced in or constituting necessary extensions of the system of main roads in the State, Territory, or insular possession, and that this amount shall be apportioned among the States, Territories, and insular possessions in which are located the national forests in the ratio which the area of the national forests within each State, Territory, or insular possession bears to the total area within the national forests: *Provided*, That the cooperative agreement for the survey, construction, and maintenance of any such road or trail shall be between the Secretary of Agriculture and the proper officials of the State, Territory, or insular possession. The remaining 50 per cent of appropriations therein made shall be expended on roads and trails necessary for the protection, administration, and utilization of the national forests, and shall be apportioned by the Secretary of Agriculture in proportion to the relative needs of the national forests, taking into consideration existing transportation facilities, value of timber or other resources served, relative fire danger, and comparative difficulties of construction. The Secretary of Agriculture may waive cooperation on such forest roads where essential for the protection, administration, and utilization of the forest: *Provided further*, That if more than \$6,000,000 is appropriated for any one year under the provisions of this section the excess shall all be added to the 50 per cent applicable to roads forming parts of or extensions of the system of main State roads.

SEC. 8. That the Secretary of Agriculture shall encourage a more general understanding of the economic use of public roads and highways and shall collect, publish, and demonstrate, for the benefit of all sections of the United States, useful information on highway transport, construction, and maintenance, which shall also include such recommendations as he may deem necessary for preserving and protecting the highways and insuring the safety of traffic thereon.

SEC. 9. That any sums apportioned to any State under the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto, shall be available for expenditure in that State for the purpose set forth in such acts until two years after the close of the respective fiscal years for which any such sums become available, and any amount so apportioned remaining unexpended at the end of the period during which it is available for expenditure under the terms of such acts shall be reapportioned in accordance with the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916.

Mr. TOWNSEND. I move that the amendment of the House be referred to the Committee on Post Offices and Post Roads.

Mr. McKELLAR. Mr. President, as a substitute for that motion I move that the Senate concur in the amendment of the House, and upon that I ask for the yeas and nays.

Mr. LODGE. Mr. President, the motion of the Senator from Michigan can not be amended.

The VICE PRESIDENT. The question is on the motion of the Senator from Michigan [Mr. TOWNSEND].

Mr. McKELLAR. Mr. President, I want to discuss this motion.

The VICE PRESIDENT. The motion is not debatable.

Mr. McKELLAR. A motion to refer to a committee is not debatable? I ask unanimous consent, then, to make a short statement in reference to the matter.

Mr. TOWNSEND. Mr. President, if there is to be debate on this question it must be extensive debate. The object of the motion I made is to refer a new bill, which has come over from

the House, to the Committee on Post Offices and Post Roads for consideration.

The VICE PRESIDENT. The Chair holds that the motion is debatable. The Chair intended to rule that it is not amendable. It is debatable, but not amendable.

Mr. McKELLAR. I desire to make a parliamentary inquiry. I am just going to state the case to the Chair and see if an error has not been made in the ruling of the Chair.

Mr. President, this bill was a bill introduced by the Senator from Colorado [Mr. PHIPPS] for the purpose—

Mr. KENYON. Mr. President, a parliamentary inquiry. Is the consideration of this matter in order while the unfinished business is before the Senate?

The VICE PRESIDENT. On objection, it is not in order.

Mr. KENYON. I object, Mr. President.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. What becomes of the bill that has been sent over from the House?

The VICE PRESIDENT. It lies on the table.

PROTECTION OF MATERNITY AND INFANCY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States.

The VICE PRESIDENT. The Secretary will read the bill for action on the amendments of the committee.

Mr. KENYON. Mr. President, I do not want ever to see any advantage taken of anybody. I know that the Senator from Missouri [Mr. REED] intended to speak on this bill, and he has been called out of the Chamber.

Mr. McKELLAR. I will say that the Senator from Missouri left the Chamber because he thought the road bill would be taken up. I hope he may be sent for.

Mr. ROBINSON. The Senator from Missouri had taken the floor.

Mr. REED entered the Chamber.

Mr. McKELLAR. Here is the Senator from Missouri now. He can answer for himself. I will say to the Senator from Missouri that the Senator from Iowa raised a point of order on the question of the road bill, and that took me off the floor. I am much obliged to the Senator from Missouri for yielding to me.

Mr. REED addressed the Senate. After having spoken for more than an hour.

Mr. LODGE. Will the Senator object to my moving an executive session at this time?

Mr. REED. Not at all.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate now proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 30, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 29, 1921.

CONSUL OF CLASS 5.

Joseph W. Ballantine, of Massachusetts, now Japanese secretary of the embassy of the United States of America to Japan, to be a consul of class 5 of the United States of America.

ASSISTANT SOLICITOR OF THE TREASURY.

* Robert J. Mawhinney, of Pennsylvania, to be Assistant Solicitor of the Treasury, vice F. A. Reeve, deceased.

UNITED STATES ATTORNEY, NORTHERN DISTRICT OF NEW YORK.

Hiram C. Todd, of New York, to be United States attorney, northern district of New York, vice Clarence E. Williams, appointed by court.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

SECOND LIEUTENANTS WITH RANK FROM JUNE 13, 1921.

Corps of Engineers.

Cadet Frank Zea Pirkey.

Field Artillery.

Cadet Karl William Hispen.

Cadet Joseph Patterson Wardlaw.

Cadet Francis Warren Cray.

Cadet Selby Francis Little.

Coast Artillery Corps.

Cadet Milo Glen Cary.

Cadet Harold Joseph Conway.

Cavalry.

Cadet Norris Heslett Marcus.
Cadet John Baylis Cooley.

Infantry.

Cadet James Harry Marsh.
Cadet John Elmer Freeman.
Cadet Gustin MacAllister Nelson.
Cadet Frank Joseph Spettel.
Cadet Carroll Frederick Sullivan.
Cadet Rupert Harris Johnson.
Cadet Francis Joseph Magee.
Cadet Burwell Baylor Wilkes, jr.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 29, 1921.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY,
TO CHILE.

William Miller Collier.

TO JAPAN.

Charles Beecher Warren.

UNDERSECRETARY OF THE TREASURY.

S. Parker Gilbert, jr.

COMPTROLLER GENERAL OF THE UNITED STATES.

J. Raymond McCarl.

COLLECTORS OF INTERNAL REVENUE.

FIRST DISTRICT OF PENNSYLVANIA.

Blakely D. McCaughin.

TWELFTH DISTRICT OF PENNSYLVANIA.

David W. Phillips.

TWENTY-THIRD DISTRICT OF PENNSYLVANIA.

Daniel B. Helner.

UNITED STATES DISTRICT ATTORNEY, EASTERN DISTRICT OF TENNESSEE.

George C. Taylor.

REGISTER OF LAND OFFICE, EVANSTON, WYO.

Joseph T. Booth.

RECEIVER OF PUBLIC MONEYS, EVANSTON, WYO.

Donald McAllister.

IN THE NAVY.

Passed assistant surgeons.

Worcester R. Angell.

Morgan O. Barrett.

Alfred H. Gaither.

David O. Bowman.

George G. Herman.

John G. Smith.

Franklyn C. Hill.

Vincent H. Usera.

Daniel P. Platt.

MARINE CORPS.

Colonel.

Charles C. Carpenter.

Assistant quartermaster.

Walter E. Noa.

First lieutenants.

Edgar A. Poe, jr.

Eric A. Johnston.

Second lieutenant.

William D. Bassett.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 29, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence our souls take delight, on Whom in affliction we call, we wait in Thy presence in acknowledgment of Thy sovereignty. Lead our higher natures forward that they may have their issues in deeper reflection, tenderer sympathy, and in a wiser realization of Thy truth. May Thy holy shadow succor all of our loved ones, sustain the afflicted, and richly bless those whose sorrow is so deep they can not cry. Through Christ our Savior. Amen.

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

CONFERENCE REPORT—NAVAL APPROPRIATION BILL.

The SPEAKER. When the House adjourned last night there was pending Senate amendment No. 21, on which the gentleman from Illinois [Mr. BRITTEN] had moved to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BRITTEN moves, in lieu of the matter inserted by said amendment, to insert the following:

"The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the war with Germany, and for that purpose exclusively an additional sum not to exceed \$50,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force."

Mr. BUTLER. Mr. Speaker, last night just before the House adjourned, it is my recollection that the previous question had been ordered.

The SPEAKER. Yes; the previous question had been ordered.

Mr. BUTLER. In order that we may have an opportunity to make some adjustment—and I may say to the Speaker I had demanded a quorum and at the time, if the House will permit me a minute, not to hold up the House unnecessarily on a very, very hot day, if the House will consent to this request I ask that the order for the previous question may be vacated until this amendment may be submitted to the House conferees, which may take the place of the other.

Mr. KELLEY of Michigan. Mr. Speaker, I think what the gentleman from Pennsylvania desires is to ask unanimous consent that the sum of "\$25,000" be inserted instead of "\$50,000" in the amendment which was offered by the gentleman from Illinois.

Mr. BUTLER. A little more than that, Mr. Speaker. I desire that September 1 next be the time to complete this work.

Mr. KELLEY of Michigan. Instead of October 1?

Mr. BUTLER. Yes, sir. It can be done.

Mr. OLIVER. Has the gentleman any information it can be completed within that time?

Mr. BUTLER. I will say to my friend he knows I do not speak recklessly; I believe they have been loafing on this work. It can be finished with the amount of money appropriated, and it can be finished certainly by September 1 for \$25,000.

Mr. KELLEY of Michigan. I ask unanimous consent that the order for the previous question may be vacated and the amendment offered by the gentleman from Illinois may be modified by inserting \$25,000 where \$50,000 occurs and September 1 where October 1 occurs.

The SPEAKER. Does the gentleman vacate the previous question in order to have debate?

Mr. KELLEY of Michigan. I ask unanimous consent notwithstanding the previous order that this be permitted?

Mr. OLIVER. Mr. Speaker, if the gentleman from Pennsylvania [Mr. BUTLER], for whom I have the highest regard, has made careful inquiry and now feels satisfied that the work can be completed for \$25,000 by September 1, there should be no objection to the adoption of his amendment. My information is, however, that this work can not be completed at so early a date, nor can it be completed within the amount he provides.

Mr. KELLEY of Michigan. I will say to the gentleman from Alabama that the gentleman from Pennsylvania is chairman of the Committee on Naval Affairs, and if it develops that the sum he suggests here is not sufficient to finish this work, the Navy Department will have to go to him for authorization to secure the balance to complete the work, and it will be up to him.

Mr. BUTLER. I want to say this to my colleague, if the Secretary of the Navy can not complete this work through the officials he has down there for this sum of money I will ask him to get others who can do it. [Applause.] The time has come for steady work. This remark does not in any way include the hard working, brilliant Chief of Navigation. If these officials can not finish this work with \$25,000 additional money by October 1, I will give them another month. October 1 I would ask the Secretary of the Navy and insist that he get people who will finish it. It is time for work, not talk.

Mr. KELLEY of Michigan. The gentleman does not ask that the time be changed?

Mr. BUTLER. I will not; this is the suggestion of the clerk of the Committee on Naval Affairs, who knows more on this subject than I do.

Mr. KELLEY of Michigan. October 1?

Mr. BUTLER. Yes.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the sum in the motion be changed from \$50,000 to \$25,000. Is there objection? [After a pause.] The