6948. Also, petition of Mr. Walter R. Hobbs and others, of Velva, N. Dak., protesting against the discriminatory tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6949. Also, petition of Mr. R. A. Jongewaard and other members of the Marion National Farm Loan Association, Litchville, N. Dak., protesting against the passage of the Strong bill; to the Committee on Banking and Currency.

6950. Also, petition of R. A. Middaugh, fire marshal for the State of North Dakota, urging the passage of House bill 13448, prohibiting the interstate shipment of nitrocellulose films after 1925; to the Committee on Interstate and Foreign Commerce.

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## SENATE.

SATURDAY, *January 20, 1923.*

*(Legislative day of Tuesday, January 16, 1923.)*

The Senate met at 12 o'clock meridian, on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

WASHINGTON, D. C., *January 20, 1923.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. FRANK B. WILLIS, a Senator from the State of Ohio, to perform the duties of the Chair to-day.

ALBERT B. CUMMINS,
*President pro tempore.*

Mr. WILLIS thereupon took the chair as Presiding Officer.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 13793) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1924, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL.

Mr. GERRY. 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 | George | Lodge | Ransdell |
| Ball | Gerry | McCormick | Reed, Pa. |
| Borah | Glass | McKellar | Sheppard |
| Brookhart | Hale | McKinley | Simmons |
| Bursum | Harreld | McLean | Smoot |
| Cameron | Harris | McNary | Spencer |
| Capper | Harrison | Moses | Sterling |
| Colt | Heflin | Nelson | Sutherland |
| Couzens | Johnson | New | Swanson |
| Culberson | Jones, Wash. | Nicholson | Townsend |
| Curtis | Kellogg | Norbeck | Trammell |
| Dial | Kendrick | Norris | Underwood |
| Elkins | Keyes | Oddie | Wadsworth |
| Ernst | King | Overman | Walsh, Mass. |
| Fernald | Ladd | Owen | Warren |
| Fletcher | La Follette | Phipps | Watson |
| Frelinghuysen | Lenroot | Poindexter | Willis |

The PRESIDING OFFICER. The Chair desires to announce the unavoidable absence of his colleague [Mr. POMERENE], on account of illness, and wishes this announcement to stand for the day.

Mr. DIAL. My colleague [Mr. SMITH] is detained on account of illness in his family. I ask that this notice may continue through the day.

The PRESIDING OFFICER. Sixty-eight Senators having answered to their names, a quorum is present.

DEALING IN COTTON FUTURES—PERSONAL EXPLANATION.

Mr. DIAL. Mr. President, the other day I offered an amendment to the then pending bill to amend the cotton futures contract law. I have noticed in the newspapers since that time that it is said I tried to extend the number of grades tenderable on a contract. When I was a young man, just starting in life, a controversy arose in my town between the president of a female college and the editor of a newspaper upon the proper use of the letter "S" and the apostrophe. That controversy raged for six weeks in the papers. That taught me that it is a bad plan ever to disagree with the newspapers. So since that time, until now, if I said a proposition was black and the newspapers said it was white, I have just said, "Yes; I guess it is white," and have gone along about my business.

But, Mr. President, I am sorry I have been so incompetent in the last two years that I have failed even to get into the minds of the press what I am trying to do. Just in a sentence, there are 10 grades of cotton tenderable on a contract, with the right of the seller of the contract to tender any one or all of those 10 grades at his option. I am trying to make him specify which grade he would tender. As a compromise I am willing to go further and take the 10 grades and divide them into three classes and make him specify which class he will tender.

Mr. WARREN. Mr. President——

Mr. DIAL. I will yield the floor in just a moment.

Mr. WARREN. I merely wanted to ask the Senator a question.

Mr. DIAL. Very well.

Mr. WARREN. May I ask the Senator if he has proposed any amendment to the appropriation bill now before the Senate?

Mr. DIAL. No; this is a personal explanation. In just a moment I shall conclude.

I am sorry I have not been able to get that idea into the minds of the press and the people. It reminds me of an Irishman who moved to my town a few years ago. The Irish, as is well known, are always polite. This particular one opened a dry goods store. A lady went in his store one morning while it was quite cold and thought she would have a little conversation with him. She said, "You are a stranger here, I believe?" "Yes, madam; I only moved here recently." She said, "You are a foreigner, I understand?" "Yes, madam; I was not born in the United States." "Oh, you are a Chinaman, I presume?" "Oh, no, madam; not a Chinaman." He escorted her to the door, opened it, and politely bowed her out. Then he turned around and said, "The ignorance of this country is appalling." So, Mr. President, that must be my condition if I can not get my proposition understood. The press has always been kind to me and exceedingly fair, so much so that I have no quarrel with it, and I am not going to criticize it now. My amendment deals with an exceedingly technical question. I expect to ask for its consideration as an independent measure at an early date. I am told by many Senators they will vote for it on its merits, but do not want to put it on other bills.

Heretofore I have been merely shaking the bushes.

Mr. HARRIS. Mr. President, the amendment just referred to, which was offered by the Senator from South Carolina to the rural credits bill in regard to cotton exchanges, was defeated the other day. Many Members from the South who voted against the amendment have informed me that they also favor some legislation of that kind but were not certain that this exact amendment, without some changes, was the proper way to solve the problem. I want to say that I have talked to nearly all the Senators from the cotton-growing States, and we will undoubtedly get together before the next session of Congress if not during this session and agree on some plan by which, if we can do so, we will stop the New York Cotton Exchange from allowing the gambling that is done to depress the price of cotton. With less than 10,000,000 bales of cotton produced in the United States, the cotton exchanges sold in futures—nothing but gambling—more than a hundred million bales. If the exchanges can not be regulated so as to prevent such abuses and prevent gambling on the products raised by the sweat of the brow of the farmers who have suffered more than any other class of people of our country, we should do everything within our power to help the farmer.

HOUSE BILL REFERRED.

H. R. 13793. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1924, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

RURAL-CREDIT FACILITIES.

Mr. HARRIS. Mr. President, I present a protest from the Country Bankers' Association of Georgia, in which they state that they are at this time performing the greatest service to the agricultural section of the country in the matter of credit, but that they have been ignored in the so-called rural-credit legislation in which everybody else except the country banker has been considered. I ask that their protest and Secretary Adams's letter to me may be printed in the RECORD.

Mr. President, there are several hundred country banks in my State, and no city banks in the United States have rendered a greater or more conscientious service to the people. The officers and directors are nearly all farmers or interested in farming, and they will always do their duty as far as possible to help the farmers in time of need. It so happens that most of these men are my personal friends, and in visiting different sections and conferring with the farmers about conditions during and since the deflation period, which ruined financially

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thousands of our best farmers, these men who have suffered so much from the low price of the cotton and other products they produced have invariably told me their local bankers did their very best to help the farmers. I introduced bills in the Senate reducing the rediscount rate of the Federal reserve system and requiring the same rates for banks in the agricultural section as in the commercial centers, but this failed to pass. I offered a bill extending the time of rediscount on agricultural paper from 6 to 12 months, but this was defeated. I am glad we extended that time to nine months if we could not for a year, and this will help the farmers who depend upon local banks to carry their agricultural paper. I introduced last year a bill allowing these small banks to come in the Federal reserve system; it passed the Senate and is now before the House with a favorable report. If this bill passes, with the new law extending to nine months on rediscount on agricultural paper, it will help the farmers, bankers, and all classes in our section. I have also introduced and the Senate passed a bill amending the Federal warehouse system so as to greatly help the farmers in securing a low rate of interest and cheaper insurance on products of farmers stored in these Government licensed warehouses. I feel sure this bill will pass the House and become a law before Congress adjourns. When this bill becomes a law the farmer can use one of these warehouse receipts and borrow money in New York or elsewhere if the local bank can not accommodate him. Under this law a warehouse receipt will be so guarded and guaranteed that a banker can afford to make larger loans and at low rate of interest and will be safe in doing so. The warehouse receipt will show the grade of cotton and other products and will always be insured so as to protect anyone making loans.

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

THE COUNTRY BANKERS' ASSOCIATION OF GEORGIA,
*Atlanta, Ga., January 18, 1923.*

HON. W. J. HARRIS,
*United States Senate, Washington, D. C.*

DEAR SENATOR HARRIS: Please accept my thanks for your kindness in supplying me with report No. 998 on the Capper bill (S. 4280, Calendar No. 974) and the copy of the Lenroot-Anderson bill.

I have also been favored by a friend with the Government Document No. 23937, giving the hearings on rural credits before the Committee on Banking and Currency of the Senate December 12 to December 22. This document includes the testimony and statements of Senators and Representatives, cooperative-marketing promoters, representatives of cotton, dairying, live-stock, grain, and general farming interests, chairmen of the War Finance Corporation and the Federal Farm Loan Board, but you look in vain for the statement or testimony of a representative of the country banks, which are expected in the final analysis to take care of the actual extension of credits to the individual farmers. The committee has failed to call into consultation the very people whom they expect to use as instruments in the execution of the measures the committee will recommend.

In order for any rural credits legislation to have the effect that is sought by those honestly trying to serve the interests of the farmer there must be either a Government fund from which loans may be made direct to the farmer—a method entailing so much expense in the establishment of new machinery and risks to the Government through probable inexperience of the newly appointed agents—or the established agencies that are expected to carry the new laws into effect must be satisfied with it to the extent that in their own interests they can utilize it.

Some of those making statements at the hearings referred to have undertaken to criticize the country banks for doing certain things and for failing to do certain things, and much has been said about the country banks at these hearings that was untrue. No matter how meritorious the bills may be the country banker will be naturally skeptical of a measure that was evolved out of conferences heavy with unjust criticism of his methods and motives and in which he has had no voice. Before becoming a party to same he will look carefully and at length for the joker contained in the measure. Do you not think it advisable before legislation is passed for the Senate and House committees to hear what he has to say? After all, he knows more of the actual conditions of rural credits than any of those heard from, and he is the one who above all others must have assurance that the bills are justly drawn to protect his interests as well as those of his customers.

I inclose herewith copy of resolutions adopted by the executive council of the Country Bankers' Association of Georgia last week. I trust that the suggestions may be followed and that before any measure proposed is finally passed country bankers representing various agricultural sections of the Union may be heard. Certainly none of the measures so far presented meet the situation to the extent needed and in the manner that would prove most beneficial to our agricultural interests.

I hope to be in Washington one day next week, and if so I hope to see you and others interested in this question.

Very truly yours,

L. R. ADAMS, *Secretary.*

Resolutions adopted by the Executive Council of the Country Bankers' Association of Georgia at a meeting held in Atlanta, January 11, 1923.

Whereas the Congress of the United States is at this time considering the matter of legislation to provide a permanent reserve of adequate credit to finance agricultural operations; and

Whereas the reports of hearings before committees having such legislation in charge indicate that advice in the matter has been largely received from sources exhibiting hostility to and expressing unfair criticism of the country banks of the United States and attributing motives for the methods pursued by the country banks in the conduct of their business that are not creditable to the country banks and not true in fact; and

Whereas there are only two ways in which the Government can extend credit to the farmers, i. e., (1) direct to the farmer; (2) through established financial agencies (the local country banks); and

Whereas the first method is impracticable and not advocated from any source of which we are aware, and the second method depends for its success very largely, if not wholly, upon its popularity with the country banks and whether or not in justice to themselves they can avail themselves of it; and

Whereas unless this result be achieved any plan must fail, no matter how meritorious it might be otherwise; and

Whereas if the country bankers are to be used as an important part of the plan adopted they are entitled to be heard in the formulation of such plans; and

Whereas we believe that information on this subject from bankers representing only country banks, the major part of whose dealings is with the agricultural interests, and whose primary and chief interests are identical with those of the farmers themselves, would be acceptable to Members of the Senate and House, who are seeking to place agriculture on a basis as nearly that of financial independence as possible: Therefore be it

*Resolved*, That we request the committees of the Senate and House having rural credits legislation under consideration to secure information and advice on this subject from bankers representing different agricultural sections of the country before finally passing any legislation on this point.

*Resolved further*, That, in our opinion, the basis of any legislation that will be of real benefit to the agricultural interests should be an intermediate credit system from one to three or from one to five years. The nine-month credit proposed in so many bills will not help much. The most helpful feature of the amendment to the War Finance Corporation act under which loans have been made for the past 18 months has been the statement that such loans could be secured for a period of three years. The farmers, and the banks handling their paper, can usually count on working out loans for agricultural purposes in three years, but should be assured that conditions of such loans will not be changed on the farmers or the bankers in the middle of such period, as has been done in some instances. Agriculture's turnover is annual—not monthly nor quarterly. It can neither inflate nor deflate as readily as commerce, and its financing requires the application of different principles and, while in position to cooperate with commercial financing systems, agricultural financing should be independent of such control. Extra financing for short terms is only needed under emergency conditions, while intermediate term financing—from one to three or five years—is a permanent need that is not now covered by any system.

*Resolved further*, That this council tenders the services of the president and secretary of the association to the committees of Congress in order that the views of the country banks of this State may be presented, if desired by such committees.

*Resolved further*, That copies of this resolution be submitted to the Senators and Representatives from this State, chairmen of the Banking and Currency Committees of the Senate and House in Congress, and to such other Senators and Congressmen as may be interested.

INDEPENDENT OFFICES APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13696) making appropriations for the Executive Office and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1924, and for other purposes.

Mr. WARREN. Mr. President, when the Senate took a recess last evening we had concluded the committee amendments to the appropriation bill then under consideration and were awaiting the presentation of other amendments, notice of which had been given. I have on my desk some 10 amendments intended to be proposed by the Senator from Tennessee [Mr. MCKELLAR], but just at the close of the day's session an amendment was offered by the Senator from Mississippi [Mr. HARRISON]. I am not certain whether the Senator from Mississippi desires the floor first, but at any rate we should proceed at once to the consideration of the individual amendments.

Mr. HARRISON. I desire that the amendment which I offered last evening shall now be stated by the Secretary.

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be stated in full for the information of the Senate.

The READING CLERK. On page 3, line 2, after the numerals "$36,000," it is proposed to insert the following——

Mr. HARRISON. I desire to modify the amendment to the extent that it be offered to come in following the numerals "$25,000," on line 7, page 3, instead of after line 2, page 3.

The PRESIDING OFFICER. The amendment as now proposed to be modified by the Senator from Mississippi will be stated.

The READING CLERK. On page 3, line 7, after the numerals "$25,000," it is proposed to insert the following proviso:

*Provided*, That no part of this appropriation shall be expended until the President shall have complied with the request of the Senate as expressed in Senate Resolution 258, adopted April 24, 1922.

Mr. WARREN. Will the Senator from Mississippi state to what the resolution mentioned in his amendment relates?

Mr. HARRISON. I have sent for a copy of the resolution, but I will state that in substance the resolution requests the President of the United States to transmit to the Senate the names of all persons who have been appointed postmasters or who have been appointed to other offices under Executive order.

Mr. WARREN. I think we should have the terms of the resolution stated more explicitly.

Mr. HARRISON. Very well, I shall have the resolution read later. If I recall correctly, some two or three days were spent at intervals in a discussion of the large number of Executive orders which had been issued by the President making appointments to postmasterships and other offices. The result of that consideration and debate was that the Senate most solemnly passed Senate Resolution 258, which reads as follows:

*Resolved*, That the President of the United States is requested to furnish to the Senate the name of every person appointed by Executive order since March 4, 1921, whose appointment is by such order excepted from the civil-service rules, and to furnish to the Senate the reasons therefor.

I recall that in the consideration of the resolution then pending an amendment was offered by the Senator from South Dakota [Mr. STERLING], who I think at that time was the chairman of the Committee on Civil Service and Retrenchment, having the matter in charge, as he now is, proposing certain modifications of the resolution. The resolution as finally passed by the Senate, however, was in the language which I have just read.

Mr. President, it seems to me that since the resolution was passed away back in April, 1922—practically nine months ago—the President should have complied with the request contained therein. It was a simple request; it was framed in diplomatic language. There was nothing embodied in the resolution that should have given offense to the President; and certainly the mandate of the Senate has not reached that low ebb that a President of the United States—I care not how much power may have been given to him in recent months—should ignore it.

Mr. WARREN. Mr. President——

Mr. HARRISON. I yield to the Senator from Wyoming.

Mr. WARREN. Mr. President, the Senator from Mississippi has stated that the resolution to which he now refers was couched in the usual diplomatic language. That, however, does not appear to be exactly the fact, for the resolution in positive terms requests the President to transmit the information, while the usual language in which such resolutions are framed contains the phrase "if not incompatible with the public interest." That is the respectful request which is usually made, while this resolution is a mandatory one, as if the President were merely some employee of the Senate or of some Government department, rather than the President of the United States, who was elected by the people, and any request for information from whom should at least be couched in the most respectful terms.

Mr. HARRISON. Mr. President, I might well reply to the Senator from Wyoming that his remarks might very properly be pointed at the Senate itself, because the resolution was passed by the Senate, and the very question which the Senator has raised was debated in the discussion of the resolution at the time. So I say that the resolution is a diplomatic request, and that the Senate of the United States would not have adopted a resolution which would carry an insult to the President. The resolution does not command the President to furnish the information; it merely requests the President to do so.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Wyoming?

Mr. HARRISON. I yield.

Mr. WARREN. Does the Senator from Mississippi remember whether or not there was a roll call on the adoption of the resolution?

Mr. HARRISON. The sentiment of the Senate was so unanimous in favor of the resolution that I do not think there was a request for a yea-and-nay vote upon it.

Mr. WARREN. The Senate has a way of acting with apparent unanimity when there are only two or three Senators present and a Senator wishes to railroad a matter through the Senate. Under such circumstances it sometimes goes through seemingly without objection because no other Senator seems to notice, but, as a matter of fact, it is hardly fair to say that a measure has been passed unanimously when there has been no roll call upon it, as there should really be upon all measures.

Mr. LODGE. Mr. President——

Mr. HARRISON. If the Senator from Massachusetts will wait until I reply to what the Senator from Wyoming [Mr. WARREN] has stated, I shall then gladly yield to him.

The resolution was even referred to a committee controlled by Republican members, and was reported by the committee to the Senate. It was then debated after it had been reported to the Senate by the committee, as it had been debated upon the floor of the Senate before it was referred to the committee. There was a lapse of some three weeks, I think, between the day the resolution was submitted and the discussion at that time and the day that it was reported to the Senate and was passed. There was no "railroading of the resolution" through the Senate. An humble member of the minority offered the resolution and the majority as a whole accepted it, reported it out of the committee, and passed it. If there was any "railroading" in connection with the resolution, it was on the part of the organization of the Senate controlled by the majority.

Mr. LODGE. Mr. President——

Mr. HARRISON. I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, I merely wish to remind the Senator that during the eight years of Mr. Wilson's administration there were something over 60 resolutions of inquiry with regard to Mexico adopted by the Senate and sent to him, all, so far as I remember, properly worded, but not the slightest notice was ever taken of one of them. It never occurred, however, to anyone on this side to affront the President because for any reason he did not respond to the resolutions.

Mr. HARRISON. Mr. President, the Senator says that President Wilson did not comply with the requests of the Senate.

Mr. LODGE. He paid no attention to them whatever.

Mr. HARRISON. If President Wilson had not complied with the requests of the Senate, I know the Senator from Massachusetts, with his eagle eye, would have been among the first to have risen in his seat here and called for compliance with the mandate of the Senate.

Mr. LODGE. Mr. President, I did nothing of the kind. There were a great many resolutions relating to Mexico which I was very anxious to see answered, but they never were answered; and yet I do not remember that I ever called particular attention to the fact. I certainly should never have thought of taking such action as the Senator from Mississippi now proposes.

Mr. HARRISON. The resolutions referred to by the Senator from Massachusetts had to do with foreign relations—and during the discussion of the pending matter I am going to show what the present Executive has done with respect to resolutions dealing with foreign relations—but the resolution to which I am referring merely requested that a list be furnished of the names of men who were appointed to office by Executive order, as to which the President alone, I presume, unless it might be the Civil Service Commission, would know the facts. It was a question of such importance that the Senate desired to know the names on the list, and the reasons for the action.

It will be remembered that the Senate passed a resolution following the appointment by President Harding by Executive order of a postmaster at Marion, Ohio, his home town. There were a score or more of applicants for the postmastership at Marion, Ohio; but President Harding took "the bit in his own teeth" and issued an Executive order. I imagine he surmised and said to himself, "I have a friend there whom I want to appoint to the office, and, notwithstanding the civil-service rules, notwithstanding the number of applicants that may want the office, I am going to give it to this man." The whole country were aroused. The organization having to do with the reform of the civil service held meetings; they discussed the question and passed resolutions, not only denouncing the action of the President in that instance, but in numerous other instances. It was following that discussion which so aroused the country that the Senate of the United States, responding to that sentiment, passed this simple resolution as a parallel to which the Senator from Massachusetts tries to cite resolutions dealing with the great question of foreign relations. The resolution which was passed by the Senate last April merely deals with postmasters. There is no analogy between the two cases.

Mr. STERLING. Mr. President——

Mr. HARRISON. I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, the Senator from Mississippi is mistaken when he says that the resolution deals merely with postmasters. It does not mention postmasters, and very little mention was made of postmasters when the resolution was under consideration in the Senate. There was no extended debate upon the resolution at all. I think the resolution having been referred to the Civil Service Committee, that committee suggested some amendments to it, reported the resolution with amendments, and the resolution was afterwards passed, but the discussion on the floor of the Senate, that of the Senator from Mississippi, as well as of others—and there was not any lengthy discussion about it at all—did not relate particularly to postmasters nor did the resolution in terms relate to postmasters.

The resolution reads:

*Resolved*, That the President of the United States is requested to furnish to the Senate the name of every person appointed by Executive order since March 4, 1921, whose appointment is by such order excepted from the civil-service rules, and to furnish the Senate the reasons therefor.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

Mr. STERLING. I will wait until the Senator has concluded, and then I desire to answer him.

Mr. HARRISON. Before the Senator takes his seat I wish him to answer a question for me.

Mr. STERLING. Very well, if I can.

Mr. HARRISON. Is it not true that at the request of the Senator from South Dakota and other Senators on the majority side when I offered the resolution and debate had taken place it was referred to the committee of which he is a member?

Mr. STERLING. I think so.

Mr. HARRISON. And is it not a fact that the Senator himself reported favorably upon the resolution?

Mr. STERLING. Certainly.

Mr. HARRISON. And championed it upon the floor of the Senate?

Mr. STERLING. After some amendments to the resolution it was reported to the Senate, and there was no particular objection to its being passed in the Senate; but——

Mr. HARRISON. Mr. President——

Mr. STERLING. When the Senator has concluded, then I wish to be heard.

Mr. HARRISON. What I said was that the resolution was passed by the majority of the Senate; there was not sufficient opposition to it even to secure a roll call. It was referred to the committee of which the Senator from South Dakota was chairman, considered, and reported back to the Senate, and he championed it upon the floor of the Senate. The Senator from Wyoming [Mr. WARREN] also gave it his support, evidently, for he did not lift his voice against it. Yet now we find, after the President has ignored the resolution for nearly nine months, the Senator from South Dakota [Mr. STERLING] and the Senator from Massachusetts [Mr. LODGE] and the Senator from Wyoming [Mr. WARREN] are trying to raise technical objections and complain that the words "not incompatible with the public interest" were left out.

Mr. STERLING. Do I understand the Senator from Mississippi to say that the Senator from South Dakota championed this resolution on the floor of the Senate?

Mr. HARRISON. The Senator reported it back.

Mr. STERLING. Was that a championing of the resolution on the floor of the Senate because I reported it back?

Mr. HARRISON. The Senator would not come before his colleagues and report a resolution favorably if he was against it. I believe that the Senator is a sincere, honest man, and I assume that he was for the resolution when he considered it, brought it here, and asked his colleagues to give it support.

Mr. President, I do not know what else we can do. When we pass a resolution in such a solemn way as we passed this one and wait patiently for nine months for the President to comply with it, on such an important matter as this, and he ignores it and pays no attention to the Senate, what other recourse have we except to tie up the traveling expenses provided in this appropriation bill for the President, I know not for what? Whether it is for sailing down the Potomac upon a yacht or whether it is for entertainment, I do not know.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Des the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. HARRISON. In one moment. I am not asking an unreasonable thing when I suggest to the Senate a limitation upon the $25,000 appropriation that is proposed to be given to the President "for entertainment and traveling expenses" on the condition, first, that he complies with the request of the Senate of the United States touching the simple matter of transmitting to the Senate the names of those whom he has appointed to office under Executive order.

Now I yield to my friend from New Hampshire.

Mr. MOSES. I merely wished to suggest to the Senator, since he asked what recourse there is since the President has not complied with the resolution of the Senate, that the minority at present might do as the majority did under the preceding administration, when repeatedly this affront—if it be an affront—was offered to the Senate, namely, grin and bear it.

Mr. HARRISON. Why, if there ever was a minority that embarrassed a President in all the history of the country—and the Senator was particeps criminis to it—it was when he and the Senator from Massachusetts and some 37 others signed a round robin to the President of the United States with respect to the League of Nations. Talk about the action of minorities! Why, it would come with poorer grace from no other Senator here than from the Senator from New Hampshire or the Senator from Massachusetts to talk about the action of minorities.

Mr. MOSES. Mr. President——

Mr. HARRISON. Does the Senator from New Hampshire wish to ask me something else?

Mr. MOSES. I merely desire to suggest further to the Senator from Mississippi that if he is so voracious for the information he is talking about he can get it all from the annual report of the Civil Service Commission, wherein is printed every Executive order, stating the name of the person appointed, the office to which the person is appointed, and the reason which actuated the Executive order.

Mr. HARRISON. That is the very argument that the Senator from New Hampshire made when the Senate considered this resolution and deliberated upon it for days; and when, afterwards, the committee reported it—and I think the Senator is a member of that committee——

Mr. MOSES. No.

Mr. HARRISON. Afterwards, he did not raise his voice against it but allowed it to be passed, and therefore I assumed that he was for it.

Mr. MOSES. Mr. President, the matter of what I said or did at the time is of small consequence; but as I recall, I made this same suggestion to the Senator from Mississippi then, namely, that the report of the Civil Service Commission contains a complete statement of all Executive orders that are issued. I think I said that to the Senator at that very time, and that remains true to-day. The Senator can get all this information from the report of the Civil Service Commission.

Mr. HARRISON. The Senator can do nothing of the kind.

Mr. MOSES. Why not?

Mr. HARRISON. The report has not yet been made touching the matter.

Mr. STERLING. Mr. President, I beg the Senator's pardon. The report has been made and I have it here.

Mr. HARRISON. Up until what time?

Mr. STERLING. The report for the fiscal year ending July 30, 1922; and if it is not all found in this report, appointments made by the President of the United States since that time, and the reasons for his making the appointments aside from the civil-service rules, can be ascertained over at the Civil Service Commission at any time, up to this very date.

Mr. HARRISON. When was the appointment to the Marion postmastership made? Does the Senator know?

Mr. STERLING. Here it is—January 23, 1922:

The Executive order of May 10, 1921, requiring candidates to take civil-service examinations for presidential postmasterships, is hereby waived so as to permit the appointment of French Crow to the position of postmaster at Marion, Ohio, without examination.

Now, the Senator from Mississippi would leave with the Senate the impression that, as a matter of law, the civil-service rules apply to postmasters. They do not, Mr. President, as we all know. It is a matter of Executive order, to begin with, as to whether or not civil-service examinations shall be held for postmasters, and the President has the absolute right to waive the civil-service examinations in the case of the appointment of any postmaster; but here was his own home town, and the order which he had previously made might well be waived in a case of that kind, and that was done.

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

Mr. HARRISON. Mr. President, I have not discussed the propriety of the President issuing Executive orders that postmasters shall be appointed under the civil service or otherwise. I have not gotten to that. I will get to it; but the Senator knows that you are pretending in this administration to hold civil-service examinations in the appointment of postmasters.

Mr. MOSES. Oh, no; they are not only pretending to hold them, but they are holding them.

Mr. HARRISON. Oh, yes; they are holding them, but in a most farcical way. Then, if they are holding them, the Senator disagrees with the Senator from South Dakota.

Mr. MOSES. In the case of Marion, Ohio, no.

Mr. HARRISON. What the Senate wanted to know is, What other places are there and what other officers are there, that have been appointed by Executive order, and the reasons therefor?

Mr. STERLING. This report will show every one appointed under Executive order.

Mr. HARRISON. Oh, that will show it; but the Senate said they wanted the President to send it down here; and that shows that the President could perhaps have gotten that information very quickly and brought it up to date, up to the time that he makes it and transmits it to the Senate, and yet he has ignored

you. He thinks that you are too little and too powerless, too sycophantic, for him to comply with a request of the Senate of the United States.

Mr. MOSES. Oh, no, Mr. President.

Mr. HARRISON. I am going to read to you before I shall have concluded what he thought when he was a Senator, what he said then about the dignity of the Senate, how he talked against Executive and autocratic dictation, and how he has changed more than any other man who ever occupied that place.

Now I yield to the Senator from New Mexico.

Mr. BURSUM. Mr. President, can the Senator from Mississippi cite a single instance where the Senate at any time during the history of this country, by any minority or majority party, has undertaken through a resolution similar to the one presented by the Senator from Mississippi to penalize the Chief Executive of the Nation for an alleged failure to comply with some request?

Mr. HARRISON. I do not know of any other President who has absolutely ignored a request like this.

Mr. MOSES. Oh, Mr. President, President Wilson did it a thousand times.

Mr. HARRISON. Oh, yes; President Wilson's name continually comes before the Senator's imagination, even in his dreams, like it does in the case of other reactionary Republicans. Every time something is said they say, "Oh, President Wilson did thus and so." His name is certainly a "bugaboo" to you.

Mr. MOSES. Oh no, Mr. President; I sleep soundly at night.

Mr. BURSUM. Mr. President——

Mr. HARRISON. I yield to the Senator from New Mexico.

Mr. BURSUM. Does not the Senator from Mississippi believe that a resolution of this character, coming from the minority, seeking to reflect upon the Chief Executive, shows the littleness of this body and not of the President?

Mr. HARRISON. I am trying to show the bigness of this body, and the present attitude of the Senator and other Senators over there will convince the country of the littleness of this body. Why did you pass the resolution? Why did you not at the time fight the resolution?

Mr. BURSUM. The answer to the resolution is in the report.

Mr. HARRISON. Oh, yes.

Mr. MOSES. All the Senator is doing, Mr. President, is to demonstrate his own pettiness.

Mr. HARRISON. I thank the Senator from New Hampshire for his remark.

Mr. MOSES. Do not mention it.

Mr. HARRISON. Now, I will proceed, Mr. President.

Mr. BURSUM. The French have sent their army into the Ruhr to make the Germans disgorge. I suppose if the Senator had the power to do it, he would send some troops over to the White House to stop operations there.

Mr. HARRISON. No, Mr. President; I would not be discourteous to the President of the United States for anything. I like him very much personally, and I think he is a splendid gentleman. I am not saying much about him as a President, but I am saying that much about him as a man. I could have offered this amendment to his salary. It is carried in this bill—$75,000 annually. I could have offered it to the contingent expenses. I did not do it; but the American people are taxed $25,000 annually to pay the expenses of the President "for entertainment and for transportation." I have merely put a limitation to that $25,000 because it is the only way I know, it is the only course I can pursue, in order to bring to the attention of the President that he should comply with the request of the Senate, simple though it may be.

Mr. STERLING and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield; and if so, to whom?

Mr. STERLING. I should like to ask the Senator from Mississippi——

Mr. HARRISON. I think I will proceed without interruption for a moment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. HARRISON. No; I yield to the Senator from South Dakota.

Mr. STERLING. Is it information that the Senator from Mississippi wants, or does he want simply to parade here before the Senate the fact that the President has not answered this resolution? Is it information that he seeks, or is it the fact that the Senator thinks he will embarrass the President?

Mr. HARRISON. I called the attention of the Senate to this resolution briefly twice before since the passage of it. I have tried to bring it to the attention of the White House in that way, and we have waited nine months for the information, and it has not come.

Mr. STERLING. We have given the Senator the sources from which he can readily get all the information that the resolution calls for, and I suppose the President so thinks. That may be a reason why the President has not transmitted the information.

Mr. HARRISON. Why can he not comply with the request, then, to the extent that he thinks that is the case?

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. HARRISON. I do.

Mr. NORRIS. In the interest of fairness, I want to suggest to the Senator from Mississippi that this resolution not only calls for the name of every person appointed by Executive order since March 1, 1921, but it likewise asks the President to furnish the reasons therefor. To my mind, that is the most important part of the resolution.

Mr. HARRISON. I agree thoroughly with the Senator.

Mr. NORRIS. None of that information is contained, as I understand, in the report of the Civil Service Commission.

Mr. MOSES. To be sure, it is.

Mr. STERLING. Mr. President, let me correct the Senator from Nebraska.

Mr. NORRIS. I shall be glad to be corrected, if that is true.

Mr. STERLING. I think in nearly every instance in this list of Executive orders the reason for the Executive order is given.

Mr. NORRIS. Let us have the reason.

Mr. STERLING. I will read it.

Mr. NORRIS. Let me ask the Senator to read it in the case of the Marion post office. In that case, what is the reason?

Mr. STERLING. I have just directed the Senator's attention to the case of Marion, Ohio. No reason is assigned there. What I am saying now is that in nearly every instance, however, reasons are given; and I can see, perhaps, an obvious reason why no reason should be given in the case of Marion, Ohio.

Mr. HARRISON. Mr. President, the Senator has stated now that no reason was given for Marion. I suppose the President could give no reason. That may be a good excuse why he has not answered the request of the Senate, but surely he could state that he can not give any reason. The Senator has not tried to give a reason. None is stated in this report, and the President has not given any.

Getting back to the Senator from Massachusetts [Mr. LODGE], when this matter was up for discussion, at page 6379 of the CONGRESSIONAL RECORD of April 22, 1922, when the Senate had been considering this proposition for several days, and was reported to the Senate by the committee, the Senator from Massachusetts [Mr. LODGE] said:

> If there is no discussion—

That was after it was reported back—

> I have no objection; but the Senator must remember we are under a unanimous-consent agreement.

Now, the Senator never allows legislation to pass here unless it has met his critical eye. He knew what was in it, and so we must assume that he was for the resolution when he did not object to its passage.

Mr. President, there may be various reasons why the President has not complied with this request. I know he has been a very, very busy man. He has had the intricate foreign relations upon his hands, his unofficial observers over there telling one thing to a conference, and those high in authority here discrediting in part what the unofficial observers said. So there have been cross currents working, and the President has had all those things to deal with. I know they worry him. They have taken a good deal of his time. Evidently, too, the actions of the ambassador from this country to Great Britain have given him great concern, and certainly in the last week or two, since our ambassador to Great Britain has been making a visit to this country, it has been difficult for the President to keep him muzzled so that he would not explode over here and create as much confusion as he has several times by his speeches in Great Britain.

Here on the floor of the Senate some of the Senators on the other side have advocated to the President the passage of certain legislation, others have appealed to him to oppose it, and he has had to take up the differences which have existed between Republicans on the floor of the Senate and try to iron them out. The same is true at the other end of the Capitol and among the Cabinet members. There have been great controversies on many important questions. If we read the papers correctly, some Cabinet member would desire this bureau put over into his department, and another Cabinet member would desire to usurp the prerogative or the power of some other Cabinet

member, and so forth. So the President has had many problems to consider, which have no doubt taken much of his time.

Of course, when the funding commission from Great Britain came over here they naturally sent advance agents to feel the pulse not only of the President and of the Secretary of State and the Secretary of the Treasury but they tried to find out other things from other influential Republicans, to lay the groundwork for the conferences between the funding commission of the United States and that of Great Britain. So Mr. Norman, governor of the Bank of England, came over some time before the commission representing Great Britain came. It is very true that Mr. Norman, in his representative capacity, did not see the distinguished Senator from Utah. I do not know why he did not. I make that statement only from what I have read in the papers. I take it as true, because I think the papers very rarely lie or misrepresent the facts. When the report came to the distinguished Senator from Utah, one of the distinguished members of the commission representing the United States Government, that Mr. Norman, the governor of the Bank of England, had been sojourning in Washington, conferring with the President and other high officials of the Government, it is said the Senator raised his hands in horror and said, "I can not believe that anything like that has happened." Mr. Norman no doubt went up to the see the President, and these responsibilities have been crowding upon the President when others should have been relieving him of them.

It would have been very easy for the President of the United States, in response to this solemn resolution, passed nine months ago, to have sent to the Senate a reply stating, "Oh, my time has been so much taken up in listening to the distressing appeals of the farmers and laborers and consumers because of the obnoxious legislation fastened upon them by a Republican Congress, because of the cross currents which are working among the leaders of Congress; my time has been so much taken up because of the differences of opinion between many of my Cabinet members, because I am trying to keep secret and exclusive upon these great foreign problems, so that no one in all the United States can know to-day what I am going to do tomorrow."

He could have reported that to the Senate, and we perhaps would have accepted it as a very good reason, because we know the appeals have come to him, we know that the differences have arisen here, and we know that the President has been hard pressed and often humiliated by the action of his leaders, so-called, in the Congress of the United States.

But when he was a Senator from the great State now represented in part by the Senator who now presides over this body [Mr. WILLIS in the chair], the President was zealous of the rights of a Senator, he respected the dignity of this great body, and time after time he raised his eloquent voice in behalf of the rights of the Senate of the United States. Day after day he has spoken forcefully against executive encroachments and autocratic domination. Senators on the other side remember it.

I recall that on the very day he was inaugurated he came before the Senate here among his friends and former colleagues, and from that rostrum he told us how he believed in the majesty and dignity, the independence and power of the Senate of the United States, and how he would ever, as Chief Executive of this Nation, see that the line was drawn between legislative and Executive authority; that he would never step beyond the powers which had been delegated to him as a President of the United States. If I recall correctly, Senators applauded his statements. They remember his speeches in the past. They did not believe it was possible for the new President, as President of the United States, ever to try to usurp their powers, their functions, or to dictate to them their actions.

This is what he said in one of his memorable speeches on December 6, 1920:

> I like the freedom, the association, the patriotic sense of responsibility which abides here. I am conscious of the great place which Congress holds in this Government under our Constitution, and from my service here I am particularly sensible to the obligations of the Senate. When my responsibilities begin in the Executive capacity I shall be as mindful of the Senate's responsibilities as I have been jealous for them as a Member, but I mean at the same time to be just as insistent about the responsibilities of the Executive. Our governmental good fortune does not lie in any surrender at either end of the Avenue.

Listen to this:

> Our governmental good fortune does not lie in any surrender at either end of the Avenue, but in the coordination and cooperation which becomes the two in a great and truly representative popular Government.

Only a short time before that the President had spoken. Here are some excerpts from his speech at that time to his colleagues, pleading for the dignity of the United States Senate, fighting Executive encroachments. This is what he said:

> I do not know that I take myself too seriously as a Senator. I have always had the notion, however, that this was a pretty important office, and out in my State they look upon an election to the Senate as an assumption of some considerable responsibility and a command to assume a part of the responsibility of the Government and of the Republic.

He said further:

> I do not know whether the Senate has stopped to think as it ought—sometimes I am afraid it has not—that under the stress and anxiety and unavoidable hysteria of war we are, either consciously or unconsciously, changing our long-established American institutions. We are very much altering our form of Federal Government.

Again he said:

> I would like to retain just a semblance of the respect for Congress, not only in the estimate of the American people but in the estimate of those whom Congress has provided places for here in the Capital of the Republic.
>
> * * * * * * *
>
> Mr. President, if there were anything necessary to emphasize the epoch-making character of the pending legislation, it would be the vote which has just now been recorded. One hesitates to talk to a jury the minds of whose members are already fixed.
>
> * * * * * * *
>
> There has not been a President of the United States from Washington to Wilson who had such cordial support on the part of the Congress as the Chief Executive of to-day, and I rejoice to say from the minority side of this Chamber the support of the administration in all its war measures by the minority has been cordial and almost unanimous. But I do not understand that that sort of a consecration to the cause of the war requires a Member on either side of this Chamber to follow every suggestion of the Chief Executive regarding our institutions of peace.

Further, he said:

> I do not think it is fair, Mr. President, to any self-respecting Member of this body to ask him to vote to put aside the power with which he has been charged in the Constitution, and the responsibility that comes to him with a commission from the people who sent him here.

Yet what has been his course in this instance of defying the Senate of the United States with respect to this important resolution, which respectfully called on him to transmit to the Senate the names of persons appointed under Executive order? He has gone beyond that.

Senators will not forget that after the joint resolution declaring the war at an end had passed the Senate and been transmitted to the House, and it was sought there to change it, the President then for the first time, as President, began to wield his autocratic power and exert his influence over the Congress of the United States. He wrote a letter; he sent his emissaries; he brought the power of his office to bear, and he compelled the Congress, not only the House, but the Senate, to surrender and pass the joint resolution as he dictated it.

Senators recall when the revenue bill was up and some of us here, led by the distinguished Senator from North Carolina [Mr. SIMMONS], were fighting to increase the surtaxes upon the large incomes of the rich, how Senators on the other side united, fighting militantly, resisting every effort of the minority and some on the other side to increase the taxes, and the President wrote his letter to Mr. FORDNEY, chairman of the Ways and Means Committee, and brought his influence into play just as much as possible to reduce the rate down to 40 per cent. That was the only time that enough independence was shown in this body to throw off the yoke of Executive domination and control and give to the people that measure of relief that was given them by the increase in the rate.

That is not all. Senators remember the packer legislation. Only the other day the distinguished Senator from Maine [Mr. FERNALD] and the distinguished Senator from Indiana [Mr. WATSON] told us about their stand on packer legislation. It has not been forgotten, because in the last Congress, when we really tried to put teeth in packer legislation, under the leadership of the distinguished Senator from Wyoming [Mr. KENDRICK] and the distinguished Senator from Iowa [Mr. Kenyon], who has now gone upon the bench, and the Senator from Nebraska [Mr. NORRIS] and others who stood by them, the present President of the United States, as a Senator, voted against the bill.

When the new Congress came in and he became President, he sent word down the line that if you passed that legislation, as stringent as it was, regulatory as the provisions were in the preceding Congress, he would veto it. So you changed your minds and brought in the bill with the teeth in large measure extracted from it. He was using the power of his office against the American people to give them a sugar-coated pill of legislation instead of one that would really bring results.

But you did not stop there. What about the tariff bill, which my friend from Utah [Mr. SMOOT] helped to frame?

For the first time in the history of this Government a President of the United States sought, by special message to Congress, the power to fix the rates upon the importation of goods into this country; and his power was so great that you succumbed to his influence, you laid down, and passed the legislation as he sought in his message. Oh, if the fathers, who conceived the theory upon which this Government must run, could but return to us and see the surrender by Congress of its many powers to the Executive.

Next, take the reorganization measure passed by the Senate and the House.

The idea no doubt was first conceived by the Senator from Utah [Mr. SMOOT]. He had it passed through the Senate, and everyone thought he would be chairman of the commission to reorganize the Government service, because of his experience and his training and his interest in the proposition. So we passed the legislation, and the House did likewise; and then what happened? Then the distinguished President, who once reviled against executive encroachment and spoke in behalf of the dignity of the Congress, and the Senate in particular, sent word down the line and said, "I have a very distinguished friend, competent, able, and I want him as chairman of that commission." He directed that the law be amended to give him the power to name on a congressional commission a gentleman who was not a Member of either branch of Congress. So you laid down under the influence of the Executive and amended the law. Nothing has come of it. Why? I suppose because the heads of the departments are fighting among themselves over the reorganization. But nothing has been done.

Mark you, Senators, if the distinguished Senator from Utah had been made chairman of that commission, or if the distinguished Senator from New York [Mr. WADSWORTH], the other Republican member of the commission, had been appointed chairman, we would not have dillydallied and procrastinated since April, 1922. The commission would have done something. Under their direction and leadership we would have had some kind of a plan now, some consideration would have been given to those great questions, and we could make a report by this time to the Senate and the House of Representatives.

The soldiers' bonus legislation—can anyone forget how smoothly the legislation was proceeding, how the Committee on Finance had reported it to the Senate after it passed the House, and we had considered it for days and days? Suddenly, just as we were getting ready to pass it, as a clap of thunder out of a clear sky, the news was flashed down Pennsylvania Avenue from the White House that the legislation should go back to the committee; and as representatives of the American people who, President Harding as Senator Harding said, should cherish the traditions of this august body, should always fight to maintain its dignity and its independence, you crouched, you succumbed, you surrendered under the power of this man, whose hand can shake the tree of patronage and from its branches fall the offices at your feet. That is his history. That is the way he is proceeding. That is the way he has repudiated statements made as a Senator in this body.

But, beyond that, let us take the funding commission. We considered that legislation. It was going through all right, but the President began to exert his influence and wrote a letter and said it must be changed in certain particulars and in some of the details. You surrendered. You threw up the white flag. You did not live up to the pleadings of Senator Harding when he fought for the independence of the Senate of the United States.

Then look at your own ship subsidy bill. None of you are in favor of it. There is no enthusiasm in the breast of a single Senator on the majority side of this Chamber for that measure. You are just pretending to want to pass it. You whisper, perhaps, in Lasker's ear that you are for it strongly, but do you show it by anything that is happening here? You know it has not any chance to pass.

Mr. WATSON. Why? Will the Senator tell me why?

Mr. HARRISON. Because you are not for it over on your side of the Chamber.

Mr. WATSON. Will the Senator——

Mr. HARRISON. I can not yield further. I do not want to discuss at this time that question with the Senator, because whenever I get into a discussion with the Senator I am charged, as I was charged the other day, with filibustering, and I do not desire even that soft impeachment laid at my door.

We will not forget the disarmament proposition. I shall never forget the strong personality of the Senator from Idaho [Mr. BORAH] as day after day he fought here to have adopted a provision in the naval appropriation bill calling for a disarmament conference. Then the word came from the White House, "Do not adopt it," and it looked as though it was dead. But when the force of public opinion began to work, as it sometimes does, even on a Republican Senator, then the President surrendered to public opinion, and you in turn surrendered to the President and allowed the Borah disarmament conference provision to be adopted.

Why, Mr. President, what happened on the Borah economic conference proposition? He spoke eloquently, and we all knew he was right. The country believed he was right. There was strong sentiment for it everywhere, but like a frightened bird upon a rotten twig, for fear President Harding would cut the twig from under you, you were afraid to vote until you could communicate with him and ascertain his views. Finally one day somebody said that the administration had "feelers" out. The Senator from Massachusetts [Mr. LODGE] got up and said, "Yes; there were 'feelers' out." Then the President's influence began to work, and there was a compromise effected. Well, the feelers have not felt much, have they? There has not been much done about it, has there? Oh, feelers! There was a controversy over the question whether or not even France had ever been approached upon the proposition. The idea of the administration being so weak and impotent as that in a great world crisis such as this we can not bring publicity to bear through the press of the country to make an impression that even France was being approached with a feeler. Some controversy arose about it.

Here was the Robinson resolution to appoint a member of the Reparation Commission. You did not know what to do with that. You were frightened. You put it off merely to ascertain the wishes of President Harding, and when you found out, then you had a letter written. Immediately you were all against it. Executive domination!

So it is, Mr. President. I only want to see the dignity of this body maintained. The President should have complied with the request contained in the resolution. He would admire your courage if you would pass the provision that ties up the contingent fund. Of course, if it is thought that the dignity of this body is not sufficient to warrant tying up a little appropriation and compelling compliance with this resolution, and if you prefer to give the $25,000 as expenses for the President for his entertainment and transportation, rather than to exert your independence and the right of the Senate, it is all right. When you oppose this provision, you demonstrate your weakness as a part of a great body and your fear of Executive authority.

Mr. WARREN. Mr. President, I move to lay the amendment of the Senator from Mississippi on the table.

Mr. MOSES. Let us vote on it.

The PRESIDING OFFICER. The Senator from Wyoming moves to lay on the table the amendment offered by the Senator from Mississippi.

Mr. HEFLIN. On that I demand the yeas and nays.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

| | | | |
|---|---|---|---|
| Ashurst | George | Lodge | Shields |
| Ball | Gerry | McCormick | Shortridge |
| Brookhart | Glass | McCumber | Simmons |
| Bursum | Hale | McKellar | Smoot |
| Cameron | Harreld | McKinley | Spencer |
| Capper | Harris | McNary | Sterling |
| Colt | Harrison | Moses | Sutherland |
| Couzens | Heflin | New | Townsend |
| Culberson | Jones, N. Mex. | Nicholson | Trammell |
| Curtis | Jones, Wash. | Norris | Wadsworth |
| Dial | Kellogg | Oddie | Walsh, Mass. |
| Elkins | Kendrick | Overman | Warren |
| Ernst | Keyes | Phipps | Watson |
| Fletcher | King | Poindexter | Willis |
| France | Ladd | Reed, Pa. | |
| Frelinghuysen | Lenroot | Sheppard | |

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Wyoming [Mr. WARREN] to lay on the table the amendment proposed by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. President——

Mr. LODGE. The motion is not debatable.

Mr. HARRISON. I understood the Senator from Wyoming had withdrawn his motion.

Mr. WARREN. I did not. In the interest of the expedition of public business, I moved to lay the amendment on the table.

Mr. HARRISON. I was going to withdraw the amendment if the Senator from Wyoming had withdrawn his motion to lay it on the table.

Mr. WARREN. If the Senator from Mississippi will withdraw his amendment, I will withdraw my motion to lay it on the table.

Mr. HARRISON. Very well. I withdraw the amendment.

Mr. WARREN. I wish to congratulate the Senator from Mississippi, if I may, on his good taste in withdrawing the amendment.

The PRESIDING OFFICER. The Chair understands that the Senator from Mississippi has withdrawn the amendment.

Mr. HARRISON. I have.

Mr. NORRIS. Mr. President, the amendment proposed by the Senator from Mississippi [Mr. HARRISON], which has just been withdrawn, is, in my judgment, not of very great importance, although it has excited some feeling in the Chamber which borders closely on being of a partisan nature. It refers to the enforcement of the civil service law and rules by the executive department.

Mr. President, personally I do not see any objection to the resolution which the Senate passed nine or ten months ago. I do not intend to criticize the present Executive or any of his predecessors for issuing Executive orders setting aside civil service rules regarding the appointment of postmasters and other officials. I think the rules governing appointments which are contained in the civil service law have been too often set aside by Executives, but that is only my personal opinion. I concede frankly that there are many instances where the President would be justified in setting aside civil service rules or civil service requirements pertaining to the appointment of postmasters.

I concede also that under the Constitution the President has authority to set such rules aside whenever he sees fit to do so. The law provides that the President shall appoint postmasters of the presidential grade, and under the Constitution that power may not be delegated to any other authority. I frankly admit that the President has the right to resort to any method he may see fit in the appointment of postmasters; and when he does resort to such method, regardless of whether he be a Democrat or a Republican, so long as I am in Congress I am going to help him carry out his purpose in good faith, even though I do not agree with him as to the wisdom of the course which he may be pursuing, for we must concede all the time that the authority under the law is the President's and that he may do whatever he sees fit in reference to the matter. Neither am I going to find fault with the President or with Members of Congress or with anyone else who is opposed to the civil service law in reference to the appointment of officials anywhere. They have a right to their opinion; and those who believe in the doctrine that "to the victor belongs the spoils" are as much entitled to consideration as are those who favor civil service. So I am not attempting to criticize the President.

I do, however, think, Mr. President, that no matter what course may be pursued by the President the American people ought to be taken into his confidence, and that full publicity should be given to whatever course is adopted and followed. Therefore it seems to me when, after a great deal of discussion and consideration and after a favorable report of the committee which had considered the question, we adopted a resolution requesting the President to give instances where the civil-service rules had been set aside by Executive order, and the reason for doing so, that we were well within our jurisdiction, that we were acting in perfect respect to the President, and that it could not successfully be charged that there was any discourtesy, either implied or intended, in our action.

It seems to me when the President set aside the civil-service rules he ought to be prepared to give to the country his reasons for doing so, and even though I did not agree that his reasons were good, if he gave them he would be within the strict performance of his duty and strictly within his rights, and I should respect him for having done so, no matter how much I disagreed with him. However, when the civil-service rules are set aside by the President, and no reason is given for his having done so, and the President declines to answer a respectful request which is propounded to him by the Senate for his reasons, it seems to me that no excuse can be given for that course of conduct.

It has been suggested here that other Presidents have done the same thing, that other Presidents have ignored resolutions which have been passed by the Senate. That is very true, Mr. President. However, if the course of an official is wrong it may not properly be excused on the ground that somebody else has likewise violated the law.

It has also been stated that the Senator who proposed the resolution did so for partisan purposes. Again, Mr. President, in my judgment, that is not a sufficient objection to the resolution. The court in every jury trial where the law provides for the instruction of juries will always tell the jury that in considering the case they must take into consideration the bias, the prejudice, or the interest, if any such appears, of any witness who may be testifying. That does not mean that the witness is disqualified, but that in weighing his evidence those things are proper for consideration in order to determine how much weight should be given to his testimony. I have never heard the eloquent voice of the Senator from Mississippi criticizing a Democratic official for setting aside civil-service rules, and it is proper to consider that; but, Mr. President, even though the resolution were proposed for partisan purposes, it is no defense on the other side to say, "You are just as black as we are."

Mr. President, the appointment of postmasters, in my judgment, ought to be under civil service as well as the appointment of rural carriers, and all similar officers; in fact, I would extend the civil service just as far as I could.

Mr. TOWNSEND. Rural carriers are now appointed under the civil service.

Mr. NORRIS. The Senator from Michigan reminds me that rural carriers are now appointed under civil-service rules, but I am going to show something of the operations of the civil service law under the present administration, so that at least I may not be charged with having complained, as I did complain, under the Wilson administration of the way the civil service law was administered, and then of being silent when my own party is in power.

I know, Mr. President, that political platforms are made to get in on and then violated with impunity as a rule after the party is successful. Perhaps, the American people have but very little respect for platforms promulgated by political parties, and very few of the people I think read them; but it is not out of place to call the attention of those who are more partisan than otherwise as to what has taken place in the way of political promises made by the great political parties—the Democratic Party and the Republican Party.

The national Democratic platform of 1916 contained a provision in regard to the civil service; it was one of the planks of that platform, one of the various reasons assigned by the Democratic Party why they should secure the votes of the people. That plank reads as follows:

> We reaffirm our declarations for the rigid enforcement of the civil service laws.

In 1912 the Democratic platform contained a provision in regard to the civil service laws, which is thus reaffirmed. Let us see what it was. The provision in the Democratic platform of 1912 on the civil service was as follows:

> The law pertaining to the civil service should be honestly and rightly enforced, to the end that merit and ability shall be the standard of appointment and promotion rather than service rendered to a political party.

That is the platform of the Democratic Party—the platform that was adopted in a campaign that was successful on the part of the Democrats of the country.

In 1920 the Republican national platform contained something about civil service, and I want to read that. Here is what the Republicans said in their national platform of 1920. That was when they were successful:

> We renew our repeated declaration that the civil service law shall be thoroughly and honestly enforced and extended wherever practicable.

That is a declaration that they would not only enforce the civil service law in good faith, but that they would extend it and broaden it and take in other offices.

In 1916 the Republican Party made another declaration in its national platform, as follows:

> The civil service law has always been sustained by the Republican Party, and we renew our repeated declarations that it shall be thoroughly and honestly enforced and extended wherever practicable.

In 1912 the national platform of the Republican Party contained this provision:

> We reaffirm our adherence to the principle of appointment to public office based on proved fitness and tenure during good behavior and efficiency. The Republican Party stands committed to the maintenance, extension, and enforcement of the civil service law, and it favors the passage of legislation empowering the President to extend competitive service so far as practicable.

I might go on at length in practically every national platform of both of the great parties. One would think that there was no division on the question, that the country was unanimous, and that no matter which party was in power we were going to enforce this law in good faith; and yet, Mr. President,

neither party has enforced it in good faith. Both are guilty. Again let me say I am not finding fault with the man or the party who does not believe in it. If a political party did not believe in civil service and proclaimed it to the world when it was asking for votes and succeeded, I should be the last one to criticize it for putting every one of the appointive offices in the Government service on the political pie counter. I believe in civil service. Other men just as wise and just as patriotic and just as honest believe that there should be no such thing; but I do not see how anyone can question the proposition that when we ride into office on a pledge that we are going to enforce the civil service law there is no excuse for our violating it.

Mr. SHIELDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. SHIELDS. In that connection I should like to ask the Senator if he has read a statement made by Mr. W. D. Ffoulke, who, I understand, is president or some high officer of the Civil Service Reform League?

Mr. NORRIS. Would the Senator just as soon put that in after I conclude and let it appear in the RECORD at the conclusion of my remarks, rather than right in the midst of them?

Mr. SHIELDS. I was not going to put it in at this point. I was merely going to ask the Senator a question in regard to it. I am going to put it in the RECORD later, but I want to get the Senator's views on it.

Mr. Ffoulke favored putting the officers whose duty it is to enforce the prohibition law, the Volstead law, under the civil service, and he says the Anti-Saloon League are opposing it, because the patronage was very instrumental and very influential in getting the Volstead law passed and they are opposed to putting their employees under civil service. I have letters from the Anti-Saloon League in Tennessee wanting them to go in, which I will put in the RECORD later—not now; I am not going to interrupt the Senator for that—but does he favor putting the prohibition officers of all grades under the civil service law?

Mr. NORRIS. I do.

Mr. SHIELDS. I am glad the Senator does. I think they ought to be under the civil-service law.

Mr. STERLING. Mr. President, will the gentleman yield;

Mr. NORRIS. I yield to the Senator if the Senator from Tennessee is through. Is he?

Mr. SHIELDS. That is the question I wanted to ask.

Mr. NORRIS. I have answered it, I hope, satisfactorily. At least I have answered it.

Mr. SHIELDS. The Senator has answered it very positively and emphatically, and I am glad to hear him say so.

Mr. STERLING. I have not read Mr. Ffoulke's statement, but I think Mr. Ffoulke is mistaken when he says that the Anti-Saloon League was opposed to putting the prohibition enforcement agents under the civil-service rules.

Mr. SHIELDS. I am not in the confidence of Mr. Wayne B. Wheeler, as the Senator is, but Mr. Ffoulke says they are opposed to it.

Mr. NORRIS. Mr. President, I hope Senators will not get into a controversy as to where the Anti-Saloon League stands on this question.

Mr. SHIELDS. No; I do not want to interrupt the Senator from Nebraska, who very kindly yielded to me for a question. I will bring up the matter later.

Mr. NORRIS. I am very glad to yield to the Senator, but he can see that when Senators engage in a controversy as to where that organization stands they will not get back to me, perhaps, during the day.

Mr. STERLING. I merely want to say that I have conferred with Mr. Wayne B. Wheeler with regard to legislation now pending which would put these employees under the civil service law, and he has not told me of any opposition.

Mr. SHIELDS. I am talking about genuine support of the matter, not moonshine support. I voted for the eighteenth amendment to the Constitution, and I believe in its enforcement, but in a just and reasonable manner; and I believe that the men who are enforcing it ought to be under the civil service law, in order that we may have the very best men to enforce it.

Mr. NORRIS. I believe in the enforcement of the law; I think most Senators here think I am a crank on the subject; but the Anti-Saloon League can not dictate to me as to how I shall vote on anything, and if they want to prevent putting these officials under the civil service I am against them. I mean no disrespect to them. I believe there ought to be no exception made in that case. At least I would have to be convinced before I would favor preventing putting them under the civil service. I think we would get a better enforcement of the law if they were under the civil service law than we get when they are not under the civil service law.

Mr. STERLING. I am very well satisfied that the Senator from Nebraska will not find himself at variance in that respect with the Anti-Saloon League.

Mr. NORRIS. I hope the Senator is right. Of course, I shall be very glad if I am not, but I shall take that position even if I am at variance with them.

Mr. President, quite soon after the last general election, when it was known that the Republican Party had been successful, an agitation began as to what the new administration would do in regard to the appointment of postmasters. They had been put under a sort of civil-service status by President Wilson. There was a great deal of agitation about it. Politicians as a rule wanted the lid taken off, and I was particularly anxious that no backward step should be taken by the party which in that very election had pledged itself to carry out the real intent and spirit of the civil service law, and that had even said that it believed in its extension.

While the question was being discussed, I wrote to the Postmaster General, Mr. Hays, and I now send to the desk a copy of the letter that I wrote to Mr. Hays, and ask that it may be read by the Secretary.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

WASHINGTON, D. C., *March 21, 1921.*

Hon. WILL H. HAYS,
*Postmaster General, Post Office Department.*

MY DEAR MR. HAYS: I understand it has not yet been determined whether or not the orders of President Taft and President Wilson, made with a view of placing the appointment of postmasters under civil service, will be revoked. Whatever policy is adopted, it can have no possible influence upon my personal wishes or fortune. Every district in my State is represented by a Republican, so I will not be consulted when it comes to the appointment of postmasters, and can therefore have no personal interest in the policy that may be adopted.

I have, from my experience of over 18 years in Congress, reached the conclusion that the Post Office Department ought to be kept entirely out of politics, and I believe the present administration would make a serious mistake if it decides to annul these orders and put the postmasterships of the country on the political pie counter. The most important consideration, of course, is efficiency and economy in this great department. The postmasterships should not be considered as the property of men in office, to be distributed as they see fit, in the payment of personal political obligations.

I was very much pleased when President Taft put the fourth-class offices under civil service, and I was likewise pleased when President Wilson extended the order. My criticism has always been that these orders have not been enforced by the Post Office Department, under President Wilson, in good faith. The officials have resorted to all kinds of technicalities to prohibit the rule from operating when by its operation it would put a Republican in office and keep a Democrat out. I am satisfied that the people of the country approved these orders, but did not approve the way they have been enforced during the past eight years. The greatest efficiency in the department will, in my judgment, not be reached if all postmasters are to be appointed upon partisan political grounds. It is very likely that the order itself might be improved. It would be queer, indeed, if experience under the order would not suggest some change that would go toward improving it; but whatever changes are made, if any, ought to be made with the idea of promoting such improvement rather than to loosening the political strings and thus retracing our steps.

In addition to this, I think it can be safely stated that the giving out of postmasterships as a political plum is a detriment rather than an asset to any political party in control. Moreover, Members of Congress do not have the time, neither do they have the facilities, to investigate fully when they are called upon to make recommendations. It will not only do them more harm than good, speaking strictly from a political viewpoint, but it will take an enormous amount of time to give any kind of consideration to the selection of postmasters, and thus detract from their legislative duties.

I would like to ask you to talk this matter over with Secretary Weeks. He served in the House quite a long time—eight years, I think, in addition to his service in the Senate. He was for a while chairman of the Committee on Post Offices and Post Roads of the House. He has had quite an extended experience, and has some very definite ideas on the subject. I have not written to President Harding about it, because I know he is too busy to give consideration to all these matters, but I have supposed that this question would be taken up and decided at a conference, probably between the President and yourself, if not other members of the Cabinet. It is because—and only because—I desire the most efficient administration in the Post Office Department that it is possible, and because I do not want the administration to make what I believe would be a serious mistake, that I have written you on the subject.

Very truly yours,

G. W. NORRIS.

Mr. NORRIS. Mr. President, to that letter I received a reply, which I send to the Secretary's desk and ask to have read.

The PRESIDING OFFICER. In the absence of objection, it will be read.

The Assistant Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
*Washington, D. C., March 24, 1921.*

Hon. GEORGE W. NORRIS,
*United States Senate.*

MY DEAR SENATOR: I am very glad, indeed, to have your letter of the 21st. Personally, I am earnestly in favor of the principle of civil service, and in the fullest possible honest application of the principle that can be effectively made. I appreciate your letter, for I am really anxious to get the views of those who have had experience in these matters. I would be glad to talk to you about it at an early date also.

With the very kindliest regards, I am, sincerely yours,
WILL H. HAYS.

Mr. NORRIS. Mr. President, notwithstanding the views expressed by the Postmaster General, the order made by President Wilson was changed, the doors were opened, and the appointment of postmasters placed upon a different basis. They still provided that an examination should be had by the Civil Service Commission, but the modified order provided that the Post Office Department should select a postmaster from the three highest on the list furnished by the Civil Service Commission from such examination.

On the face of it that does not look bad, but where, in the carrying out of that order, the Post Office Department submitted it to Members of the House of Representatives or Senators, or in case there was neither Representative nor Senator who was a Republican, then to a Republican committee, asking them to select from the list or to make a recommendation upon which the Post Office Department could act, everybody who knows anything about it knows, particularly the Members of Congress know, that that was practically throwing the thing back into partisan political control, and really nullifying the spirit, at least, of the civil service law and rules.

Not only was that done with reference to postmasters but it included rural carriers. I did not know that for a while, and I had written to some fellow who wrote me and wanted to see if I could not get him appointed to be a rural carrier, telling him that I had nothing to do with it; that it was under civil service; and that it would be improper for me to try to control the appointment. I was informed by my secretary, after I had written the letter, that I was wrong. I could not believe it. So I took that up with the Fourth Assistant Postmaster General, who, under the law and rules, has charge of the appointment of postmasters, and on December 15, 1922, I wrote him a letter, a copy of which I send to the desk and ask to have read.

The PRESIDING OFFICER. Without objection, the letter will be read.

The Assistant Secretary read as follows:

WASHINGTON, D. C., *December 15, 1922.*

Hon. HARRY H. BILLANY,
*Fourth Assistant Postmaster General,*
*Post Office Department.*

DEAR MR. BILLANY: I have been receiving some requests from people who have been examined for positions as rural carrier, requesting me to intercede in their behalf. I have been writing such applicants that the rural carriers are under civil service and that it would be improper for me to make such recommendation. I am informed this morning by my secretary that I am mistaken in my conclusion about these carriers being under civil service, and that, as a matter of fact, the eligible list is submitted to Members of Congress wherever they happen to be Republicans, and that they are allowed to select the appointees.

If this is true, I very much regret that the present administration has taken such a backward step. This simply means that men who are not in favor with the Republican committee or the Republican machine need make no application for these positions.

We have been for years protesting before the people that we believed in civil service, that we were going to enforce the law both in spirit and in letter, and it seems to me good faith to the people demands that we carry out this pledge.

I want to protest most vigorously against opening up partisanship in violation of the spirit of the civil service law and placing such positions on the political pie counter. Why should a Member of Congress, a Member of the Senate, or the chairman of a Republican committee be permitted to name the rural carriers of the country? If there is any virtue in the civil service law we ought to enforce it in good faith. If we intend to place these positions in the hands of partisan politicians, then we ought to be fair enough to make that kind of declaration to the people before election.

I protested against the placing of postmasters under this same partisan control, to Postmaster General Hays. He replied that he was in full accord with my position, but yet in a short time the order came allowing Republican Members of Congress, and where there was no Republican Member of Congress, then Republican Senators, or the chairmen of Republican committees, to select from the eligible list, the postmasters.

When we put the positions of the Post Office Department upon the political pie counter, to be dealt out for political purposes, we are taking a step backward and likewise violating the pledges we have made to the people of the country. If the civil service law is an improvement over the ancient pie counter method, then it ought to be enforced in good faith, and if the Republican officials are not going to enforce it, it will be one of the reasons why they should be turned out of office and Democrats put in their place.

It is no answer to say that the Democrats have done similar things. We promised to do better. As a matter of fact, it seems to me that in the Post Office Department we have gone backward. While the Democratic administration in many instances did not enforce the law in good faith, they did do better than to allow Members of Congress and other political leaders to name the rural carriers, and their order in regard to postmasters was far superior to the one that is in vogue now under the present administration.

Very truly yours,
G. W. NORRIS.

Mr. NORRIS. In answer to that letter, Mr. President, I received the following reply from the Fourth Assistant Postmaster General, which I ask the Secretary to read.

The PRESIDING OFFICER (Mr. NEW in the chair). The Secretary will read.

The Assistant Secretary read as follows:

POST OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER GENERAL,
*Washington, December 18, 1922.*

Hon. GEORGE W. NORRIS,
*United States Senate.*

MY DEAR SENATOR NORRIS: I have very carefully read your letter of the 15th instant, in which you state that you have been informed by your secretary that rural carriers are no longer under civil service because the eligible list is submitted to Members of Congress who happen to be Republicans and who are allowed to select the appointees.

I am very sorry that your information on this subject was not fuller and more nearly accurate, since it is because you were only partially informed of the procedure of appointment of rural carriers you have a very grave misconception of the method followed by the department. In order to make it quite clear to you, permit me to explain the practice.

The list of eligibles received from the Civil Service Commission contains the names of three applicants. Unless recommendations are received indorsing the second or third applicant, the department ordinarily tenders appointment to the first-named eligible. It usually happens, however, that indorsements are received in favor of one of the other eligibles, and then the department uses its discretion in selection of the appointee who it appears will best serve the interests of the service, observing, of course, the military preference extended to ex-service men.

The courtesy of submitting the names of the eligibles to Members of Congress is not, as stated by your secretary, confined to the Republican Members, but is a courtesy extended to every officer of the Government who requests this information. A large number of Representatives and some Senators have standing requests to be advised of the names of eligibles whenever there is a vacancy in the position of rural carrier to be filled in their district. Usually the Senator or Member indorses one of the eligibles, but the selection is invariably left to the discretion of the department. Nor are they the only persons to whom the list of eligibles is sent, as this courtesy is extended to every individual citizen who requests the same, and all indorsements are very carefully considered in making a selection to fill the vacancy.

Your information to the effect that the policy of receiving recommendations from Members of Congress is one that was adopted by the present administration is entirely erroneous. To my personal knowledge, the previous administration followed this practice. As a matter of fact, it is my belief that during the present year a decided step forward was made by confining the eligibility for appointment as rural carrier to patrons of the office at which the vacancy exists, instead of all residents of the county in which the office is located. I am sure you will agree that instead of being an evasion of the civil service law, this is a very decided endeavor to follow the intention and spirit of the civil service.

I trust that I have made clear the practice followed by the department in the appointment of rural carriers. If there are any points which are not entirely clear to you, I shall be pleased to advise you further.

Sincerely yours,
H. H. BILLANY,
*Fourth Assistant Postmaster General.*

Mr. NORRIS. After I received that letter I again wrote to the Fourth Assistant Postmaster General, because he had really invited me to do so, if I understood him fully, and I propounded quite a number of questions to him as to the result of the operation of his policy. That letter was written on the 21st of December, 1922, but up to date I have had no reply to it. I ask that that letter, a copy of which I send to the Secretary's desk, be read.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Assistant Secretary read as follows:

WASHINGTON, D. C., *December 21, 1922.*

Hon. HARRY H. BILLANY,
*Fourth Assistant Postmaster General,*
*Post Office Department.*

DEAR MR. BILLANY: I thank you for your letter of December 18. As I read your letter I can not help but fear that I was nearly right in my first construction. It seems the practice is to submit the eligible list to Members of Congress for their consideration and recommendation. I am curious to know whether, when recommendations are made by Members of the House of Representatives or the Senate their advice is followed.

You say that the courtesy of submitting names of the eligibles to Members of Congress is not confined to Republican Members. It would be interesting to know, if this list is submitted to Democratic Members, whether their recommendations are followed to the same extent and in the same way that recommendations from Republican Members are followed.

I can see no reason why Members of Congress should desire to have these lists submitted to them, except for the purpose, in reality, of giving them control of the appointments, and I would like to ask you whether that is not the result of the practice. Is it not a roundabout way of permitting the Republican Representatives and Senators to name the rural carriers in their districts and communities?

It would be just as bad, of course, to let the Democrats name them as it would be to let the Republicans name them; and if Members of Congress are going to be permitted to select the carriers, then there ought to be no partisan line drawn, and they ought to be all treated alike, regardless of politics.

It seems to me your rule in practical application will result during a Republican administration in filling these places with Republicans because they are Republicans. The rule followed under a Democratic administration would fill them with Democrats, and yet we are all pretending to the country that we have a civil service law and that we are enforcing it in good faith.

I am not finding fault with the man who believes in the old doctrine, "To the victor belongs the spoils," and who proclaims that doctrine publicly; but when we profess to be civil-service people when we are, as a matter of fact, spoilsmen we are guilty of deception. We ought to enforce the civil service law in good faith or else we ought to throw off our disguise and stand forth boldly on the doctrine "To the victor belongs the spoils," and that we are going to apply that doctrine.

In your letter you say that to your personal knowledge this practice was followed by the preceding administration. According to my view, this is no defense whatever. We promised to do better than the Democrats. We got into office because we made the people believe we would do better.

There certainly would be no objection in permitting the patrons of the office to make any showing they saw fit in regard to their postmaster, either in favor of or against anyone, but any showing made on partisan political grounds ought to have no effect and ought to be entirely disregarded. The patrons ought to be told that the political affiliations of candidates would have no consideration whatever. If Members of Congress are allowed to select rural carriers, it simply takes the matter away from civil service and makes the whole thing a mockery.

Very truly yours, G. W. NORRIS.

Mr. OVERMAN. May I ask the Senator whether he has received any answer to his letter?

Mr. NORRIS. No; I have not.

Mr. OVERMAN. I suggest that the Senator write another letter and ask another question, whether or not in the appointment of postmasters it is not left to a referee to name in certain instances. It has been testified before a committee of the Senate that the question of the selection of postmasters was left to a referee, and some of his Republican friends came into his office where he had headquarters here in Washington and said, "John, you are going to make $50,000 out of this business this year." "Fifty thousand dollars?" he said. "I will make $100,000." A man of his own party testified to those facts.

Mr. NORRIS. That was the referee?

Mr. OVERMAN. The referee said he would make $100,000.

Mr. NORRIS. I presume that took place where there were neither Representatives nor Senators who were Republicans.

Mr. OVERMAN. There was a Republican at his office at the time.

Mr. NORRIS. Mr. President, I think the letter of the Fourth Assistant Postmaster General practically says—I am not criticizing it; I am simply stating what in effect it says—"we are going to put Republicans upon rural delivery routes and into all post offices wherever there is a Republican who has successfully passed the examination and was one of the three highest applicants." I do not think there can be any doubt of that. It is true the Fourth Assistant said "We permit Congressmen to make a recommendation, but after all we make the appointment on what to us seems right." I asked the question whether in following out that course he ever got a Democrat. If it was a Democratic administration he would never get anything but Democrats if there was one on the list.

In other words, we are putting up a pretense which in my judgment condemns us. It is worse than to throw off this mantle which we profess to have about us and come out in the open as to what we really are. We are parceling the appointments out to spoilsmen, to politicians, and we are permitting, as the Senator from North Carolina said, in some cases referees and in many other cases committeemen, who advise with the Congressman and tell him who are Republicans and who are not, if he does not know, to make these appointments. I talked just to-day with a Member of the House of Representatives who has made dozens if not hundreds of recommendations for rural-carrier appointments in one of our great States. I asked him if he ever had made a recommendation that was not followed by the Post Office Department, and he said, "Never one." So the Fourth Assistant Postmaster General's excuse was not very good when he said, "Oh, yes; we get applications and recommendations from Congressmen, but after all we appoint the man we think ought to have it." He evidently always thinks that way.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Nebraska yield to the Senator from Utah.

Mr. NORRIS. I yield.

Mr. KING. For information I inquire of the Senator if in dealing with rural carriers the law is not mandatory that the one who makes the highest mark in an examination shall be appointed?

Mr. NORRIS. I think not.

Mr. OVERMAN. I may say to the Senator that I talked with the commander of the American Legion within the last week, who said that one of his members had been turned down. Although he was a brave man and decorated two or three times and stood the examination and was first on the list, he did not receive the appointment.

Mr. KING. I know that is true with respect to postmasters. I was under the impression that as to rural carriers there was a pretense of following the civil service law.

Mr. NORRIS. I thought so, too, but the Senator has not followed the correspondence which has been read.

Mr. KING. I was called from the Chamber and did not hear all of it.

Mr. NORRIS. While the Fourth Assistant Postmaster General pretends and claims there is that kind of rule, I think his own letter discloses clearly that there is nothing of the kind in it.

Mr. President, what will be the result? As I said in the letter which was read, it will result under a Republican administration in putting Republicans in office, and under a Democratic administration in putting the Republicans out and putting Democrats in. We can not do that way if we believe in the civil service. In my judgment we can not do that way or follow that course if we are to have effective administration.

Why should a Senator be allowed to name rural carriers in a whole congressional district or in a whole State if it happens to be there are no Republican Representatives from that State? Why should a Member of the House of Representatives be allowed to name the rural carriers of his district? That is the effect of the present practice. There is only one string to it, and that is the man who is appointed must get on the list. In the examination he must be one of the three highest. What will that mean, if anything? It will mean that under a Republican administration Democrats will refuse to take the examination, because they will know they stand practically no show of getting an appointment. It will mean that under a Democratic administration Republicans will refuse to take the examination, because they will not be given a square deal with the Democratic applicants.

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

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. Certainly.

Mr. OVERMAN. If three Republicans get on the list it is generally known the successful applicant must seek political influence to get the appointment. Is not that true?

Mr. NORRIS. It seems if he has political influence he can get it. There is no question about that.

Mr. OVERMAN. He can not get the appointment without it.

Mr. NORRIS. I suppose, if nobody made a request, that they would act without a request being made.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. I am not going to discuss the political side of the question, but I just want to say to the Senator that so far as my State is concerned, where they have had civil-service examinations I do not now recall a single instance where even the highest man, whether he was a Democrat or a Republican, has been appointed postmaster in my State. The appointment, strange as it may seem, has nearly always gone to the second or third man on the list, usually the third man, and the man making the highest average and becoming first on the eligible list almost invariably has been turned down.

Mr. NORRIS. How has it happened about the political affiliation of the appointee selected?

Mr. McKELLAR. When I interrupted the Senator I said I did not intend to discuss the political side of it, but as a matter of fact if there is a Republican on the list he is appointed.

Mr. NORRIS. Of course. Under a Democratic administration if there was a Democrat on the list he would get it.

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

Mr. NORRIS. Yes.

Mr. KING. I will say to the Senator that in a number of instances which have been brought to my attention, where the Republican who had the indorsement of the Congressman and the local machine failed to qualify, failed to get on the eligible list, no appointment was made. I have known the matter to be held up for a year by some juggling and legerdemain, another examination to be held, and one or more of those who had been successful were edged out of the way until finally the man whom

the machine wanted got the appointment by deferring it for a year or a year and a half.

Mr. McKELLAR. If the Senator will permit me further, I merely wish to say that, so far as Tennessee is concerned, under the last administration of President Wilson—I do not remember how it was in his first administration, because I was not as well acquainted with the situation; I was not serving on the Post Office Committee of the Senate and did not have as much knowledge as I had during his second administration—without any exception, so far as I now recall, in appointments of postmasters in Tennessee made by President Wilson during his second administration the highest man on the list was uniformly appointed to office under his direction.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield.

Mr. BROOKHART. Is it not true that under the Wilson administration they first got all Democrats into the post offices and then adopted the civil-service rules?

Mr. NORRIS. Yes; that is true. That was done by President Wilson. It was done likewise by President Taft. It was done likewise by President Cleveland and, I think, by President Harrison, in putting certain offices under the civil service law. They always do it at the close of the administration. While I do not believe in that and do not think it is right, that has been about the only way we have ever been able to get offices put under the civil service. The trouble always comes that when the other party is returned to power they annul the order, fill the offices with members of their own party, and then put the order back into effect. It is not a good faith compliance with the civil service law in my judgment.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arizona?

Mr. NORRIS. I yield.

Mr. ASHURST. Mr. President, a curious status of affairs exists respecting the civil service. The Senator from Nebraska is complaining that the civil service law and rules are not enforced. About a week ago I called at the Veterans' Bureau and directed attention to the fact that in certain Veterans' Bureau hospitals there were some employees who were incompetent to perform their work, and that it was obvious to the commanding officer of the hospital who himself desired to discharge some of them; he desired to demote some and to promote others who were competent. I asked the Veterans' Bureau why they did not give the commanding officers at the various hospitals, especially in remote sections, more of a free hand, so that they might discharge incompetent employees and employ and promote competent nurses. They said, "We are afraid of the civil service; we are afraid we shall be denounced for violating the civil service law." I said, "If you attempt to conduct a hospital and to employ, discharge, promote, or demote your personnel according to the civil service rules you will make a lamentable failure of soldier hospitalization." I am not in the attitude of attacking the civil service, but from the case being made here, a peculiar situation exists, to wit: The Senator from Nebraska complains that the civil service law is not enforced, while the Veterans' Bureau complains that it is enforced too rigidly.

There is a reason why civil-service rules might apply in post offices but not in a hospital. I wish, if the rules regarding the civil service are to be enforced, they be enforced in places other than the Veterans' Bureau hospitals, for if the civil-service rules be enforced in the veterans' hospitals there will be no latitude, no room within which to move, no discretion, no freedom of action to the commanding officer. I know at least in one hospital where injustices have been done to the nurses and to the personnel and to the soldiers because of a rigid adherence to the civil-service rules.

So, whilst the Senator from Nebraska complains because the civil-service rules are not enforced, I rise to complain of injustices perpetrated upon helpless soldiers because those rigid, harsh rules are enforced. That statement ought to go into the RECORD as a part of this discussion, in order that Senators and the country may know something about this much-mooted question.

Mr. NORRIS. The Senator from Arizona has put it into the RECORD. Now I will make some comment on his statement.

Mr. ASHURST. I wish the Senator from Nebraska would do so.

Mr. NORRIS. Mr. President, it was not my intention to discuss the merits or the demerits of the civil-service law and rules, because when I began my remarks I believe I demonstrated that everybody pretended at least to be in favor of civil service. To begin with, I believe the Senator from Arizona has been misinformed.

Mr. ASHURST. Mr. President, will the Senator from Nebraska yield further?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arizona?

Mr. NORRIS. Yes; but I should like for the Senator to let me have a part of the time, in order that I may answer his question.

Mr. ASHURST. The Senator from Nebraska ought to be the last Senator to talk about his having a part of the time. He consumes his equitable part of the time of the Senate.

Mr. NORRIS. But I am not getting it now, it seems to me. The Senator from Arizona will not let me answer one question before he asks a half dozen more; but I yield to the Senator.

Mr. ASHURST. I thank the Senator.

Mr. NORRIS. And I will let him talk for an hour, if he desires to do so.

Mr. ASHURST. I began my remarks by stating what the Veterans' Bureau told me. I could refer to my notes and show—be more explicit.

Mr. NORRIS. Now, let me answer that. Will the Senator let me take that up before I forget it?

Mr. ASHURST. If the Senator is likely to forget it in the next few minutes, I will let him take it up now.

Mr. NORRIS. The Senator said the Veterans' Bureau told him a certain thing was the fact. I said that I believed the Senator had been misinformed. That is not questioning the Senator's truthfulness or his honesty or anything else; but that means, if I understand the English language, that the official of the Veterans' Bureau told the Senator something that is not a fact. Does the Senator get that answer?

Mr. ASHURST. Yes.

Mr NORRIS. That ought to be plain. Mr. President, there is nothing more certain under civil-service rules or law than that an incompetent official may be removed for incompetency. While I know nothing about the case the Senator speaks of, it is perfectly preposterous to say that a hospital can be filled with a corps of nurses and that even God Almighty can not remove them. It is perfectly foolish; there is no fundamental principle of the civil-service rules or law that provides anything of the kind. If there are incompetent nurses their superiors can remove them, and they ought to remove them, although, under the civil-service rules, they will have to give a reason for the removal other than a partisan one.

Mr. ASHURST. Let me ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arizona?

Mr. NORRIS. Yes.

Mr. ASHURST. If a physician or a nurse or employee in a hospital far removed from Washington, the seat of power, were proved to be incompetent and to be neglecting the soldiers, would the Senator, if he were the commanding officer of that hospital, discharge that physician, nurse, or employee, or would he wait for two months until the Civil Service Commission acted? Would he discharge that person or would he wait until he had untangled red tape for two months before he took proper action? When the Senator answers that question, then he may consistently speak in favor of a rigid adherence to civil-service rules.

Mr. NORRIS. If the Senator is through, I will proceed to answer him.

Mr. ASHURST. Will the Senator tell me what he would do in that case?

Mr. NORRIS. I would remove the incompetent physician or nurse in about 15 minutes.

Mr. ASHURST. That is the answer I thought the Senator would make.

Mr. NORRIS. Yes. The Senator asks would I keep an incompetent nurse on the back of a sick soldier for two months while an investigation was being conducted here in Washington? That is not necessary.

Mr. ASHURST. That would be necessary under the civil service.

Mr. NORRIS. There is not a hospital in the United States under our Government where that would be necessary.

Mr. ASHURST. It would take a long time to untangle and unwind the red tape that has enmeshed this Government.

Mr. NORRIS. If there is a nurse in a hospital caring for a sick soldier and she is not treating him properly, it would not take two months to get her out and get another one in. The question as to whether she was wrongly removed temporarily would be another matter. Now, let us see what would the Senator do? I suppose he would do as the present administration and the preceding one have done in the case of

rural carriers. Somebody, we will say, applies to be a nurse out in Arizona.

Mr. ASHURST. It so happens that the case I had in mind was not in Arizona. It happened to be not a thousand miles from the Senator's own State.

Mr. NORRIS. Very well, in my State, then; in Nebraska somebody applies to be a nurse in a Government hospital. We will steer away from the civil service; we do not want competency but we want political affiliation. So we go to the Member of Congress and ask him, "Who do you want to be appointed nurse?" and he replies, "Mary Jones." Why does he want her? Because she is the most powerful and influential woman politically in his district. She has never been inside of a hospital; she does not know a sick room from a wheelbarrow; but she is immediately appointed as a nurse to take care of a sick and, perhaps, dying soldier. Under the civil service, if it is desired to remove her, it is not necessary to go through with any red tape. The red tape was gone through with when she was appointed. That is the difference between civil service and political pie-counter methods, although an exaggerated case, probably.

Mr. President, let me say that I do not defend and I do not believe anybody can defend all civil-service appointments. I do not think they are perfect. I realize the Civil Service Commission makes mistakes; I realize that anything human can not be perfect; but if there be any other better method by which to fill clerkships, post offices, and rural carriers' positions than through the instrumentality of an examination conducted by the civil service, let it be suggested. There is nothing sacred about the civil-service rules; I will throw them all aside if I can get something better; but if appointments are put on the pie counter, if it is to be said that this man shall be a rural carrier because he voted for John Doe, and another man shall not be appointed a rural carrier because he did not vote for John Doe, the same principle applied to post offices, to clerkships, and to all other appointments under the Government, if carried out in practice would result in a Government so incompetent that no one could defend it anywhere.

Mr. ASHURST. Mr. President——

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

Mr. ASHURST. I perceive a vast difference between the workings of the civil service as affecting post offices and rural carriers and as affecting a soldiers' hospital, where technically trained persons are employed to give proper medical treatment to soldiers. If the rules of the civil service in their evolution cause a certain person to be certified to a position as nurse or other employee in a hospital and it is ascertained by the commanding officer that that person, while a very excellent person, is incompetent to perform the particular duties of the office, I believe the commanding officer should, as the Senator says he would do, instantly dismiss that person or demote him or her.

The civil service law is enforced harshly in the wrong place. I think the Senator, if he were a commanding officer of a veterans' hospital and it were demonstrated to him that a physician or a nurse was incompetent, he would, as I would do, discharge them, notwithstanding the civil service.

Mr. NORRIS. That is a part of the civil-service regulations. It is not a violation of the civil service law or rules to remove an incompetent person from office.

Mr. ASHURST. I am glad to know that, because such a remedy is so rarely resorted to that we actually believe that such is not a part of the civil service law. I hope when the officers of the Veterans' Bureau and the commanding officers of the various veterans' hospitals read this copy of the CONGRESSIONAL RECORD they will ascertain that they have power instantly to discharge incompetent employees or those who oppress the soldier, and also have the right to promote those employees who deserve promotion.

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

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

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

Mr. KING. Apropos of that, I have had statements on this subject made to me by a number of persons holding more or less important positions in the Government service who had under them a considerable number of employees under the civil service. I recall now one particular instance where a postmaster communicated with me. He had perhaps several hundred employees under his control. He called attention to the fact that there were a number of men who did all they could to repress active men from doing their work, and doing it well, and doing it above the requirements of the minimum grade; and when they would find an active individual, who was seeking promotion, who would work zealously and efficiently, they would say, "What is the good? We will get our promotions without zealous work if we reach"—I think it was—"60 per cent," or maybe 70, I am not sure—the minimum grade established—and their influence was demoralizing, and they would do that year in and year out. He said, "I do not dare to prefer charges against them. If I did, it would take weeks and months. It would involve me in a controversy. They would bring to bear the influence of their friends and all the influence which they could command, and I would be the target against which they would direct their javelins"; and others have indicated to me that the difficulty in securing removals, even in the case of gross incompetency, was so great as to deter men who wanted efficiency in their departments from seeking to bring about removals. I dare say that the Senator, in the plenitude of his experience and in view of his great information upon this subject, can not refer to half a dozen instances where charges have been preferred for the removal of incompetent and inefficient employees under the civil service.

Mr. NORRIS. Mr. President, if the Senator knows the head of a department who is shielding a lot of incompetent employees of the Government, and knows they are incompetent—and I assume if he knows it he can prove it by the record they make—and the Senator himself does not prefer charges against the head of that department, in my judgment he is not doing his full duty. To say, "There are a lot of incompetents here, but I do not want to prefer charges, because that will get me into a controversy," is no defense of the spoils system and no argument against the civil-service system. The same condition would exist whether we had civil service or spoils; and let me tell the Senator where a good deal of that kind of trouble comes from. It is because we are not adhering to the civil-service rules. Here is what happens—and that is probably what his informant had in mind: He is afraid to make charges against Clerk A, an incompetent clerk, because Senator B, from a great State in the Union, a Senator of the United States, is a friend of that incompetent clerk, and the head of that bureau is afraid to make the charge, because he knows that Senator will come to his rescue and say: "Here, I demand that that clerk be retained!" In other words, the Senator is putting into the proposition a political aspect that the civil-service rules, if enforced in good faith, would absolutely keep out of it. There is a danger in just what the Senator speaks of, but it comes because we are still injecting politics into it when we ought to keep it out.

Mr. KING. Mr. President, if the Senator will allow me, I agree entirely with what the Senator says. I think we have a hybrid system of civil service. I think those in the various departments who would like to enforce the law and develop a high state of efficiency are deterred by the very influence to which I have referred and to which the Senator has referred.

Mr. NORRIS. Yes; I agree with the Senator. I think that is one of the defects of the system. We ought to remedy it; but the way to remedy it is to put restraint on the Senators and the Representatives and the governors and the chairmen of State committees and other fellows, so that they will not be in a position to go into a department or a bureau and say to a man: "I want you to retain this clerk, or discharge that one, or promote this one, or demote that one."

Mr. KING. I was about to observe, Mr. President—I am trespassing upon the Senator's time and generosity—that the complaints about the civil service have been so numerous that I have sometimes doubted whether it was a success; and I have on my desk a resolution, which I drew nearly a year ago, directing the Civil Service Commission to make a thorough investigation to find out where the defects in the present system are and to recommend such additional legislation as they feel is necessary and imperative to give to the United States a scientific, a proper, and an efficient civil-service system.

I am in favor of having an efficient civil-service system or having none at all. I have felt and said here upon the floor that there is a good deal of a farce in the method under which the civil-service system has been and is being administered; and unless we correct the evils and secure greater efficiency than now exists, I suggest to the Senator that there will be a demand for radical changes, if not an abolition of the civil-service system in the United States.

Mr. LENROOT. Mr. President——

Mr. NORRIS. I will yield to the Senator in just a minute.

As to the resolution that the Senator from Utah is going to introduce, or has prepared, I want to say that I shall be glad to cooperate with the Senator in that respect. The resolution, as he has outlined it, if it is passed and a proper investigation is made under it, will, in my judgment, result in much good to

the public service. I do not want to be put in the position of even intimating that I think for a moment that our system is perfect. It is susceptible of great changes. We all ought to bend our energies, in my judgment, toward improvement of the service rather than its abolition. I do not agree with the Senator, if I possibly may draw that conclusion from his remarks, that rather than have it as it is he would not have it at all. Even with all its defects—and there are many, I know—I think it is better than the old spoils system. I believe in honest consideration of it by careful investigation, not without any change, but that we ought to improve it. It is woefully deficient in a great many ways, and I should be glad to see the Senator press his resolution to see that kind of an investigation made.

I yield now to the Senator from Wisconsin.

Mr. LENROOT. Mr. President, may I not ask the Senator if he will not conclude his remarks without interruption? I do not want to invoke the rule; but the discussion is going on, and has been for a long while, on a matter not before the Senate at all. Many Senators are here waiting, hoping the business of the Senate may proceed. I am very anxious to bring up this afternoon, if possible, one of the rural credit bills; and if the Senator would proceed without yielding for speeches, I am sure we would get along very much faster.

Mr. NORRIS. Mr. President, I did not expect, of course, to take nearly as much time as I have already taken. I am not to blame for the interruptions.

Mr. LENROOT. No.

Mr. NORRIS. But as far as the criticism made by the Senator from Wisconsin is concerned, I want to say that he can not apply that kind of a doctrine now and have an open proposition at all other times. I have not been in the habit of delaying the proceedings here, and I am discussing something that was properly brought out, and a proposition that the very bill now pending contains an appropriation to carry on. I do not think the Senator from Wisconsin can with good grace come in now and say, "I want you to stop; I want you to take up something else."

Mr. LENROOT. I have made no such request of the Senator. I merely asked him if he would not proceed without interruption, without yielding for other speeches in his time.

Mr. NORRIS. Mr. President, I will attend to whether I will yield or not. I do not think any other Senator should dictate to me.

Mr. LENROOT. Every Senator has a right to invoke the rule, and I propose to do it.

Mr. NORRIS. The Senator can invoke any rule he pleases, Mr. President. I do not care anything about that. I will proceed without interruption unless I am interrupted, and I can not interrupt myself. If somebody else interrupts me, I will be interrupted, and I will decide whether I will yield or whether I will not.

Mr. President, in addition to taking up this matter with the Post Office Department and with the Postmaster General, I took it up with the Civil Service Commission. Upon the same day that I wrote to the Fourth Assistant Postmaster General with regard to these rural carriers I likewise wrote to the Civil Service Commission.

I send a copy of that letter to the desk and ask that it be read.

The PRESIDING OFFICER. Without objection, the letter will be read.

The reading clerk read as follows:

WASHINGTON, D. C., *December 15, 1922.*

Hon. GEORGE R. WALES,
*Commissioner, Civil Service Commission, Washington, D. C.:*

DEAR MR. COMMISSIONER: I have just been informed that the Post Office Department is now submitting to Members of Congress wherever they happen to be Republicans, and where there are no Republican Members of Congress then to Republican Senators, and where there are neither Republican Senators nor Republican Members of Congress then to the chairmen of Republican committees, the eligible list of rural carriers furnished by the Civil Service Commission, and that in this way selection is made by the persons mentioned for the appointment of rural carriers.

I want to know how it came about that this order went into effect and whether it was with the consent of the Civil Service Commission. It seems to me that putting these positions on the political pie counter is throwing the door wide open and prostituting the civil service law, and the result will be that the service will deteriorate and become a political machine.

If we are going to have any civil service law at all, it ought to be enforced in good faith; and when the law is being thus prostituted it seems to me the Civil Service Commission ought to take the lead in protesting before the proper officials of the Government; and if that does not have any effect, then to protest publicly before the country.

Both political parties have been pledging themselves to the enforcement, in letter and in spirit, of the civil service law, and this ought to be done, or we ought to abolish the Civil Service Commission, repeal the civil service law, and let everybody know that all these positions of the Government are on the political pie counter and will be dealt out only to the partisan faithful.

Very truly yours, G. W. NORRIS.

Mr. NORRIS. Mr. President, to that letter I received a reply from the commission that I ask the Secretary to read.

The PRESIDING OFFICER. Without objection, the letter will be read.

The reading clerk read as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
*Washington, D. C., December 19, 1922.*

Hon. GEORGE W. NORRIS,
*United States Senate.*

MY DEAR SENATOR NORRIS: You do not need my personal assurance to know that the matter referred to in your letter of December 15 has never had the indorsement or consent of the commission.

You know, of course, that section 10 of the civil service act forbids the receiving of any recommendation for office or place in the classified service from a Senator or Member of the House of Representatives "except as to the character or residence of the applicant"; and that in the civil service rules promulgated by the President in accordance with the act appears a provision for the certification of the highest three names from among whom the appointing office shall make selection "with sole reference to merit and fitness." To aid in making this selection the commission sends to the department with each certification the examination papers of the three eligibles certified, showing in detail their education and experience and their work in the written tests.

In 1913 the Post Office Department inaugurated the practice of sending to the local Member of Congress the names and ratings of the three eligibles certified to fill a vacancy in a rural-carrier position or a fourth-class postmastership; and, in November, 1913, the Postmaster General issued the following to the press concerning the practice:

"In answering an inquiry recently as to what influence political affiliations would have in fourth-class postmaster and rural-carrier appointments, Postmaster General Burleson stated that he desired it distinctly understood that it is his purpose to carry out the intent of President Wilson's order that these positions be filled in accordance with both the spirit and letter of the civil service law. The Postmaster General added that he does not delegate the power of appointment, nor in any case is selection made simply upon or because of a recommendation of a Member of Congress. He stated further that he has a duty to perform in making selections under the civil-service rules; that it is his desire to select in every case the most efficient man obtainable and that in furtherance of such desire he is using, and intends to continue to use, every available means of ascertaining the best of the men certified to him by the Civil Service Commission. In his efforts to secure the most efficient man for the postal service, and as part of the evidence upon which he reaches his conclusion, it is his practice to ask the Member of Congress in whose district the vacancy exists to advise him relative to the character and fitness of the three eligibles. In doing so the Postmaster General calls upon the Member, not in his capacity as a member of any political party, but solely as the representative of the community, regardless of political affiliations; and to emphasize his purpose in this respect the Postmaster General, in asking the Member of Congress for his recommendation, calls special attention to the fact that under existing Executive orders selections must be made by the department with sole reference to merit and fitness and any recommendation made to him must be based solely upon such considerations and without reference to the political affiliations of the eligibles. And further, he has directed that all letters recommending appointments based upon political considerations be returned to the writers.

"The Postmaster General states that he is in earnest in his efforts to obtain the best men, regardless of their political opinions, and whenever he finds in any case that he has been misled because of recommendations made for political reasons, the fourth-class postmaster or rural carrier so appointed will be promptly removed from office."

The commission has protested personally and officially against this practice and referred to its harmful effects in letters concerning individual cases. A quotation from one such letter to the Postmaster General will suffice:

"This is apparently an instance of political discrimination resulting from the action of the department in receiving recommendations from Members of Congress in connection with the commission's certification for fourth-class postmasters and rural carrier vacancies. While the department in inviting such indorsements quotes the regulation that no recommendation in any way based on political opinions or affiliations 'shall be received or considered by any officer concerned in making selections or appointments,' and the recommendation received in response thereto may make no reference to the political opinions or affiliations of the person indorsed, the number of complaints received by the commission indicates that in some cases Members of Congress base their indorsements upon reports of county committeemen and other politicians in the locality where the vacancy exists. A selection based on indorsements of this character is in violation of the provisions of the civil service act and rules concerning political discriminations and section 4 of the fourth-class postmaster regulations * * *."

There is no power or authority resting in the commission to go beyond such protests, except in any case where the charge is made with offer of proof that there has been any violation of the civil service act, then the commission makes investigation, and, if the charges are found to be true, recommendation is made to the Post Office Department for removal of the person thus improperly appointed. In some instances the department has carried out the commission's recommendations.

The commission is very definitely of the view that the inauguration and continuance of the practice has been detrimental to the Government service and has had a tendency to discourage competition through examination for these local positions of rural carrier and fourth-class postmaster.

Very sincerely yours, G. R. WALES, *Commissioner.*

Mr. NORRIS. Some time after the receipt of that letter I answered it, and I ask to have my reply read from the desk.

The PRESIDING OFFICER. The Secretary will read as requested.

The reading clerk read as follows:

WASHINGTON, D. C., *January 4, 1923.*

Hon. GEORGE R. WALES,
*Commissioner United States Civil Service Commission,*
*Washington, D. C.*

DEAR MR. WALES: I have been absent from Washington on account of the serious illness of my sister in Ohio and have not had time to give attention to my correspondence. In clearing up my desk I have just reached your letter of December 19, 1922. I desire to commend the position you have there taken. I have protested to the Postmaster General, and in his reply he said, in effect, the same thing Postmaster General Burleson said in the interview quoted in your letter. I have in answer to this letter again protested. It seems to me that when men who are supposed to be competent to be the head of our Post Office Department undertake to cover themselves up with such a thin shield of excuses, it must be apparent that they consider the friends of civil-service reform to be very easily deceived. The idea of claiming to carry out the real intent of the Civil Service Commission law, while they are submitting to Members of Congress the eligible list and asking them to make a recommendation as to which of three shall be selected is simply preposterous. It does not require even a wise man to see that this is just one method of completely circumventing the real intent of the law. It would be interesting to know what the result has been as far as political affiliations of these appointees are concerned. A Democratic Postmaster General submits the names to Democratic Members of Congress, a Republican Postmaster General submits the names to Republican Members of Congress, and in each instance the Congressman is notified that the selection must not be made on partisan grounds. The Member of Congress makes the selection, and in his letter of recommendation he claims to base it entirely on grounds that are not in any way partisan, but I venture the assertion that the result is always partisan selection of postmasters and rural carriers. Under a Republican administration in some way the Republicans get in, and under a Democratic administration in some way the Democrats get in.

I would like to have from you information on this subject. Can you give me the result of this kind of application of the civil service laws? I would like to know under the Republican administrations how many Republicans and how many Democrats get into office, and under the Democratic administration I would like the same information.

Very truly yours, G. W. NORRIS.

Mr. NORRIS. It will be observed that I asked the commissioner a question. In his answer he was not able to give me the information. There is no particular importance to be attached to his letter, except that he explained why he was not able to supply the information. Of course, I really ought to have known that when I wrote the letter. I ask to have the answer of the commissioner printed as a part of my remarks.

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

UNITED STATES CIVIL SERVICE COMMISSION,
*Washington, D. C., January 6, 1923.*

Hon. GEORGE W. NORRIS,
*United States Senate.*

MY DEAR SENATOR NORRIS: I should be very glad indeed to comply with your request under date of January 4 were it possible to do so, but the particular thing we do not know and which we explicitly refrain from seeking to know is the political affiliations or convictions of applicants for civil-service examination. The commission's literature is very specific in pointing out that its action may not under the law be influenced by political consideration, and in the rural-carrier pamphlet of information sent to inquirers for examination appears the following:

"The President on December 30, 1922, issued the following Executive order:

"'Hereafter paragraphs (a) and (b) of section 1 of civil-service rule 7 shall apply to the appointment of rural carriers, and three eligibles shall be certified by the Civil Service Commission.

"'In all cases selections shall be made with sole reference to merit and fitness and without regard to political considerations. No inquiry shall be made as to the political or religious opinions or affiliations of any eligible and no recommendation in any way based thereon shall be received, considered, or filed by any officer concerned in making selections or appointments. Any such recommendation in writing forwarded to any such officer shall be at once returned to the writer, with attention invited to the purport of this order, and attention hereto shall be similarly directed in connection with any verbal recommendation. Where it is found that there has been a violation of these provisions by any officer concerned in making selections or appointments, such fact shall be cause for the immediate removal of such officer from the service, and the commission shall make prompt report of any such case for appropriate action to the Postmaster General or, as to presidential appointees, to the President. The appointment of the rural carrier concerned, if effected, shall be canceled.

"'Persons employed as rural carriers, while retaining the right to vote as they please and to express their opinion privately on all political subjects, shall take no active part in political campaigns. Any rural carrier taking such part shall be removed from the service or otherwise disciplined, recommendation as to the penalty to be imposed in each case to be made by the Civil Service Commission.

"'WILLIAM H. TAFT.'"

A similar paragraph appears in the fourth-class postmaster pamphlet of information:

"The competitive-examination system, with its ever-improving standards, is more and more commending itself to private industry as the right method of securing qualified personnel, and judging from the number of inquiries we have received as to our methods and tests this is in part due to its successful application to filling Government positions. We do not see how this reference to local Members of Congress can possibly help, and do see how it can and does hurt.

"Sincerely yours,

"G. R. WALES, *Commissioner.*"

Mr. NORRIS. It would be interesting to know about this nonpartisan system, by which Republican committees are notified who are the three eligibles on the rural route running out of Podunk. They are told very carefully, "There is no politics in this, no partisanship. Your recommendations must be based upon merit. Whom do you want?" Although the committeeman may live 40 miles away from the rural route, he does know one thing which he finds out. He knows that "A" on the list is a Democrat, that "B" is a Republican, and that "C" is a Democrat, and immediately he recommends "B." He does it entirely on the ground of "B's" competency. He does not know anything about that. He has made only one inquiry, has asked only one question, and has had one question answered, and that is as to the politics of the applicant.

When it comes up to the Fourth Assistant Postmaster General, he says, "I am deciding this on nonpartisan grounds, but I always let the Republican have it." If the administration is Democratic, it is just the reverse.

Let me repeat what I said in the beginning. It seems to me that common honesty, fair treatment of the country and of the people, and of the applicants for these offices demand that we either enforce the civil service law in spirit, as well as in letter, or that we go before the people open-handed and admit that we do not intend to enforce it, and that we lied when we said we would enforce it. It ought to be enforced properly, or we ought to have the courage to say that we never will enforce it, and never intend to do so.

Mr. FLETCHER. Mr. President, I rose for the purpose of offering an amendment to the pending bill and proceeding with its discussion, but I understand the Senator from South Dakota [Mr. STERLING] wishes to refer to some observations which have just been made, and I am willing to yield for that purpose.

Mr. STERLING. Mr. President, I will be very brief and promise not to delay the business of the Senate a very long time in the consideration of the civil service. I am led to call attention to a few matters in view of the course the discussion has taken in regard to that service.

I did not know this was going to be a field day in criticism of the civil service law and of the civil service rules and of the administration of the civil service. The discussion started out, as all are aware, with a complaint made by the Senator from Mississippi [Mr. HARRISON] because the President of the United States had not responded to a resolution offered by the Senator requesting the President to name the positions wherein the civil-service rules had been set aside or waived by the President of the United States in making appointments or in reinstating persons to the civil service. The discussion has ended by a general discussion of the civil service law, rules, and I may say, too, of the administration of the civil service. I contend that much that has been said by Senators to-day is wholly without warrant and without foundation, especially as their remarks relate to the administration of the law and the civil-service rules.

Senators perhaps may know of an isolated case here and there where justice has not been done, where there may have been some failure to observe the rule or where there has been inadvertence or mistake of judgment. But, Mr. President, those cases are comparatively few. When we consider that there are between 500,000 and 600,000 civil-service employees, two-thirds of whom, I think, are under the civil service law and civil service rules, we are led to wonder there is not more to criticize than there is in regard to the administration of the law and of the rules.

I want to call attention to the law. The Senator from Utah [Mr. KING] said awhile ago that he had a resolution which had been pending for some time——

Mr. KING. I beg the Senator's pardon. I said I had prepared one about a year ago and had it in my desk. I have not offered it.

Mr. STERLING. Very well. To do away with the civil service law and the rules framed pursuant to that law would raise such a storm of protest upon the part of the people of the United States—and the whole people of the United States—as has never been heard or witnessed, I think, throughout the country.

Mr. KING. Mr. President, will the Senator pardon me?

Mr. STERLING. I yield.

Mr. KING. I do not want the Senator to infer from any observation which I made that my resolution would call for the abolition of the Civil Service Commission. I intended to state, if I did not, that my resolution would call for an examination or an investigation with a view to determining what amendments should be offered to the existing law in order to secure efficiency in the administration of the affairs of the Government and to give us a scientific—I used that expression, as I recall—and proper civil-service system.

Mr. STERLING. That may be true with reference to the resolution itself, but I understood the Senator to say that he did not know but that the law itself should be repealed.

Now, what is the law? Just what is it, and what does it require? Let me read:

First, for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

Second, that all the offices, places, and employments so arranged, or to be arranged in classes, shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations.

Third, appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Every application for an examination shall contain, among other things, a statement, under oath, setting forth his or her actual bona fide residence at the time of making the application, as well as how long he or she has been resident of such place.

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Sixth, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

I want to say, in this connection, that amidst all the statements that have been made here to-day, as I recall them, not one instance has been named where political influence was, in fact, used for the purpose of securing this or that appointment to either a post office or to a position strictly within the civil service. It is easy enough to make these allegations. It is another thing to prove them, as the select committee of five from the Civil Service Committee of the Senate, appointed to consider a certain resolution introduced by the Senator from Arkansas [Mr. ROBINSON], itself reported.

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

Mr. STERLING. Certainly.

Mr. KING. I may have misapprehended the position of the Senator, but I understood him to say that no evidence has been tendered and no case mentioned where political influence has been used to secure the appointment of persons within the civil service.

Mr. STERLING. No such statement made to-day, I want the Senator to understand.

Mr. KING. To-day?

Mr. STERLING. Yes. No such statement was made in all the extensive discussion which has gone on here in criticism of the Civil Service Commission and the civil service itself. I do not recall that a statement was made of a concrete case where it was shown that political influence was used for that purpose.

Mr. KING. Does the Senator concede that postmasters are within the civil service?

Mr. STERLING. No.

Mr. KING. Or that rural carriers are within the civil service?

Mr. STERLING. Yes; I think they are with the provision that selections may be made from the three highest eligibles on examination.

Mr. KING. I think the statement made by the Senator from Nebraska [Mr. NORRIS] would contravene the position taken by my distinguished friend, and I think some of the statements which I made would be in contravention of his position.

Mr. STERLING. We will see.

Mr. CARAWAY. Mr. President——

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

Mr. STERLING. I yield.

Mr. CARAWAY. I am very curious to have the Senator tell the methods pursued by the special committee conducting the investigation under the resolution introduced by my colleague [Mr. ROBINSON] in arriving at the conclusion that there was no political influence used in the civil service. Was a single witness called?

Mr. STERLING. Witnesses were given an opportunity to come.

Mr. CARAWAY. Were not the names of people given to the committee and was not the committee asked that they be subpœnaed, but they were not subpœnaed?

Mr. STERLING. The committee perhaps had some names. I do not know that there was any such request.

Mr. CARAWAY. Did the committee call a single witness except merely to refer the matter to the Civil Service Commission?

Mr. STERLING. The committee gave full opportunity to the Senators who had filed letters and charges to appear before the committee with their witnesses, if they had them.

Mr. CARAWAY. Did the Senator say witnesses?

Mr. STERLING. Yes; with their witnesses.

Mr. CARAWAY. I would like to say to the Senator that that is the first time I ever heard of such a thing. I gave letters to the committee and asked that certain witnesses be heard, and they were never heard.

Mr. STERLING. And then from time to time, in addition to that, the findings of the commission or the hearings of the commission were published and were sent to all Senators who had filed any complaint at all.

Mr. CARAWAY. I filed letters with the committee and never heard of them from that time until the committee made its report.

Mr. STERLING. And the Senator will find in the report and in the testimony mention of every case and a discussion of every case which he submitted.

Mr. CARAWAY. Absolutely—a finding that there was not anything in it, without hearing a witness.

Mr. STERLING. And the Senator has never complained about those findings or about the report.

Mr. CARAWAY. The findings and the report were just what everybody expected them to be.

Mr. STERLING. Exactly.

Mr. President, if I may proceed just briefly, I continue the reading of the civil service law:

Seventh, there shall be noncompetitive examinations in all proper cases before the commission, when competent persons do not compete, after notice has been given of the existence of the vacancy, under such rules as may be prescribed by the commissioners as to the manner of giving notice.

Eighth, that notice shall be given in writing by the appointing power to said commission of the persons selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations, and removals, and of the date thereof, and a record of the same shall be kept by said commission.

Mr. President, I think I have read enough to show what the civil service law is in the main and to show, too, the spirit of the law. The spirit of it is to get persons into the civil service of the Government who by examination have shown their fitness for the places. In other words, the civil-service system is a merit system in contradistinction to the spoils system which was in vogue before the enactment of the civil service law. I remember to have read a statement made by Richard Dana, formerly president of the National Civil Service Reform League, that $39,000,000 had been saved annually in the increased efficiency of the employees because of the civil-service examinations they were required to take under the law.

Now, Mr. President, I come to a question that is a little more at issue in the discussion; and briefly, too, as to that. I alluded a little while ago to the complaint made by the Senator from Mississippi [Mr. HARRISON] because of the failure of the President to comply with his request. The Senator from Mississippi would convey the idea that the resolution related entirely to post offices, whereas it was general and covered all Executive appointments in which changes or waivers were made by the Executive in regard to the civil-service rules. There is not a word in the resolution itself in regard to postmasters—not one word.

The post offices are not under the civil service law or rules, but for the convenience of the Executive, and I think, too, in the interests of the general welfare, the President of the United States provided that a civil-service examination or, it is more proper to say, an examination analogous to a civil-service examination should be taken by the candidates for post offices. The rule was made under a former administration that the highest eligible in that examination should be appointed to the place. The rule was changed by President Harding to the effect that the names of the three highest eligibles ascertained by examination should be sent to the President of the United States first, or rather to the Post Office Department, though I am not sure as to the exact language—whether sent to the Executive or to the Post Office Department. In any event, the long investigation conducted by the select committee from the Senate Committee on Civil Service did not discover a single case, save perhaps one, in about 100, as I think there were, where the judgment of the Civil Service Commission was, in the opinion of the select committee, at fault. In that case there was abundant evidence of the entire good faith of the Civil Service Commission. It was simply an error of judgment, if an error at all. The committee in its report criticized the finding of the Civil Service Commission in regard to that one case.

Mr. McKELLAR. Mr. President——

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

Mr. STERLING. I yield.

Mr. McKELLAR. Is the Senator speaking of the report of the special committee of which I was a member?

Mr. STERLING. That was the committee of which the Senator from Tennessee was a member.

Mr. McKELLAR. I want to take absolute issue with the Senator on the statement he has just made that there was not any case submitted to the committee which did not reflect upon the fairness of the action of the Civil Service Commission. I submitted at least half a score from Tennessee, which the committee, by a majority vote, a strictly partisan vote, voted down. Every one reflected seriously upon the action of the commission in certifying men who went in under the civil service at the behest of the political referee in Tennessee, who was selling his influence for civil-service appointments.

Mr. STERLING. And I shall call attention to that case. Of all the cases submitted to the select committee, the cases submitted by the Senator from Tennessee had the least foundation, and some of them——

Mr. McKELLAR. Then the commission ought to have been abolished.

Mr. STERLING. I will quote from the report in regard to Chapel Hill, Tenn. This is another case where it is charged that money had been paid to Mr. Overall, he being, I suppose, the "referee" referred to here.

Mr. McKELLAR. Yes; and the canceled checks which he had received were submitted.

Mr. STERLING. The report states:

The committee can do no better than to quote from the memorandum of the Civil Service Commission, found on page 163:

"Senator McKELLAR next refers to the alleged appointment of a rural carrier at Cheap Hill, or Chapel Hill, Tenn., but here he fails to give any names or testimony or evidence indicating that any one of the three persons whose names were certified to the department for consideration in filling the rural-carrier position had paid money to Mr. Overall for any purpose whatsoever. The commission advised Senator McKELLAR in its letter of September 1, 1921, of the names of these three rural-carrier eligibles who were certified, and that the department had not reported selection from among the three; and the Senator also was advised of the provisions of law and rules relating to trafficking in appointments, and that 'if a prima facie case is submitted to the commission of violation of the Federal statutes relating to trafficking or of the civil-service rules, the commission will submit it to the Department of Justice for prosecution, or take such administrative action as may be appropriate.'

"The Civil Service Commission has not since heard from Senator McKELLAR in this connection."

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

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

Mr. STERLING. I yield.

Mr. McKELLAR. The fact was that the Civil Service Commission virtually admitted the payment of the money, but they asserted that under a fair interpretation of the law the Civil Service Commission was not the authority to enforce the law.

Mr. STERLING. How did they admit it? When did they admit it?

Mr. McKELLAR. In other words, it was a pure technicality. So, having been overruled, as I was overruled by a majority of the committee—the entire Republican strength voting in favor of that system of appointing persons to the civil service—I took no further steps in the matter. I denounced it, however, on the floor of the Senate time and again, just as I am doing now. I think it is a most reprehensible custom. It is a custom that any party *ought* to be ashamed of.

Mr. STERLING. And one Democratic member of the committee joined in the report. The Senator from Tennessee was not here at the time the report was made and had not been here for some time previously. We did not know when he would return. The report was prepared, and I made the statement at the time that the report would have been submitted to the Senator from Tennessee before presentation, but there was a time limit on its presentation.

Mr. McKELLAR. I was away for a few days, and while I was gone the report was made; and I never was consulted about it.

Mr. STERLING. There was a time limit under the original order for the submission of that report. The time was twice extended, and then, with the last extension, it was thought the report should be presented. I did present it after consultation and after going over the subject matter with the other members of the committee, including the Democratic colleague of the Senator from Tennessee, who was as ready, so far as that is concerned, to sign the report as was any Republican member of the committee. Indeed, we did not in its consideration or in coming to our conclusion consider politics in any way or in any sense whatever. The question was one of evidence, whether charges had been sustained, whether the Civil Service Commission or its examiners were in any way at fault.

Mr. McKELLAR. Mr. President——

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

Mr. STERLING. I yield.

Mr. McKELLAR. I wish to ask the Senator if the Senator from Louisiana [Mr. RANSDELL], who signed the report and to whom the Senator from South Dakota is referring, was present at a single solitary hearing of the committee? I was present at all of the hearings with perhaps one or two exceptions, and I do not recall ever seeing the Senator from Louisiana at one of those hearings. So far as he is concerned, I do not know whether or not he heard the testimony; I do not know whether or not he examined the testimony or whether he merely accepted the the conclusions upon the statement of the majority members of the committee. The Senator is here, however, and may speak for himself and tell us about it.

Mr. RANSDELL. Mr. President——

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

Mr. STERLING. I yield to the Senator.

Mr. RANSDELL. Mr. President, since my name has been brought forward in the discussion of this matter, I desire to say that I was a member of the subcommittee which considered this subject. I heard a great deal of the testimony and signed the report. The committee went into it, I thought, fully and fairly. There were some transactions that were, perhaps, a little questionable; but, so far as the evidence before us was concerned, I do not find anything there other than is presented in the report. We went into the subject with a good deal of care.

Mr. CARAWAY. Mr. President——

Mr. RANSDELL. Pardon me for a moment, and then I will yield.

Mr. CARAWAY. I wish to ask the Senator a question, if he will yield.

Mr. RANSDELL. I will yield in a moment.

We went into the matter with a good deal of care. I did not give my personal attention to all of the cases, I will say to the Senate, but I did give my personal attention to quite a number of them. My recollection is that we had a synopsis of each case presented to us by the chairman of the committee, the Senator from South Dakota [Mr. STERLING]. It was after what seemed to me to be a fair investigation of the whole matter that we prepared the report and I signed it.

Mr. McKELLAR. Does the Senator from Louisiana recall the Tennessee cases at all?

Mr. RANSDELL. I do not remember them.

Mr. McKELLAR. I am sure the Senator could not recall the Tennessee case in which it was undisputed that the Republican referee of Tennessee, John W. Overall, sold his indorsement for civil-service positions and received the money. I produced the canceled checks showing that the money went to his credit in the Broadway National Bank of Nashville, Tenn. Under those circumstances, the Civil Service Commission and the committee, acting purely in a partisan spirit, held that it was proper and right for a referee of one party to sell his influence for civil-service positions, when they knew of the canceled checks from the applicants for the position. If my good friend from Louisiana, knowing those facts, signed a statement approving it, then I am astonished at him.

Mr. RANSDELL. I know nothing about the matter to which the Senator from Tennessee refers.

Mr. McKELLAR. I know the Senator does not. I am sure he would not have signed the report if he had known.

Mr. RANSDELL. I have just stated that I did not hear all the testimony, but I devoted all the time I could to the matter. If there was any partisanship in it, I fail to see it.

Mr. CARAWAY. May I ask the Senator from Louisiana a question?

Mr. RANSDELL. Yes.

Mr. CARAWAY. Does the Senator from Louisiana know anything about the case at Greenwood, Ark.?

Mr. RANSDELL. There was considerable testimony about two or three cases in Arkansas, but I do not remember that particular case.

Mr. CARAWAY. Here is what happened: Democrats who took the examination made a sufficiently high mark to be placed on the eligible list, while the Republican who had been selected for the place did not. The Republican referee of the State, however, went to see the Civil Service Commission, and the commission raised the grade of the Republican without notice, and,

without any further examination, gave him the job. Is that the Senator's idea as to the manner in which the civil service should be conducted?

Mr. RANSDELL. I do not know anything about the details of the case.

Mr. CARAWAY. That is the fact. Does the Senator approve it?

Mr. RANSDELL. I do not know, and I am not going to be forced to give testimony here about a matter I do not understand.

Mr. CARAWAY. I think the Senator does not understand a thing about the report.

Mr. RANSDELL. Very probably I now do not, but at the time I signed it I did; I knew what I was doing when I signed that report, and I did not find any partisanship in it. I did not find anything unjust in it, or I never would have signed it.

Mr. CARAWAY. Why can not the Senator now say that he approves of changing the grade in order to put a Republican in office?

Mr. RANSDELL. I do not know the details of the case at all.

Mr. CARAWAY. That is the fact; does the Senator approve that?

Mr. STERLING. Mr. President, I decline to yield any further.

The PRESIDING OFFICER. The Senator from South Dakota declines to yield.

Mr. STERLING. Now, Mr. President, I will call attention to one other Tennessee case. The investigation—under the resolution ordering it—was an investigation of the examining division of the Civil Service Commission. I call attention to the case at Pulaski, Tenn.:

Pulaski, Tenn. (p. 162): Another case where had some inquiry been made it would not have been brought to the attention of this committee; a case where one candidate, Mr. Noble C. White, is alleged to have paid a sum of money to Mr. John W. Overall, Republican State committeeman, for the purpose of securing the postmastership at Pulaski. The memorandum furnished by the commission simply shows that Mr. White was not among the highest three eligibles certified to the department. Those certified were William D. Kirkpatrick, with an average per cent of 81.40; William B. Romine, 79.20; Mahlon H. Webb, 78.60.

It is claimed that Mr. White paid a sum of money to Mr. Overall, as referee; but even if the allegations were true Mr. White was not one of the three highest eligibles and was not considered for the post-office appointment.

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

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

Mr. STERLING. Yes.

Mr. McKELLAR. It was wholly immaterial as to whether he was one of the three highest eligibles. I call the Senator's attention to another case that was before the committee, the case of Rutherford, Tenn. In that instance there were three eligibles, but a gentleman who had stood the examination and made about 40 per cent and whose wife had made about 66 per cent employed Mr. Overall to come to Washington, paid him a fee and paid his expenses, and Mr. Overall came to Washington, prevailed upon the Civil Service Commission to put the Republican politician's wife at the head of the list over the three eligibles, and the appointment of the wife came in here and was rejected by the Senate of the United States.

Mr. STERLING. Will the Senator state again the name of the town?

Mr. McKELLAR. At Rutherford, Tenn. I repeat of the three eligibles two were Democrats and one was a Republican. The Republican could still have been appointed postmaster there, although he was third on the list, but he was not satisfactory to the Republican boss. So Mr. Overall came to Washington, went to the Civil Service Commission and had that commission put the wife of the politician, she having a rating of 66, at the head of the list, and her name was sent to the Senate in preference to the three eligibles, but the Senate rejected the nomination on my motion.

Mr. STERLING. I wish to ask the Senator as to whether any complaint in regard to the Rutherford office was before the select committee?

Mr. McKELLAR. I do not know whether it was before the committee or not. I know I made a statement about it.

Mr. STERLING. Then, how would the Senator from Tennessee expect us to investigate a case of which the committee had no knowledge?

Mr. McKELLAR. I made the charges before the committee, but was treated with the scantiest courtesy by the committee. They did not consider that case; they never considered it in open session, so far as I know.

Mr. STERLING. Mr. President, I can not imagine that a committee, if I may allude to myself personally, but over which I might have the honor to preside, would show a lack of courtesy toward any Senator in this body.

Mr. McKELLAR. The report was made without notifying me at all at any time. If I had known about it, I would have protested.

Mr. STERLING. I am satisfied now, I will say to the Senator from Tennessee, that he made no charge before the select committee in regard to the Rutherford office. I do not find it mentioned in the report, although Tennessee offices are grouped in that document.

Mr. McKELLAR. That may be true.

Mr. STERLING. There is no reference to it.

Mr. McKELLAR. That may be entirely true; but because no charge was made with regard to one of the offices is no reason why the civil-service rules should have been violated in the outrageous manner in which they were violated at Pulaski, at Chapel Hill, and at various other places in Tennessee, where places under the civil service were sold by the Republican referee, Mr. Overall.

Mr. STERLING. It is shown clearly, Mr. President, that the Senator has no foundation for charging the select committee with any delinquency in the consideration of the cases or in preparing and submitting its report. If the attention of the select committee was not called to the Rutherford office, how in the world could they have made any investigation in regard to it?

Mr. President, to hurry to a conclusion, I made a reference this morning in answer to the Senator from Mississippi to the fact that the Civil Service Commission reports show all the cases where the civil-service rules have been waived or temporarily suspended for the purpose of an appointment. I want to go back now to that. I have in my hand the civil-service report for the fiscal year ending June 30, 1921. Under the head "Orders excepting persons named from the requirements of the rules," I find on October 2, October 20, and November 30, 1920, orders were issued by President Wilson making appointments waiving the rules.

I find, following the appointment of November 30, 1920, the following:

NOTE: The commission was not advised of the reasons for the issuance of the above order.

The Senator from Nebraska [Mr. NORRIS] in his long speech to-day pleaded for impartiality here as between Republicans and Democrats. Mr. President, when I consider the motives that actuated the inquiry this morning in the first place as to why the President had not complied with the terms of the resolution, I think I am quite warranted in reading these notes of the Civil Service Commission.

I find under the head of February 12, 1921, while President Wilson was yet President, that—

Mrs. May G. Pollock, of Illinois, may be appointed in the classified service without regard to civil-service rules.

No hint of any reason is given there for that order, but following it is the note of the commission:

The commission was not advised of the reasons for the issuance of the above order.

And so on through.

I think as between President Wilson and President Harding, as shown by this report, that for any given time they have made about an equal number of Executive orders waiving the rules, and I am not complaining of the Wilson orders as they appear in the report.

Mr. DIAL. Mr. President——

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

Mr. STERLING. I yield to the Senator.

Mr. DIAL. I should like to say to the Senator that in a good many places in my State there are no Republicans competent to hold office, and the unfortunate part of this system is that it gives the referee an opportunity to sell the office to some one who may make him a bid. Therefore, in my section of the country the correct solution would be to give it to the one making the highest mark.

Mr. STERLING. Yes; but barring one case, which the Senator knows about, I recall none from his State in which charges were made.

Mr. President, I call attention to the report, that for the fiscal year ended June 30, 1922, under the head of "Orders excepting persons named from the requirements of the rules." It begins with the order of September 30, 1921. It goes down to the last order before this report was published, September 8,

1922, nearly a year. There are just 29 cases within that one year where orders were made excepting the persons named from the requirements of the rule—just 29 cases—and there are between five hundred and six hundred thousand employees in the service of the Government, two-thirds of whom, I think, are under the civil service law and rules. I submit, Mr. President, that that is a remarkable record when we consider the great number of employees and the small number of instances in which the President has appointed or reinstated, notwithstanding the rules; and I think among those 29 there are not to exceed three cases where the reasons in full are not set out, and set out in some cases at considerable length.

Mr. POINDEXTER. Mr. President——

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

Mr. STERLING. I yield to the Senator.

Mr. POINDEXTER. There is just a brief suggestion that I want to make to the Senator from South Dakota. No doubt he will recall it when I mention it. I do not like to bring up partisan questions here in the Senate, but during the last administration the abuses of the civil service laws and regulations grew so great, in the opinion of a majority of the Civil Service Commission, that they took the matter before the President. There was one Republican member of the Civil Service Commission and two Democrats, but the position that was taken by the Republican member of the Civil Service Commission was so fair and was so soundly based upon the evidence in the various cases that one of the Democrats joined with him in protest against the violation of the civil-service rules and laws. They took the matter before President Wilson, and he fired both of them.

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

Mr. STERLING. I will yield for a question.

Mr. McKELLAR. There is one thing that President Wilson and his administration did, however. When a resolution of the Senate was addressed to him, or addressed to the president of the Civil Service Commission, full facts and details were given in response to the resolution. I have here a report of date August 16, 1916, giving all the information as to every Executive order that had been made by President Wilson from the 4th of March, 1913, down. As I understood the contention of the Senator from Mississippi [Mr. HARRISON] this morning, it was that the Senate had passed a resolution calling upon President Harding to furnish the same kind of information during his term of office, and he had paid no attention whatsoever to the resolution of the Senate.

Mr. WARREN. Mr. President——

Mr. STERLING. I think I will decline to yield further.

Mr. WARREN. Will the Senator yield to me?

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

Mr. WARREN. I desire to call the attention of the disputants, as well as of the other Senators, to the fact that we are not reaching any conclusion upon any subject that is contained in the bill, and there is no motion before us relating to the bill that should call for so long a discussion of this matter.

Mr. STERLING. Mr. President, I would have closed the discussion long ago if it had not been for the interruptions.

Mr. McKELLAR. Mr. President——

Mr. WARREN. If the chairman of the committee may take three or four minutes of the Senator's time, he will thank the Senator to give it to him.

Mr. McKELLAR. I yield to the chairman always.

Mr. WARREN. This is Saturday, late in the day. Monday, as we know, is calendar day, and it has been my desire to finish this bill to-day. I have been patient. I have submitted to all kinds of talk, the washing of dirty linen included, and I think that no good purpose is served by a further continuation of it; so I am going to appeal to all Senators to lay aside these many differences about post offices—there are some 100,000 post offices, for that matter, over which they might differ—and let us proceed with the regular business of the amendments that Senators wish to offer to this bill.

Mr. KING. Mr. President——

Mr. STERLING. I decline to yield further. I shall take but a few minutes in conclusion. I appreciate the request made by the Senator from Wyoming in regard to it.

Mr. KING. I wanted to help the Senator by making a motion which I intended to make heretofore.

Mr. STERLING. I do not believe it will help.

The PRESIDING OFFICER. The Senator declines to yield at this point.

Mr. STERLING. I want to call attention to one or two circumstances under which these Executive orders were made. I have here one of which I have personal knowledge. It is under date of June 28, 1921:

> Miss Katherine M. Caesar, temporarily employed as clerk, Division of Loans and Currency, Treasury Department, since April 25, 1918, may be permanently appointed in her present position with condition against being assigned to other duty and against promotion beyond $900 a year except upon qualifying for appointment through appropriate competitive examination.
>
> This order is issued because of Miss Caesar's exceptional ability readily to locate lost papers in a more or less complicated system of filing, as demonstrated during her many months of temporary service; and also because, although having made earnest study and effort to do so, she has not yet been able to qualify through examination.

This Miss Caesar was a perfect genius in her particular line of work. They said down there at the Division of Loans and Currency that they hardly knew how they would get along without her, and the recommendation was made to the Secretary of the Treasury that he recommend to the President that he make an Executive order continuing her in the service under these limitations, namely, that she could not be promoted to any other branch of the service, and to the effect that her salary should not exceed $900 a year. For the work that she was doing she was entitled to a greater salary than any $900 a year.

Mr. President, calling attention again to the report for 1922, I simply wish that Senators might read over these 29 cases, and see the reasons given by the Executive in all but two or three cases why the Executive order was made.

In conclusion I want to say that I believe if Senators will examine the reports of the Civil Service Commission or confer with the members of the commission and get an understanding of their methods and their attitude toward the civil service law and rules, they will no longer be either as critical or as pessimistic as some of them seem to be to-day concerning the observance of the civil service law and rules, but rather they will be prepared to regard our civil service as a truly indispensable institution and will agree that on the whole it is well and faithfully administered.

Mr. CARAWAY. Mr. President, I came in the Chamber in the midst of this discussion and would have had no occasion to engage in it if it had not been for the extravagant eulogy by the Senator from South Dakota to-day of his special committee and the Civil Service Commission. I have had any number of complaints——

Mr. McKELLAR. Mr. President, will the Senator yield to me just to make a motion before he begins his speech on that subject? The Senator from Wyoming [Mr. WARREN] objected because there was nothing before the Senate. I want to move, with the permission of the Senator from Arkansas, to strike out on page 6, beginning with the word "*Provided*" on line 14, to the end of line 18, and on page 8, beginning at line 1 and ending on line 4. These are the provisions that provide for appropriations for the Civil Service Commission for making examinations for first, second, and third class postmasters.

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

Mr. CARAWAY. Mr. President, I shall be brief.

I examined with interest the report of the special committee. I have not it before me, but, as I now recall, the procedure was the same in nearly every case, namely, when the complaint was filed it was referred to the Civil Service Commission, and it offered some explanation. That was accepted as conclusive. To call that an examination of the facts is such a stretch of the expression "to examine into or inquire about a matter" that I do not presume anyone regarded it other than a farce.

Personally, taking one case, that of a man who wanted to be postmaster at Greenwood, in my State, and on the examination made sixty-odd—I believe it was 65—the Republican referee came, had it raised to seventy-odd, and had his candidate promptly given the post office.

Paragould, where I was more intimately acquainted with the facts, was also complained of bitterly. I had a correspondence and conversation over the phone with Mr. Bartlett while he was president of the Civil Service Commission. I was told that an examination had been held there, but papers were not available; they could not be seen by anyone. Afterwards I saw what they called an examination, which was simply the applicants filling out a statement of their qualifications for the office—not an examination, but were such as if he had said "I am a Republican."

The statement was made by Bartlett to me that certain people had given confidential information. I tried to get the facts about that, and it is conclusive that there was no fact to warrant the statement. It was a misrepresenation by the Civil Service Commission of the facts.

All those matters were filed before the committee of which the Senator from South Dakota was chairman. I laid the letters before the committee myself, and made an explanation of them touching many cases in my State and elsewhere. I never heard from a single one of those cases until the report of the committee was made. It was never suggested to me in respect to any of the cases that witnesses would be heard if a request should be made. On the other hand, a gentleman came all the way from Haverhill, Mass., and wanted to appear before the committee, but was not permitted to do so. I know my colleague had a witness who was at one time a member of the committee that passed upon some of the cases, employed by the civil service, and he never was heard. At this late day to say that was an examination into the facts is such a perversion of what actually took place on the part of that committee that I do not feel inclined to let it go unchallenged.

Every Senator knows what the Civil Service Commission has been doing. I never heard of a man in my State recommended by the Republican organization who failed to get on the eligible list. If he could not do it by examination, they amended the papers. That is what took place.

Unfortunately for the organization in my State, at one of the good towns the Republican failed to go when he was expected to appear, and three Democrats made the eligible list. The department refused to appoint either one of them, and had another examination, so that the Republican selected by the organization could get on the eligible list.

I do not object to the party in power having the offices. All I insist on is that it shall play the man and take the offices as party spoils, not to pretend they have a civil-service examination, which they know it is never meant for anybody except the ones selected by the organization to get offices.

I am not complaining about it. The Republican Party is not going to keep them long; so let it have them; but let it take them like men, and not under the pretense that they have a civil-service system or a merit system. How devoted the Senator from South Dakota is to the merit system. The President of the United States issued an Executive order and dismissed from the service 28 or 30 men and women in the Bureau of Engraving and Printing in violation of the law, which provided that a civil-service employee should have a chance to be heard; but the Senator from South Dakota never would let us inquire into that unlawful raid on the merit system. To show how absolutely unfair this was, three women were dismissed, one of them drawing $2,500, and I think the other two $2,400 each. Under an Executive order issued some time later those women were allowed to go back to work, but at just half their former salaries. Their salaries were cut in half by an Executive order. Yet the Senator says the examinations are conducted and the departments controlled through the merit system!

The President has before him a report dealing with those employees who were so summarily and unlawfully dismissed from the Bureau of Engraving and Printing. He has had it for weeks, and it exonerates the men and women he dismissed; but he will not give it out. He is letting men and women remain out of employment, living under the stigma of having been dismissed "for the good of the service," when everybody, including the Senator from South Dakota, knows that they were dismissed in order that active Republicans might have their places. As I said, these three women were finally put back to work in the departments under another Executive order, at just half their former salaries, with a statement that it would disarrange the Bureau to put them back in their old places, from which it is admitted that they were dismissed without any justification at all. I complain of the system as it is administered. I do not believe any Senator here wants patronage. It never got any Senator any votes, I am sure.

Senator POINDEXTER speaks of the Wilson administration. After President Wilson made an order that postmasters should be selected after examination and qualification by the Civil Service Commission, I never heard of anyone using any influence to prevent the person making the highest grade getting the office. I can say positively, so far as my information goes, that every man who made the highest grade got the place. I never undertook to interfere with it, and I do not know of any of my Democratic colleagues who did. We respected the order. To say that there shall be three eligibles, out of which a Republican Member of Congress or Senator may select one to be appointed is a camouflage, because the one they want always gets on the list. The Civil Service Commission being wholly Republican now, always gets on the eligible list the one the Congressman or the Federal patronage broker, whoever he may be, wants. If there is no line of communication open between the politicians and the Civil Service Commission on this matter, how does the commission always find out which one of the Republicans is wanted? He is always on the list. There is not a case in my State where the organization wanted some one that he did not get it. If a man could not pass the examination, they came up here and talked confidentially and quietly with the Civil Service Commission, and then the commission found out it had made a mistake; that the candidate had great executive ability or large business experience, which he himself did not know about when he filed his application for examination, because he was required to set that out. After he said everything about himself that he could think of, and then was not found eligible, the referee came up and reminded the commission that he remembered that the applicant had very many good qualities as a business man, and they looked over the case, raised the mark, and put him on.

In my State—and I venture to say the same is true of the Senator's own State—there is not a man the Republican organization wanted it did not get, civil service or no civil service, merit system or no merit system. Then he has the temerity to laud a system which everybody knows is being administered for the political advantage of the party in power.

Mr. McKELLAR. Mr. President, I want to call the Senator's attention also to the way in which the soldiers are treated under this administration. The Senator will remember that by law we gave the soldiers a preference, and that is arranged in this way: In the administration of the law the Civil Service Commission adds 5 per cent to the soldier's mark, and frequently puts soldiers on the eligible list. In other words, they give him the preference; but they give the regular Republican politician the office.

Mr. CARAWAY. The soldier gets the preference and the Republican gets the office?

Mr. McKELLAR. That is exactly what happens.

Mr. CARAWAY. There was in my State a man who served in the Spanish-Ameriran War and was overseas two years in the late war. He had a post office down there, the appointment to which he got under an examination. They required him to give it up so that they could put a Republican in the office. They are removing all of the Democrats. Yet there are Senators who eulogize that system as nonpartisan and fair. I challenge any Republican on this floor to name a single postmaster who got into office over the objection of the Republican organization. It is perfectly foolish to pretend that you are observing the merit system. You know you are not doing it.

Mr. McKELLAR. I call the Senator's attention to another matter. There is a little city in my State by the name of McKenzie. Three soldiers who were Democrats were put on the eligible list, and thereupon the party bosses demanded a rehearing. They ordered a new examination on the theory that McKenzie had been changed from a third-class post office to a second-class post office in the meantime. I protested, and that was the only time my protest ever amounted to anything with the civil service. They did withdraw the order and finally appointed one of the three eligibles, all of them being soldiers. But in the meantime, as I recall, for quite awhile they had in the office a Republican as temporary postmaster.

I want to call the Senator's attention also to the fact that they appoint "acting" postmasters. For instance, a man was brought from the county seat of another county to Gallatin and made "acting" postmaster, and he was allowed to be "acting" postmaster for two years, in violation of the law, so that he could then stand the examination and get on the eligible list, which was done.

Mr. CARAWAY. The method of treating soldiers having been referred to, let me state this, that two of the men who were dismissed from the Bureau of Engraving and Printing were soldiers and entitled to preference in employment under the law. Yet the Senator from South Dakota would not even let us inquire into those dismissals, because he knew it could not be excused or justified. One man was dismissed so that a man could be given his place who had been a bookmaker, a tout, and a pimp, and everybody knew it. Another employee of the bureau was dismissed to make a place for a man who was then being sued by his wife, and a letter was filed showing that he had been criminally intimate with a girl 15 years old and was trying to have her visit a certain doctor, whom he was going to pay. The President gives that kind of men places and turns out ex-service men, and the Senator from South Dakota would not even let us inquire about it. Then he asks us to accept his statement that this great system is a merit system, and that the committee over which he presided investigated fairly the charges made against the system. I know there was no fair investigation at all, and the Senator from Louisiana now admits that he could not recall a single one of those cases. I know if he had gone into them he would not have signed the report.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee.

The amendment was rejected.

Mr. POINDEXTER. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 31, after line 13, insert the following:

For the construction of a national archives building in Washington, D. C., on square east 88, including mechanical equipment, and the drafting of plans and specifications, which plans and specifications shall provide for a building not to exceed $2,500,000 in total cost, $500,000, said sum to be disbursed and the building to be erected under the direction and supervision of the Supervising Architect of the Treasury.

Mr. NORRIS. Mr. President, my attention was diverted as that was read, but, as I understand, this is a provision for a new building, to be called the archives building?

Mr. POINDEXTER. It is a proposition to provide $500,000 at this time.

Mr. NORRIS. I would like to inquire of the chairman of the committee if the committee is going to accept that amendment? Is there any objection to that amendment?

Mr. WARREN. There is no objection on the part of the committee, so far as I know. There has been a designation of the location. This is a provision for a building not to exceed $2,500,000 in cost, $500,000 to be appropriated for starting the work.

Mr. NORRIS. I dislike very much to take issue with the Senator from Washington and with the chairman of the committee on this proposition. I am not sure that if there was full investigation made of the matter I might not feel favorable to the amendment. But here it comes on the floor of the Senate without having been considered by the committee, so far as I know, or any investigation made of it.

Mr. POINDEXTER. I would like to suggest to the Senator that it has been before the committee a number of different years and has been approved by the committee at different times, and such an amendment has been agreed to by the Senate several times. It is in pursuance of existing law.

I hope the Senator will not oppose it. I think it has been demonstrated in the long consideration which has been given it—as a matter of fact, it has been under consideration for about nine years—that it is in the interest of economy.

Mr. NORRIS. I know, as all such expenditures always are. That is always given as a reason for every appropriation I have ever known to be made.

Mr. POINDEXTER. That may be true, but it is not always demonstrable, as it is in this case.

Mr. NORRIS. Let me ask first whether this is in accordance with existing law? Is that true?

Mr. POINDEXTER. Yes; it is.

Mr. NORRIS. Have we such a statute?

Mr. POINDEXTER. We have. In the public buildings act of 1913 an archives building was provided for. In an amendment to that act, passed later on in a separate statute, in which the act was changed to some extent, all doubt as to the authorization of the building was removed, some question having been raised as to the language of the original act. The building was expressly authorized. The pending amendment, I may say to the Senator, is for a building on property already owned by the Government.

Mr. NORRIS. That is another question I was going to ask the Senator. Has the Government already title to the property?

Mr. POINDEXTER. It already has title to it.

Mr. NORRIS. That removes to a great extent the objection I was going to urge. I am glad to hear that. However, I want to say a few words on the amendment.

Mr. McNARY. Mr. President, I should like to know something about the status of the amendment. If it does not come within the rule, I intend to invoke a point of order against it.

The PRESIDING OFFICER. The Chair understood the Senator from Washington to say that it is provided for by existing law.

Mr. POINDEXTER. That is the case, and I shall call the Chair's attention to the law. On page 22, section 21, of an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March 4, 1913, the following provision is made:

SEC. 21. That the Secretary of the Treasury be, and he is hereby, authorized and directed to prepare designs and estimates for a fireproof national archives building of modern library-stack type of architecture, containing not less than 3,000,000 cubic feet of space, suitable for the orderly storage of records, documents, and other papers which have accumulated in the various departments, independent establishments, and executive offices and in the files of the Senate and House of Representatives and are not needed for current use.

Then it proceeds with details as to the archives building.

Mr. NORRIS. That is not an authorization, in my judgment.

Mr. POINDEXTER. I will call the Senator's attention to a supplement and amendment to that act, entitled "An act to repeal paragraph 4 of section 21 of the public buildings act, approved March 4, 1913, providing for the construction of a national archives building," which is the act I just read. The amendment reads:

*Be it enacted, etc.*, That paragraph 4 of section 21 of the public buildings act, approved March 4, 1913, which reads as follows: "That before the said designs and estimates are completed inspection shall be made under the direction of the Secretary of the Treasury of the best modern national archive buildings in Europe, and consultations shall be had with the best authorities in Europe on the construction and arrangement of archive buildings," be, and the same is hereby, repealed; and the acquisition of a site for a national archives building, and the construction of the said building according to the terms of said act of March 4, 1913, is hereby authorized without such inspection and consultation in Europe.

Approved, June 28, 1916.

It seems to me that is quite a distinct authorization.

Mr. NORRIS. I am inclined to think that is right; but in pursuance of that act, was this particular real estate purchased?

Mr. POINDEXTER. The land was not acquired under that act. No land has been acquired in pursuance of the original act. The amendment provides for the construction of a building upon land which is already owned by the Government.

Mr. NORRIS. If no land has been acquired, then I was right in my belief, to begin with, that this Senator's amendment would require the purchase of real estate.

Mr. POINDEXTER. Oh, no.

Mr. NORRIS. It would not?

Mr. POINDEXTER. No; because it specifies a particular lot.

Mr. NORRIS. But as I understand it, nothing has been purchased. We would have to purchase that particular lot.

Mr. POINDEXTER. Oh, no; that lot is already owned by the Government.

Mr. NORRIS. How did the Government get title to it?

Mr. POINDEXTER. I can not inform the Senator about that. It has been owned for a considerable time by the Government. I suppose it was probably purchased along with a large part of the tract owned by the Government in that vicinity.

Mr. NORRIS. Where is the lot located?

Mr. POINDEXTER. It is located near the Pan-American Building. I think I have a diagram showing the exact location of the lot. The lot is surrounded by Twenty-first and Twentieth Streets and B and C Streets NW.

Mr. NORRIS. Oh, no; not northwest, is it?

Mr. POINDEXTER. Yes; it is northwest. The number of the lot, according to the technical description of it, is E-88 on the city plat.

Mr. NORRIS. Where is it located with reference to the present office building of the Interior Department?

Mr. POINDEXTER. It is located considerably south of that.

Mr. McKELLAR. It is west of the Pan American Building.

Mr. NORRIS. The information which the Senator has just given has cleared up to a great extent one of the objections I had in mind in regard to the proposition. There is still one matter which I think ought to be given consideration and that is the matter of economy, whether right now, when we are straining every effort to find something to tax in order to pay our debts and keep the Government running, we ought to go to the expense of $2,500,000 for this purpose. I know it can be said, and with a great deal of force, that a great many documents, and so forth, more or less important in value, are liable to be burned or otherwise destroyed because there is not a suitable place to keep them. It is, perhaps, false economy to run the risk.

But, Mr. President, I think to quite an extent the idea of building an archives building is propaganda mostly originating in the newspapers of the city of Washington—perhaps a worthy object. I am not contending but what we ought to have such a building, but I thing we ought to give very grave consideration to whether we should spend $2,500,000 in the construction of the building now when the question of taxation is so important. Everybody is trying to economize. Everybody has promised that he would try to economize in the Government. We have been proclaiming it everywhere. Everybody is asking for economy.

Mr. POINDEXTER. I do not know whether the Senator was here yesterday, but at that time in the discussion of the

same matter the Senator from Utah [Mr. SMOOT], who has made a special study of it, made the statement, which appeared in the RECORD this morning, that if provision were made for the storage of documents and papers which are now stored in rented buildings and in Government buildings, thereby releasing the space occupied by them and giving opportunity to use it for offices, several hundred thousand dollars a year would be saved. He made the statement, with reference to a million-dollar appropriation for putting up archive stacks in the Pension Office Building, that the million dollars would be saved by the Government in two years. I assume that those figures are based upon some more or less accurate calculation. I know from a long study of the general question that a great deal of money will be saved immediately the building is available.

So far as the newspaper propaganda is concerned, my interest in the proposition goes back away beyond the newspaper advocacy of it, so far as the newspapers are concerned which are dealing with the subject at the present time. I introduced the bill and it was enacted into law in 1913. I have been interested in the matter ever since. I know the Senate objected to the purchase of a piece of land, and I think a great many people thought it was sort of a real-estate deal or a real-estate promotion. In order to obviate that objection we have abandoned that feature entirely and propose to erect a building on land which the Government already owns.

Mr. NORRIS. When the Senator's bill was introduced, where was it referred? I presume it went to the Committee on Public Buildings and Grounds.

Mr. POINDEXTER. It did.

Mr. NORRIS. What action have that committee ever taken? Have they ever made a favorable report on the bill?

Mr. POINDEXTER. They made a favorable report, and the bill was passed.

Mr. NORRIS. Then we do not need to pass it now.

Mr. POINDEXTER. That was the authorization.

Mr. NORRIS. I am speaking of this building. The Committee on Public Buildings and Grounds, as I understand it, would have jurisdiction of a bill providing for the construction of the building. I am not talking about the real estate. Has that bill ever been referred to the Committee on Public Buildings and Grounds?

Mr. POINDEXTER. It was referred to that committee, acted on by that committee, reported to the Senate, and passed the Senate and House of Representatives. It is the law which I have just read.

Mr. NORRIS. I say if there is already a law in every way perfected and complete, we do not now need to authorize construction of the building. That is all there is to it.

Mr. POINDEXTER. That is true.

Mr. NORRIS. Is that true?

Mr. POINDEXTER. That is true, but the pending amendment is not an authorization. It is an appropriation.

Mr. McKELLAR. Mr. President——

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

Mr. McKELLAR. I think the Senator perhaps was not here late yesterday afternoon, when the matter was first discussed on an amendment offered by the Senator from Utah [Mr. SMOOT] to appropriate $1,000,000 for the purpose of buying stacks for these archives and putting them in the Pension Building.

Mr. NORRIS. Yes; I am familiar with that matter.

Mr. McKELLAR. I am rather inclined to think that inasmuch as we have already authorized the construction of the building and as we ought to have the building, the proposition of the Senator from Washington is the correct way of dealing with it. It is true that the Senator from Utah stated yesterday afternoon that the stacks which are going to be put up at great cost and expense can be utilized hereafter in the archives building. They will be placed in the Pension Building probably almost at the cost of stopping business in the Pension Office while it is being done. I do not see how any work can be done there while the stacks are being put in, when the floors and walls are being taken out of a building that is 50 years old. We do not know whether it will be safe after they are put there.

The Senator from Utah stated that we could use the same stacks in the building which is proposed by the Senator from Washington to be built. My own judgment is that they can not and never will be so used. The Senator knows they will be found not in accord with the new building when the time comes, and we will have to appropriate another million dollars or more for other stacks at that time, and the stacks which are to be purchased now will be thrown away.

I think the economical way to handle this matter would be to proceed to erect the buildings and in the meantime not waste the extra $1,000,000 in putting stacks in the old Pension Building.

Mr. NORRIS. An appropriation for that was not put in the bill.

Mr. McKELLAR. I understood that it was.

Mr. NORRIS. Has a million dollars already been provided in the bill to construct these stacks?

Mr. McKELLAR. That item is already in the bill.

Mr. WARREN. An item proposing to appropriate a million dollars for the construction of stacks to be used for the storage of documents and papers in the Pension Office Building has been placed in the bill.

Mr. NORRIS. Then, this appropriation should not be made.

Mr. McKELLAR. One or the other ought not to be agreed to. I am inclined to think that the other item should be disagreed to.

Mr. WARREN. The space in the Pension Office Building will be needed just as much though the archives building be constructed, unless we provide for the construction of a much larger archives building than is now contemplated, because the papers proposed to be stored in the Pension Building are the accumulation of the records of many years, including war periods, and are tremendous in quantity.

Mr. NORRIS. There is a great deal of room in the court of the Pension Office Building, where I suppose it is intended that the stacks shall be constructed.

Mr. WARREN. Yes.

Mr. NORRIS. And we shall not have to tear down any walls, as the Senator from Tennessee has stated. The Pension Building is like a great shed. In the middle of it there is a large court running up for several stories and now unusued. I suppose it is intended to fill that space with stacks.

Mr. McKELLAR. Yes; at great cost and expense. Is the Senator from Nebraska advised as to whether the old Pension Office Building, which was erected many years ago, is fireproof?

Mr. NORRIS. I do not believe it is fireproof.

Mr. WARREN. Yes; it is a fireproof building.

Mr. McKELLAR. I do not believe it is. Does the Senator from Nebraska think we ought now to expend $1,000,000 for stacks to house archives of the Government in a building which is nearly 50 years old?

Mr. NORRIS. The Senator from Wyoming [Mr. WARREN] says that the building is fireproof.

Mr. WARREN. It is fireproof.

Mr. McKELLAR. There is a very great difference of opinion about the matter, I will say to the Senator.

Mr. WARREN. It is fireproof as that term is generally understood, but, of course, there are no iron shutters over the doors and windows, as there would be, perhaps, in an archives building. The building, however, is constructed of brick and stone and metal, and the only wood in the construction, perhaps, is in the doors and interior fittings. It transpired in the discussion on yesterday that even the roof is entirely of metal and glass instead of being partly wood, as it has been claimed.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. NORRIS. Yes.

Mr. FRELINGHUYSEN. I desire to ask if Senators are discussing the question as to whether or not the Pension Office Building is fireproof?

Mr. NORRIS. That question has arisen.

Mr. FRELINGHUYSEN. I happen to know something about the construction of buildings, and I desire to say that as to storing quantities of inflammable materials, such as papers and books of the character of archives, they might as well be stored in a haymow as to be placed in the Pension Building. That building, while it may be constructed of metal and brick, is not of a fire-resisting character, by reason of the "well holes" and its open construction. If the archives of the Government are to be safely housed, they should be placed in a modern fireproof building without airshafts and elevator shafts.

Mr. KING. Mr. President——

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

Mr. NORRIS. Yes; I will yield, although while I have had the floor other Senators have been doing the talking. I wish to do some talking myself. I should like, so far as I can, to answer questions or to get additional information as I go along from the various Senators who have interrupted me. I am only seeking information.

The Senator from New Jersey has stated that placing Government archives in the Pension Building will be like placing them in a haymow, although the building is constructed of iron and

brick. I judge from his remarks that the building becomes inflammable by reason of the kind of material to be stored in it; that is, papers and documents; and, further, that the elevators and open spaces in the building create drafts, and which in case of fire would result in burning the documents which we propose to place in the building. Am I right in that conclusion?

Mr. FRELINGHUYSEN. Mr. President, I stated that by reason of its open construction the building was not fireproof or fire resisting. The Senator from Nebraska is correct in assuming that because of the open construction of the building it is dangerous, for just as soon as a fire occurs in a building of that character a draft is created and the building simply becomes a furnace. If we are going to store the records of the Government where they will be safe, we have got to provide a fireproof building, and the Pension Office Building is not, in modern parlance, a "fireproof building."

Mr. NORRIS. Very well. Now, Mr. President, as I sum the situation up, the opinion of the Senator from New Jersey is that the building itself will not burn, as it is constructed of iron and brick, and therefore can not burn; but we are going to put inside of it something which will burn; and therefore it will be a dangerous proposition, because the building is rather open in construction.

I doubt, however, whether the elevators in the Pension Building would create drafts which would be dangerous in case of a fire originating in the documents which are to be placed in the court of the building. Certainly unless the documents themselves to be put there should first catch fire they would be safe; there would be no danger of those documents burning because the building might catch fire and burn, for brick and iron do not burn. The fire would have to be started in the documents themselves. That would be true wherever the documents might be stored. They can not be made fireproof because they are made of paper.

The Pension Building, as everybody knows, has in its center a very large court; the offices are around that court; and what elevators there are in the building are not in the court but are in the rows of offices that extend clear around the building. In that court an immense amount of documents could be stored if the stacks were placed there. On yesterday, I understand, the Senate put into the bill an appropriation for $1,000,000 to construct those stacks. Now it is proposed to appropriate $2,500,000 to erect another building.

Mr. WARREN. But we now propose to appropriate only $500,000 for the new building.

Mr. NORRIS. I know it is now proposed to appropriate only $500,000, but we all know that $500,000 will not be sufficient to erect the building; in fact, the amendment itself shows that it is going to require $2,500,000 for that purpose.

It seems to me, Mr. President, that the Senators who are now talking about the Pension Building being a fire trap should have been heard on yesterday when the amendment to which I refer was adopted, but I presume no Senator said anything about it then, and if he did the Senate did not follow his judgment, and thought it was safe to put these documents in the Pension Building.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. NORRIS. I yield to the Senator.

Mr. FRELINGHUYSEN. Mr. President, I take it that the Senator from Nebraska is seeking information. While I do not pose as an expert, for 30 years I have been in the business of insuring buildings of the character under discussion. In the consideration of insurance area always has a great deal to do with the question of risk in a building which contains inflammable material. The Pension Building is a structure of tremendous area. In the event of a fire the fire would spread rapidly and could not be extinguished.

In addition to that, the elevator shafts are open. In a really fireproof building there are no light shafts, every floor being cut off separately without any such shaft; and wherever the spaces occupied by elevators or chimneys have to be carried through a floor such spaces are inclosed in brick. Furthermore, fire-resisting doors and fireproof glass is used upon all outlets to and from the shafts, which are then inclosed in an areaway. All of the openings are covered, not only with fireproof glass but with kalomine material covering the frame of the building. Every floor is separated with fire brick and a fireproofing material. In such buildings no matter how inflammable the material may be which is contained on each floor, each floor is a separate risk. That is the modern standard of construction which governs the fire rules of every city in the country, and no one connected with the National Board of Fire Underwriters, or with an up-to-date fire department, or a well-informed department of public buildings of any modern municipality would consider allowing a building to be constructed for the safeguarding of valuables or public records unless those modern methods and specifications were followed in the construction of the building.

To take a million dollars and put it in the Pension Building with the idea of providing a safe place for Government records is an absolute waste of money. A great building of that character can not be made fireproof and safe under any circumstances whatever unless it be torn down and reconstructed.

Mr. NORRIS. Mr. President, does the Senator think that the building which is going to be erected with the money which we are about to appropriate will be the kind of a building he has described?

Mr. FRELINGHUYSEN. I do not know; I have had no estimate given me, but two and a half million dollars will erect a very good fireproof building.

Mr. NORRIS. Yes.

Mr. FRELINGHUYSEN. But if the records are valuable and the object of the legislation is to procure a safe place, with the knowledge which I have of fire insurance risks and of building construction, I would advise the Senate to erect a fireproof building for them and not try to rebuild the Pension Office.

Mr. NORRIS. Mr. President, the Senator's advice reminds me of the remark of the client whom the laywer found in jail. When the client told the lawyer of the charge, the lawyer said, "Well, they can not put you in jail for that," to which the client replied, "But here I am, in jail." We have already adopted a provision to squander a million dollars, according to the Senator's idea; it is in the bill now. That was done yesterday. The object then was to provide a million dollars to put stacks in the Pension Building. That was good enough then, but now the object is to spend $2,500,000 to erect another ornamental building; and in order to provide an argument for the erection of that building we condemn the work which we did yesterday when we provided a million dollars to erect stacks.

Mr. President, from the way the Senator from New Jersey has described a fireproof building, there is not a single such building now in the city of Washington; there is not one which complies with the specifications he has outlined; and I have no doubt whatever that if this money is appropriated and the proposed building is erected it will not be the kind of a building the Senator has described.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. NORRIS. I yield to the Senator.

Mr. FRELINGHUYSEN. I venture to say there are 50 buildings of that character in the city of Washington to-day. I will furnish the Senator with a list of them, if he desires. I recall one or two factory buildings of that character now.

Mr. NORRIS. I wish the Senator would name one.

Mr. FRELINGHUYSEN. There is a building here in which bottle tops are being manufactured which is of modern construction.

Mr. NORRIS. That is not a Government building?

Mr. FRELINGHUYSEN. I am not speaking of Government buildings.

Mr. NORRIS. I am speaking of Government buildings.

Mr. FRELINGHUYSEN. The Senator said "buildings."

Mr. NORRIS. I do not know whether I used the word "Government," but I am speaking of Government buildings. This Capitol is liable to be burned down any minute, according to the Senator's idea. There are elevators all through it; there are courts in it; and there are many tons of paper and other inflammable material inside of it.

Mr. POINDEXTER. And hot air. [Laughter.]

Mr. NORRIS. The kind of documents that are going to be stored in the archives building are not the most valuable papers the Government has. As I understand, the most valuable papers are the ones that are being used from day to day; but in that building it is proposed to store papers which we may get through with and put aside, and it is thought probably they had better not be destroyed but ought to be placed somewhere so that if reference is ever desired to be made to them they may be obtained, although they may be a hundred years old. In the Senate Office Building there are many stacks along one wing of the basement where tons and tons of papers are stored.

The papers belong to the Supreme Court of the United States, but I hardly suppose that any Supreme Court Justice or a clerk or a bailiff of the court goes down there to get a paper a half dozen times a year. They are papers in old cases which have been disposed of; but it may be that occasionally reference will be made to some paper which it will be necessary to pro-

cure, and so they are placed where it will be possible to send and get them.

That is the kind of papers, as I understand, that are going to be put into this new building. The Government would still live if it burned and all of them were destroyed; but, Mr. President, I anticipate that no such building will be constructed. It will have elevators in it; it will have different stories; there will be stairways in it, all made of fireproof material. If you should carry in a lot of combustible matter and put it in there, it might burn up. The building probably would still stand. So the standard that is set up as to the Pension Building is such a perfect one that it is not going to apply to this other building either. It is perfectly foolish, it seems to me, for the Senate to spend $1,000,000 to build stacks in one building that I think, from what has been said about it, is as fireproof as any of the other buildings and then the very next day provide $2,500,000 more to build some more stacks in another building. I want to say that the time will come when we ought to construct this building; but right now, Mr. President, when we are straining every nerve to keep the old ship of state going without getting more heavily mortgaged, we ought to hesitate before we go into this kind of business. It may be that we will lose something by doing what I advocate; but we have lived a good many years without this building, we still have the valuable documents, and we can keep on awhile, I think, until we are in better shape financially to do it.

Mr. President, 20 years ago I came to the House of Representatives. I was put on the Committee on Public Buildings and Grounds. One of the first things that I ever did officially was to listen for several days to gentlemen talking in favor of an archives building. They showed that we had all kinds of documents that were in danger every day; that we might have a fire before night and make the Government absolutely bankrupt; and therefore that we had to have an archives building, and have it at once. There was a great propaganda in favor of it in the city of Washington. Every newspaper was filled with articles demonstrating the necessity of an archives building to save the old records. For days and days and months and months that went on; and these people came before that committee, composed of some good men and some suckers like me, and they poured that kind of argument into us until we were frightened. We thought the Government was going to fail. I did not sleep nights for fear a fire might take place and the whole thing might go up in smoke, and I could not hurry fast enough to help get that bill out of the committee. We reported it; we provided for the purchase of a square of real estate; and the propaganda for an archives building died the very minute we passed the bill and appropriated the money to buy the land upon which we should build it. We never heard anything about it until about 20 years had elapsed. Now again comes this great cry for an archives building. I was suspicious of it until I saw that we were going to build it on land that we already own, and then I confess that a good deal of my suspicion vanished.

The fact was, I think, that behind it all was a coterie of fellows who owned a whole block of land that they wanted to sell to the Government of the United States at a good price, and when they put it across they forgot all about the safety of these sacred documents.

Probably we made a good deal, because that land has become very valuable. It is the land where one of the best buildings that the Government owns now stands. We forgot the archives building so completely that about 15 years afterwards we provided for the erection of the present Interior Department Building on that square.

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

Mr. NORRIS. Yes.

Mr. WARREN. The Senator is relating some circumstances and details as to one part of which I am ignorant. I realize that we bought the block the Senator mentions, costing us $500,000, and I realize that one of the best office buildings we have now occupies it—that is, the Interior Department Building—but I do not realize, I do not remember, and I rather doubt whether the Congress had anything to do with putting the Interior Department Building on that block. However, that is not the point.

Mr. NORRIS. Oh, yes; the Congress did. It is perhaps quite immaterial, but it is within my recollection when we provided for the construction of that building. It could not have been constructed without an act of Congress, I take it.

Mr. WARREN. There is no specific appropriation for it; I am certain of that; but that does not matter at all.

Mr. McKELLAR. It was built before the war, was it not?

Mr. NORRIS. Yes. There is no doubt, however, but that the people who erected that building have been paid for it.

Mr. WARREN. Of course they have.

Mr. NORRIS. I do not imagine that somebody sneaked up on Uncle Sam and constructed that building without making any charge for it.

Mr. WARREN. In other words, it was a part of one of the great lump sums that we very often appropriate, and the officials use them as they choose.

Mr. NORRIS. No; I think the Senator is mistaken about that. Maybe he is not; but at least the building has been constructed, and I think Uncle Sam paid for it.

Mr. WARREN. Yes.

Mr. NORRIS. It is there and it is a good building, I think the best we have; so it may be that it turned out all right in the end.

Mr. President, to my way of thinking, the matter reduces itself down to a matter of economy only. It seems to me we ought to hesitate before we make this appropriation, before we start on this building, which we can get along without for some time. We shall have to construct other buildings in the city of Washington. There is other land that we have purchased for the purpose of erecting Government buildings on, but we are not doing it now. We are waiting because we have spent all our money; and it seems to me it is the part of wisdom to wait still longer, until Uncle Sam has more money. We ought not to branch out now, especially when we are going to fit up the Pension Building with a lot of stacks that will take care of the condition.

Mr. UNDERWOOD. Mr. President, I want to say just one word in reference to this matter.

We have in the bill an appropriation of a million dollars to fireproof, or attempt to fireproof, the Pension Building. After listening to the statement made by the Senator from New Jersey [Mr. FRELINGHUYSEN]—who, I know, with his experience in insurance matters, is an expert on these questions—I have become convinced that what he says is true; we are not going to accomplish the fireproofing of the Pension Office in this way. We have in the bill a million dollars. We own the land, block 88, on which it is proposed to build an archives building. It will cost only a million and a half dollars more to build the right kind of a building. I take it that if the Senate puts in the appropriation for an archives building it will strike out the appropriation for building the stacks.

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

Mr. UNDERWOOD. Yes.

Mr. KING. I do not think the conclusion of the Senator is correct, if I understood the position of the senior Senator from Utah [Mr. SMOOT] and the committee and the reasons prompting them to recommend the appropriation of a million dollars for stacks. Their position, as I understand it, is that we will spend a million dollars for the installation of stacks in the Pension Building; then we will spend two and a half million dollars for the construction of an archives building; and after it has been completed, it is contended that we may use those stacks, which cost a million dollars, and transfer them, together with their contents, from the Pension Building to the archives building; so that we will be spending three and a half million dollars.

Mr. FLETCHER. Mr. President, may I interrupt the Senator just to add a little more to what the Senator from Utah has said?

The senior Senator from Utah [Mr. SMOOT] claims that by putting these stacks in the Pension Building we would not only utilize space there that is now available in a fireproof building, but we would save the rental of space now being taken up by the presence of these papers that will be brought to the Pension Building. We are now paying very high rent for that space; and in his argument yesterday the Senator stated that we would save some five or six hundred thousand dollars a year in rent if we had these stacks in the Pension Building.

I merely mention that.

Mr. UNDERWOOD. Mr. President, I thank my friends very much for their interruptions. They may be right about it and I may be wrong about it; but I just want to express my viewpoint. Of course, I know that the senior Senator from Utah [Mr. SMOOT] is a very earnest and active Member of this body, and a very influential one; but in the last analysis the Senate has to determine this question. It is not a political question. It is a purely business question.

I want to say that in the beginning I was disposed to take the viewpoint of the senior Senator from Utah. I thought here was a great space that we could use in which to put stacks, and I knew that the Pension Building, so far as its construction was

concerned, was almost fireproof; that is, it has no inflammable material in it except the doors and windows, because I have been in the building many times and have examined it; but after I listened to what the Senator from New Jersey [Mr. FRELINGHUYSEN] said, I realized that the inflammable thing in regard to preserving these papers is not the building, but it is the papers themselves.

We are going to prepare to build a bonfire, and we must prepare to stop it, to localize it. So I think the position that the Senator takes is correct, and that if we want to accomplish this purpose, so far as fireproofing is concerned, the only way we can do it is to erect a building for that purpose. I think when the bill goes into the Senate, if the Senate puts $2,500,000 in here to construct this building, it probably will not agree to the other $1,000,000 item; and that is a question that can come before the Senate for consideration.

I listened with much interest to what my friend from Nebraska [Mr. NORRIS] said about the agitation for an archives building 20 years ago. I was in the same crowd with the Senator that thought we had to buy this land.

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

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New Jersey?

Mr. UNDERWOOD. I yield.

Mr. FRELINGHUYSEN. I do not want the Senator to be under a misapprehension as to my statement. The Senator from Nebraska was speaking of the Pension Building as a permanent building for the storing of the archives, and the spending of $1,000,000 to make it fireproof. I said that I did not believe $1,000,000 would make it fireproof; but, as I understand the object of the appropriation, $950,000 of the appropriation is to be applied for the purpose of furnishing files and stacks and places to store the public records temporarily until an archives building, properly constructed, can be built, and the appropriation and this improvement will save $600,000 in rent. I therefore believe that the appropriation is warranted. The interrogatory of the Senator from Nebraska was in regard to the expenditure of $1,000,000 in repairing that building to make it fireproof, and upon that I made my statement.

Mr. UNDERWOOD. I understood the Senator's statement. I am only making my statement. I do not think it is worth while for us to provide a temporary place to file these archives if we are going to provide a permanent place, because in the last analysis it will not take two years to build this archives building if we make the appropriation now and start at it. It will probably take the best part of a year to put in the stacks to take care of the papers temporarily.

I am not in accord with my friend from Nebraska that we do not need an archives building, although I remember our enthusiasm at the time. I think we do. Several years ago I was opposed to an appropriation for that purpose, because they were going to stop up one of the streets; but I think we do need an archives building.

Mr. NORRIS. I agree with the Senator. The Senator misunderstood me. I think we do need an archives building, but I question the advisability of appropriating the money now.

Mr. UNDERWOOD. I think we do, because they have a great many valuable and historical records, not merely of money value but records of the Great War, and if they were destroyed and the Government lacked evidence with which to defend itself, it might cost tens of millions of dollars. But, more than that, there are historical documents which should be preserved for the future. We owe something to those who come after us, and I think there should be a proper place to store the records.

There is in this bill an appropriation of a million dollars for a temporary building, to be erected on Government ground. There is no real-estate speculation involved in this proposition; but the building is to be erected on our own land, where there is now a temporary building of lath and plaster which will have to be pulled down in a year or two, a building erected for war purposes, which is now of no value. To appropriate two and a half million dollars for an archives building that may last hundreds of years instead of spending a million dollars for a temporary matter seems to me to be a good business proposition, and I am in favor of accepting the proposal of the Senator from Washington and making it a permanent matter and let the temporary proposal go out. I have simply said that to explain how I would vote on the proposition.

Mr. McKELLAR. Mr. President, I desire to ask a question of the Senator from New Jersey, who seems to be familiar with construction. It is proposed here that stacks which are to be used for the proposed improvement in the Pension Building may be used for a future fireproof building. Is that feasible or not?

Mr. FRELINGHUYSEN. Absolutely feasible.

Mr. McKELLAR. Then would you not have to build a building to fit the stacks, and would it not be very much better to build a building and then build the stacks, or have the stacks manufactured to fit the building?

Mr. FRELINGHUYSEN. I understand the plan is to build these stacks, or filing cases, or steel vaults, or receptacles for paper, of steel—whatever you are pleased to call them. The Senator has seen them, no doubt. He probably has some of them in his office, painted green. They are simply piled up on top of each other.

Mr. McKELLAR. I understand.

Mr. FRELINGHUYSEN. They are simply receptacles for papers and records. They are to be seen in every county clerk's office. Those things are movable and can be put in the archives building and the records stored there.

Mr. McKELLAR. I understand that, but instead of erecting a great new building, such as is proposed by the Senator from Washington, to cost probably two and a half million dollars, would it not be very much better to have the kind of stacks that would fit in with that building, rather than to have stacks that are gotten haphazard from an old building?

Mr. FRELINGHUYSEN. I do not think there would be any loss whatever in the equipment of the building.

Mr. McNARY. Mr. President, against this amendment I want to invoke Rule XVI. I am not responsible for this rule; indeed, I opposed it on the floor of the Senate when it was proposed, but I want to see it impartially enforced in all cases. During the consideration of the Agricultural appropriation bill, whether it agreed with my feelings or not, whatever my state of mind might have been at that time, I tried in every way to have the rule enforced when I thought it was proper to do so.

I understand this amendment has not been estimated for by the Bureau of the Budget, and has not been reported by the Committee on Appropriations. Indeed, if it is an item as important as we are told it is, certainly the Director of the Bureau of the Budget would have had some estimate made, some one would have appeared before the committee in regard to it, and after a careful consideration the committee would have made some report to the Senate on the item. This item being entirely overlooked, I suggest that it comes within Rule XVI, and I invoke that rule at this time.

Mr. POINDEXTER. Mr. President, if the Chair will bear with me a moment, my friend the Senator from Oregon is mistaken as to the matter of the Budget. This item is estimated for on page 458 of the Budget, under the head of "Public buildings."

Mr. McNARY. Will the Senator yield at that point?

Mr. POINDEXTER. Certainly.

Mr. McNARY. Does that appertain to the item carried in this bill? Does it not appertain to a provision in another bill? I am told by the clerk of the committee that it was not estimated for by the Bureau of the Budget.

Mr. LENROOT. The Senator from Washington has the Budget for the wrong year.

Mr. McNARY. I thought so.

Mr. POINDEXTER. It is probably repeated in this year's estimate. I think it is carried in the current Budget. Aside from that question, I do not understand that the portion of the rule to which the Senator refers is applicable in a case where the appropriation is to carry out an existing law, as is the case here.

Mr. LENROOT. Where is the law for the building of an archives building?

Mr. POINDEXTER. It has been gone into at considerable length. I hand the Senator a copy of it.

The PRESIDING OFFICER. The Chair would like to hear the Senator from Oregon on the point suggested by the Senator from Washington.

Mr. McNARY. The point I made was that it was not estimated for by the Bureau of the Budget, and I think the Senator from Washington will concede that statement to be a true one. Secondly, it has not been estimated for by the committee, nor is a provision for it contained in this bill. I am not conversant with any existing law on the subject. There is, perhaps, an authorization for some such building.

The PRESIDING OFFICER. Let the Chair read two paragraphs he is bound to consider in determining this matter, a portion of clause 1 of Rule XVI, reading as follows:

> No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law.

That is all that bears directly on this question. Then Public Act No. 119, Sixty-fourth Congress, approved June 28, 1916, in part reads as follows:

And the acquisition of a site for a national archives building and the construction of such building, according to the terms of said act of March 4, 1913, is hereby authorized, without such inspection and consultation.

The Chair would like to hear the Senator from Oregon on that point.

Mr. McNARY. As I said, I am not familiar with that provision. It seems to be an authorization which has not been taken into consideration by the Director of the Budget or by the committee this year. This amendment is offered by the Senator from Washington without either of the other elements accompanying it. I would like to ask the chairman of the committee having the bill in charge if anyone appeared before the committee, or if any estimate was made relating to this?

Mr. WARREN. I will answer to the Senator by saying that were it not for the explicit law which was passed regarding the construction of the building, the point of order would rest very easily upon Rule XVI, which the Presiding Officer has read, together with the fact that it has not been estimated for this year. It was not considered in the committee in its hearings, in the first place, because it was not estimated for, and because of the fact that it had been so many times figured upon. But when the bill was brought upon the floor, and most of the members of the committee were here, they talked together about it and decided that it was a good time to let it go in and see what can be done with it in the House. Of course, it would have to be concurred in over there.

I will leave the point of order to the Chair. There is no doubt that a point of order would lie against the proposition except for the fact that it carries out existing law, as the Senator from Washington has said.

Mr. McNARY. Did anyone appear before the committee and ask for this appropriation?

Mr. WARREN. No; except here upon the floor.

Mr. POINDEXTER. That is true, so far as this particular provision is concerned——

Mr. WARREN. It has been put into the bill repeatedly heretofore by the committee.

Mr. POINDEXTER. It has been favorably acted upon by the committee heretofore.

Mr. WARREN. Yes.

The PRESIDING OFFICER. (Mr. WILLIS in the chair). The Chair is ready to rule. Without a doubt, the amendment proposed by the Senator from Washington does add a new item of appropriation. The only question, therefore, is this: Is it to carry into effect an act authorized by existing law, or, in the terms stated in the rule, "unless it be made to carry out the provisions of some existing law"?

The portion of Public Act No. 119 approved June 28, 1916, which the Chair read a moment ago, seems to the present occupant of the chair to be an authorization. The Chair is therefore compelled to overrule the point of order. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. POINDEXTER].

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I do not propose to take the time of the Senate at length, because I know the chairman of the Committee on Appropriations is very anxious to have this bill passed to-night. I want to make a brief statement in reference to the Tariff Commission item.

Mr. FLETCHER. May I interrupt the Senator to say that I do not see that it is possible to pass the bill to-night. It is now 5 o'clock, and there are some other amendments to be offered.

Mr. FRELINGHUYSEN. I have no objection to the observation of the Senator; but I thought he wanted to ask me a question. I desire to continue my statement, and then will leave the bill to its own fate.

Mr. FLETCHER. The Senator was proceeding on the supposition that the bill is going to be passed to-night.

Mr. FRELINGHUYSEN. Under the Tariff Commission item there is an appropriation for administration of $680 000, and $20,000 for printing and binding. The commission asked for a million dollars, and I had intended to offer an amendment increasing the appropriation to that amount. Of course, under Rule XVI that would be subject to a point of order.

I wrote to the chairman of the Tariff Commission and asked him as to the sufficiency of this appropriation. I have his reply, which I shall ask may be inserted in the RECORD, but I will read just a paragraph:

The Tariff Commission submitted in regular course, through the Bureau of the Budget, a supplemental estimate for the fiscal year 1923, in the sum of $250,000, and its regular estimate for the fiscal year 1924, in the sum of $1,000,000.

It was admitted by the chief of the bureau that the needs of the Tariff Commission were $1,000,000. I desire to point out briefly to the Senate the importance of the Tariff Commission's work under the new act of September, 1922, and to urge upon the Appropriations Committee the necessity of giving the Tariff Commission all of the money necessary for them to carry on their investigation and surveys which under the law they are authorized to make. It would be false economy for the Government in any way to restrict them.

At the present time there is nearly $600,000,000 of income through the revenue act. The stability of the present tariff rests upon the flexible system imposed in that act and the service to be rendered by the Tariff Commission in making the studies. At the present time the woolgrowers, the cattlemen, and others are asking for information regarding conversion cost. The Senate will call upon the commission for information. It is vital almost in carrying out the act that the commission be allowed proper appropriations to secure the necessary personnel in order that they may carry on and that the hundred cases now being investigated, including studies of the chemical tariff, as well as the pottery tariff, should be carried on.

I ask unanimous consent that the letter may be printed in the RECORD.

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

The letter is as follows:

UNITED STATES TARIFF COMMISSION,
*Washington, January 12, 1923.*

Hon. JOSEPH S. FRELINGHUYSEN,
*United States Senate, Washington, D. C.*

MY DEAR SENATOR FRELINGHUYSEN: Receipt is acknowledged of your letter of January 10, in regard to the sufficiency of the appropriations proposed in the pending deficiency bill and in the independent offices appropriation bill, to cover the expenses of the Tariff Commission during the fiscal years 1923 and 1924, in connection with the duties of the commission under section 318 of Title III of the tariff act of 1922.

The Tariff Commission submitted in regular course, through the Bureau of the Budget, a supplemental estimate for the fiscal year 1923, in the sum of $250,000, and its regular estimate for the fiscal year 1924, in the sum of $1,000,000. In submitting these estimates the commission was careful to state that they were regarded as the minimum amounts necessary to enable the commission to carry on the work imposed upon it by the several provisions of law relating to the commission. We are still of the same opinion.

While it is not possible to forecast with mathematical exactness the number and extent of investigations which may be required, or the expense of such investigations, either in the ordinary course of the commission's work or in connection with such applications as may be submitted under section 315 or in pursuance of the requirements of sections 316 and 317 or under the provisions of section 318, it is inevitable that such investigations, if adequately conducted, will in the course of a year necessitate the expenditure of more than the proposed appropriation.

It is believed that the commission should not be restricted by an insufficiency of funds with which to carry on the work thoroughly and with such promptness as to make it effective.

Very truly yours. THOMAS O. MARVIN, *Chairman.*

Mr. WARREN. Mr. President——

Mr. McKELLAR. Mr. President, will the Senator from Wyoming yield to me to make a correction?

Mr. WARREN. I yield.

Mr. McKELLAR. From the proceedings of this morning I quote a short paragraph from the remarks of the Senator from Massachusetts [Mr. LODGE]:

Mr. President, I merely wish to remind the Senator that during the eight years of Mr. Wilson's administration there were something over 60 resolutions of inquiry with regard to Mexico adopted by the Senate and sent to him, all, so far as I remember, properly worded, but not the slightest notice was ever taken of one of them.

I now call the attention of the Senate to a report entitled:

AFFAIRS IN MEXICO.

Message from the President of the United States, transmitting, in response to a Senate resolution of January 6, 1916, certain information relative to affairs in Mexico.

On February 17, 1916, it was read, ordered to lie on the table, and be printed.

Also, a "message from the President of the United States, transmitting a report from the Secretary of State, in response to a resolution of the Senate, June 19, 1919, in respect to claims against Mexico for the destruction of life and property of American citizens in that country," which was on August 1, 1919, read, referred to the Committee on Foreign Relations, and ordered to be printed as a Senate document.

This was the message:

*To the Senate:*

I transmit herewith a report from the Secretary of State in response to the resolution adopted by the Senate on June 19, 1919, in respect to claims against Mexico for the destruction of life and property of American citizens in that country.

WOODROW WILSON.

THE WHITE HOUSE, *July 31, 1919.*

Mr. WARREN. Will not the Senator put those in the RECORD without occupying our time?

Mr. McKELLAR. It will take but a moment longer.

There was a third "message from the President of the United States, transmitting, in response to a resolution of the Senate of June 19, 1919, a report of the Secretary of State in respect to the action taken by the United States with relation to the protection of landed estates of American citizens in Mexico," which was likewise, on August 11, 1919, read, referred to the Committee on Foreign Relations, and ordered to be printed.

I insert these in the RECORD for the purpose of showing that the Senator from Massachusetts was mistaken this morning in stating that no messages in response to similar resolutions had ever been sent in by President Wilson during his administration.

Mr. SMOOT. The Senator does not mean to say those messages were in response to the only resolutions the Senate passed in reference to the matter mentioned by the Senator from Massachusetts?

Mr. McKELLAR. Oh, no; but I call the attention of the Senator from Utah and the Senator from Massachusetts to the statement which the latter Senator made this morning:

All, so far as I remember, properly worded, but not the slightest notice was ever taken of one of them.

I have read three.

Mr. SMOOT. Out of 60 there were 3 to which response was made.

Mr. McKELLAR. The three reports were so comprehensive that it was probably not necessary to have all of them answered. The Senator from Utah, however, may be as badly mistaken as was his colleague.

Mr. WARREN. Mr. President, I wish to submit a unanimous-consent request. I notice that certain amendments are to be offered to the bill on the part of the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from Tennessee [Mr. McKELLAR]. I know from the nature of the amendments and their purpose that they will consume a good deal of time. We have been in constant session now many hours. In view of the ceremonies here to-morrow, I ask unanimous consent that when the Senate concludes its session to-morrow, it shall take a recess until Monday at the regular hour of 12 o'clock; that calendar day may be Tuesday instead of Monday; that at not later than 4 o'clock on Monday all debate on the pending bill shall cease, and the amendments and the bill shall proceed without further debate to a vote.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

Mr. McKELLAR. Reserving the right to object, I have certain amendments, as the Senator knows, about which I think I can say all I want to say in a very short time, because I intend to lump them, as I said to the Senator. I would like to be certain to have enough time to discuss them. I do not know what arrangement has been made, and I do not know how the time is to be allotted.

Mr. WARREN. I know of only three Senators whom I have mentioned, all of whom are now on the floor, and I am giving four hours, so far as I am concerned, exclusively to those Senators.

Mr. McKELLAR. Very well. In view of what has been said by my colleague, I am going to offer no objection.

Mr. FLETCHER. I think the chairman of the committee had better modify his request a little, because I do not know that we can enter into a unanimous-consent agreement to vote without a roll call. We can agree to end debate at 4 o'clock, of course.

Mr. WARREN. I shall modify the request in that respect.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

Mr. JONES of Washington. Mr. President, as I understand, the Senator included in his request something about calendar Monday. I would suggest to the Senator that he simply include in his request a recess until 12 o'clock Monday. I will say, so far as having charge of the unfinished business, that I shall on Monday, at the close of the proceedings, move to adjourn until Tuesday so we will have a morning hour.

Mr. WARREN. So we shall have the morning hour?

Mr. JONES of Washington. Yes; we will have a morning hour on Tuesday.

Mr. WARREN. With that assurance, I am willing to omit that portion of the request.

Mr. McKELLAR. That is entirely satisfactory.

Mr. FLETCHER. That involves the question whether the majority will permit us to have the calendar or not. Under the rule we are obliged to take up the calendar on Monday unless by unanimous consent to the contrary. I think we ought to agree to consider the calendar on Tuesday.

Mr. WARREN. I think the Senator should be satisfied with the assurance given by the Senator from Washington.

Mr. FLETCHER. If the Senator from Washington moves to adjourn on Monday afternoon, that will give us a morning hour, but it may or may not give us the calendar.

Mr. JONES of Washington. I will say frankly that, as the Senator probably knows, the Senator from Minnesota [Mr. KELLOGG] is very anxious to bring up the banking bill, which was up before, having to do with the taxation of national banks.

Mr. FLETCHER. I thought probably the Senator could do that after 4 o'clock on Monday. We close debate on the appropriation bill at 4 o'clock on Monday.

Mr. JONES of Washington. That might be possible. If we could get that bill through on Monday, of course we would have the morning hour on Tuesday. I am perfectly willing to give the morning hour for the calendar.

Mr. KING. Would the Senator be willing to give the morning hour on Tuesday and the remainder of Tuesday to the call of the calendar and the bill of the Senator from Minnesota?

Mr. JONES of Washington. Yes; I am perfectly willing to do that.

Mr. KING. With that understanding, that we may have Tuesday for the calendar and the measure of the Senator from Minnesota——

Mr. JONES of Washington. No; I do not mean all day. I mean the morning hour.

Mr. KING. I meant all day.

Mr. JONES of Washington. Oh, no; I do not want to do that. I thought the Senator referred to the morning hour, which is of course two hours.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming, as modified by the suggestion of the Senator from Washington? The Chair hears none, and the unanimous-consent agreement is entered into.

The agreement was reduced to writing, as follows:

It is agreed by unanimous consent that at the conclusion of the memorial exercises on to-morrow the Senate will take a recess until 12 o'clock, meridian, calendar day of Monday, January 22, 1923; and that at not later than 4 o'clock p. m. on said calendar day all debate shall cease on the bill H. R. 13696 and all amendments that may be offered thereto.

DEPARTMENTAL USE OF AUTOMOBILES.

The PRESIDING OFFICER (Mr. WILLIS) laid before the Senate a communication from the Superintendent of the State, War, and Navy Department Buildings, in response to Senate Resolution 399, agreed to January 6, 1923, relative to the number and use of automobiles by that office, which was ordered to lie on the table.

SENATOR FROM TENNESSEE.

Mr. SHIELDS. Mr. President, I present the certificate of election of my colleague, Senator KENNETH McKELLAR, as a Senator of the United States from Tennessee, to be effective March 4 next. I ask that it be read and placed on file.

The credentials were read and ordered to be placed on file, as follows:

TENNESSEE EXECUTIVE CHAMBER,
*Nashville.*

CERTIFICATE OF ELECTION.

*To the President of the Senate of the United States:*

This is to certify that on the 7th day of November, A. D. 1922, Hon. KENNETH McKELLAR was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1923.

Witness his excellency our governor Austin Peay and our seal hereto affixed at Nashville, this 17th day of January, in the year of our Lord 1923.

[SEAL.] AUSTIN PEAY, *Governor.*

By the governor:

ERNEST N. HASTON,
*Secretary of State.*

SENATOR FROM WASHINGTON.

Mr. JONES of Washington. Mr. President, I present the credentials of C. C. DILL, chosen a Senator from the State of Washington for the term beginning March 4 next. I ask that the credentials be read and placed on file.

The credentials were read and ordered to be placed on file, as follows:

UNITED STATES OF AMERICA,
THE STATE OF WASHINGTON.

CERTIFICATE OF ELECTION.

This is to certify that at the general election held in the State of Washington on the 7th day of November, 1922, C. C. DILL received the highest number of votes cast for the office of United States Senator of said State of Washington and was therefore duly elected to said office, as appears from the official returns of said election duly transmitted to the secretary of state of said State, as duly canvassed and certified in the manner provided by law.

In witness whereof I have hereto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 2d day of January, A. D. 1923, and of our State the thirty-fourth year.

[SEAL.] LOUIS F. HART, *Governor.*

By the governor:

J. GRANT HINKLE,
*Secretary of State.*

PETITION.

Mr. LADD presented a petition of 42 citizens of Ray and vicinity, in the State of North Dakota, praying for the repeal in existing law of the discriminatory tax on small-arms ammunition and firearms, which was referred to the Committee on Finance.

REPORTS OF THE COMMITTEE ON MILITARY AFFAIRS.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3942) for the relief of John H. McAtee, reported it without amendment and submitted a report (No. 1026) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 4315) to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, reported it without amendment and submitted a report (No. 1028) thereon.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. PHIPPS. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 13660) making appropriations for the government of the District of Columbia for the fiscal year ending June 30, 1924, and for other purposes, and I submit a report (No. 1027) thereon.

I give notice that I shall call up this bill for consideration possibly on Monday or at the first opportunity. The committee also favors certain amendments which they have not included in the bill, which we propose to offer on the floor of the Senate. I ask permission that these amendments may be printed, so that they will be available for the information of Senators.

The PRESIDING OFFICER. Without objection, that order will be made.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. CAPPER. I report back favorably without amendment from the Committee on Military Affairs the joint resolution (H. J. Res. 261) for the appointment of three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers. The joint resolution has passed the House and it is unanimously reported by the Military Committee. I ask for its immediate consideration.

Mr. KING. Let it be read.

The Assistant Secretary read the joint resolution, as follows:

*Resolved, etc.*, That James W. Wadsworth, of New York; H. H. Markham, of California; and W. S. Albright, of Kansas, be, and they are hereby, appointed members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed James W. Wadsworth, of New York; H. H. Markham, of California; and W. S. Albright, of Kansas, whose terms of office expire April 21, 1922.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

BILLS INTRODUCED.

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

By Mr. SWANSON:

A bill (S. 4381) granting an increase of pension to Richard H. Atkinson; to the Committee on Pensions.

By Mr. REED of Pennsylvania:

A bill (S. 4382) granting a pension to Mary Louisa Clark; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 4383) authorizing the Secretary of Labor to permanently admit, under suitable regulations and requirements to be prescribed by him, Francesca Guglielmino, sister of S. G. Guglielmino, a citizen of the United States; to the Committee on Immigration.

A bill (S. 4384) authorizing the Secretary of War to set apart as a national cemetery certain lands of the United States military reservation of Fort Rosecrans, Calif.; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 4385) for the relief of Finch R. Archer; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 4386) for the improvement of channel connecting the deep waters in James River with Hampton Roads, Va., and for the modification of the existing project for the improvement of said channel; to the Committee on Commerce.

LOSSES ON IMPORTATIONS OF SUGAR FROM THE ARGENTINE.

Mr. FRELINGHUYSEN. I ask leave to introduce a joint resolution. It relates to the payment of claims for losses sustained in the importation of sugar from the Argentine Republic by certain firms in the United States. Several special bills relative to these claims have been passed by the Senate and others are under consideration.

Believing that these bills will be before Congress for a long time, I have had a joint resolution prepared which authorizes the Secretary of Commerce to make an investigation and adjust these claims and report to Congress. I ask that the joint resolution be read twice by its title and referred to the Committee on Agriculture and Forestry.

The joint resolution (S. J. Res. 272) authorizing the Secretary of Commerce of the United States to take over and adjust the importation or importations of sugar from the Argentine Republic, which importation or importations were made at the request of the Department of Justice, to relieve the shortage during the year 1920 and to pay the losses sustained on such importations, was read twice by its title and referred to the Committee on Agriculture and Forestry.

SERVICE CREDIT, CHIEF CLERK TO MARINE CORPS COMMANDANT.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 7864) providing for sundry matters affecting the Naval Establishment, which was referred to the Committee on Naval Affairs and ordered to be printed.

INADEQUATE TRANSPORTATION IN THE STATE OF WASHINGTON.

Mr. POINDEXTER. I submit a resolution and ask unanimous consent for its present consideration.

Mr. CURTIS. Let it be read.

The resolution (S. Res. 414) was read, as follows:

*Resolved*, That the Interstate Commerce Commission is directed to report to the Senate, as near as they may be able to ascertain, the extent in which the railroad companies serving the northwest Pacific States failed during the last crop season, 1922, to supply adequate transportation facilities for the movement of the crops of apples and other perishable products, and at the same time investigate and report to the Senate the extent to which these transportation companies failed to supply adequate transportation facilities for other products of the States referred to, such as lumber, and investigate and report generally the question of the sufficiency or insufficiency of transportation facilities provided by these companies for the service of the section of the country referred to above during the summer and fall of 1922, with special reference to the movements of lumber and agricultural products in those States; and the commission is directed to report what in their opinion was the cause of such failure of adequate transportation facilities as they may find to exist, and to inform the Senate of what, if any, remedies the commission suggests or proposes as practicable for the remedy of any such failure or inadequacy as may have existed, the prevention of its repetition and the means of obtaining such remedy.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

Mr. POINDEXTER. I ask unanimous consent, in connection with the resolution just adopted, to have printed in the RECORD a letter relating to the subject matter of the resolution from Mr. John P. Hartman, of Seattle, Wash.

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

SEATTLE, WASH., *January 9, 1923.*

Hon. MILES POINDEXTER,
*Washington, D. C.*

MY DEAR SENATOR: Regarding the fall-down in transporting the great apple crop of the Northwest, I now lay before you the facts which I promised some time ago, and hope that now that the holiday season is over you will be able to push this through the Senate and have some investigation while you are still a Member of the body.

The total crop of the three Northwestern States is not far over 30,000 cars this year, and besides that probably 5,000 cars of soft fruit were produced. It is the apples, however, with which we are concerned.

As you know, the principal varieties are Jonathan, Delicious, Spitzenberg, Newton, and Winesaps. The first two varieties are for early use—i. e., their season is over on or before the 1st of January.

We should be able to commence shipping Jonathans about the 1st of September, and as fast as picked they should go into the refrigerator cars and on the way to market, east. Commencing with about the 15th of September, we commence shipping the Delicious, and they should likewise go to market as should the Jonathans. These applies compose fully two-fifths of the entire crop of the Northwest, and if they are not marketed seasonably the loss is very great.

When the shipping season opened we found the shortage in refrigerators, and it grew increasingly severe as the season progressed. All of the Jonathans and Delicious should have been on the way to market by the 15th of October, but when that time arrived more than 50 per cent of these two crops were on hand, and, as they were mostly lying in common storage, were destroying, because they ripened rapidly.

The result of this breakdown is that fully 50 per cent of these two crops are a loss, or practically so; so that the crop has been produced at a loss to every farmer, i. e., two-fifths of the crop has been grown at a loss, which means that the whole crop will be produced without any profit to the farmer.

The State public service commission and the Federal authorities, after the breakdown was complete, got busy to see what could be done, held conferences, and in the latter part of November announced that

there would be plenty of refrigerator cars, and took a lot of credit unto themselves of having relieved the situation.

This act did no good whatever. There was no urgent demand then for cars, for the remainder of the crop is shipped to the market in easy stages. Sometimes we do not move our Winesaps until May, and the Newtowns are not moved until January or February.

I will not assume to assign the many reasons of this breakdown and the way in which it might have been prevented, because that would be writing a volume, and it would be too long for a letter. I think there are reasons why this could have been prevented.

Briefly, may I state that, in the first place, the different railroads in the country do not cooperate. When offers of refrigerator cars are made by a connecting line they are not received, and each company blames the other for some condition imposed if they are turned over for use. That is too long a story to go into here.

The outstanding fact is, however, Senator, that there was a fall-down; that of 30,000,000 boxes produced in this State we have a loss of at least 30 cents per box, or more than likely 50 cents per box. The result is tremendous stagnation in the farming district.

View it from another standpoint. The capital of the farmer is the value of his land and its equivalent. I would say that in two years the capital valuation has deteriorated at least 50 per cent throughout the United States, and your State has been no exception and may have suffered more than some others.

I do hope that you will start this investigation and have a committee that will desire to help, and let it be even broader than the apple situation, covering things generally, and I certainly will be glad to contribute my share.

With very sincere regards, I remain, faithfully yours,

JOHN P. HARTMAN.

AGRICULTURAL DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 292).

Mr. McNARY. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13481) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes. I ask that the report may go over under the rule.

The PRESIDING OFFICER. The report will be printed and lie on the table.

The report is as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13481) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 16, 17, 22, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 8, 12, 13, 14, 15, 20, 23, 24, 27, 29, 30, and 32; and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the investigation and improvement of cereals, including corn, and methods of cereal production, and for the study and control of cereal diseases, including barberry eradication, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $697,505: *Provided*, That $425,000 shall be set aside for the location and destruction of the barberry bushes and other vegetation from which rust spores originate: *Provided further*, That $125,000 of this amount shall be available for expenditure only when an equal amount shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations, for the accomplishment of such purposes"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$2,891,450"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$3,376,470"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$225,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$100,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$1,797,880"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$541,223"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$4,005,853"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments numbered 11, 31, 33, 34, and 35.

CHAS. L. McNARY,
W. L. JONES,
I. L. LENROOT,
LEE S. OVERMAN,
WM. J. HARRIS,
*Managers on the part of the Senate.*

SYDNEY ANDERSON,
WALTER W. MAGEE,
EDWARD H. WASON,
J. P. BUCHANAN,
GORDON LEE,
*Managers on the part of the House.*

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened; and (at 5 o'clock and 20 minutes p. m.), under the order of December 12, 1922, the Senate adjourned until to-morrow, Sunday, January 21, 1923, at 11 o'clock a. m.

## CONFIRMATION.

*Executive nomination confirmed by the Senate January 20 (legislative day of January 16), 1923.*

POSTMASTER.

WEST VIRGINIA.

E. Chase Bare, Alderson.

# HOUSE OF REPRESENTATIVES.

SATURDAY, *January 20, 1923.*

The House met at 12 o'clock noon.

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

Our heavenly Father, we thank Thee for Thy redeeming love, unfailing care, and for Thy unerring guidance. May we ever cling to Thee with unbroken trust, for Thou art the sure foundation of a good, upright life. Always hear our urgent cry for divine help in meeting the tasks and requirements of each succeeding day. Bless us with that life that comes only from the living soul and the heart of strength. Give us that peace that never flows in, but always flows out. If any of our homes are in the valley, lead them through it and bring them to the mount of light and happiness. O keep our loved ones safe unafraid, and fold them in Thy arms. Whatever good or ill the changing years may bring, let our appealing hearts find rest in the Christ and in the glory of His cross. For His name's sake. Amen.

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

EXTENSION OF REMARKS.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made yesterday on the Army appropriation bill.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks on the Army appropriation bill. Is there objection?

Mr. STAFFORD. I object for the time being, Mr. Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed the bill (S. 4280) to provide credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal reserve act; to amend the Federal farm loan act; to extend and stabilize the market for United States bonds and other securities; to provide fiscal agents for the United States, and for other purposes, in which the concurrence of the House of Representatives was requested.

SENATE BILL REFERRED.

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

S. 4280. An act to provide credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal reserve act; to amend the Federal farm loan act; to extend and stabilize the market for United States bonds and other securities; to provide fiscal agents for the United States, and for other purposes; to the Committee on Banking and Currency.

LEAVE TO ADDRESS THE HOUSE.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to proceed for about three minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Speaker, on December 7, 1922, at the opening of general debate on the Treasury Department bill, I said:

Mr. MADDEN. Mr. Chairman, I am very happy to be able to announce to the House that the Committee on Appropriations has five bills practically ready for presentation to the House. This bill is the first bill taken up for consideration. We hope to be able to present all the bills making appropriations for the fiscal year 1924 not later than the middle of next month.

The bill making appropriations for the legislative branch of the Government for the fiscal year 1924 is the last of the regular annual supply bills to be reported to the House. It was reported January 19.

The committee in the preparation of the 11 regular annual bills at this session began work at hearings on several of the bills as early as November 10.

The record of the House in passing all of the bills for 1924 by January 20, assuming that the legislative bill passes January 20, surpasses the record of any previous short session of Congress for expeditious preparation in the committee and passage by the House. [Applause.]

It will be interesting if I read the dates of passage by the House of the last of the regular annual supply bills at the short sessions of the last 11 Congresses:

Fifty-sixth, February 20.
Fifty-seventh, February 20.
Fifty-eighth, February 27.
Fifty-ninth, February 23.
Sixtieth, February 26.
Sixty-first, February 25.
Sixty-second, February 26.
Sixty-third, February 23.
Sixty-fourth, March 2.
Sixty-fifth, February 28.
Sixty-sixth, February 17.

No note is taken in the foregoing dates of the failure of any of the bills in the Senate or a presidential veto requiring their repassage at a subsequent date.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Just let me make a little statement. For the expedition which these bills have passed in the committee I have to thank every Member of the Committee on Appropriations. There has never been a division of opinion based on politics. Every man on the committee deserves the credit for the work done, and for the House I want to say that no committee ever had as hearty support in connection with this class of legislation as this committee has had, and I want to extend my very cordial thanks to every member of the committee and to every Member of the House, without respect to politics. [Applause.] There is no politics at all in this committee, and as far as I am concerned while I am chairman there will be none and there ought not to be. It is a great business proposition. We are dealing with all the problems of Government, and we ought to work to facilitate the enactment of the laws at as early a date as possible, to make for the greatest economy we can, and cooperate one with another in serving the people. It has been very gratifying to me as chairman of this committee to have had the hearty cooperation of everybody from every source, and I want to take this opportunity to express my very great thanks. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. MADDEN. Yes, sir.

Mr. FESS. It will be interesting to know the amounts which were carried in the earlier appropriation bills of the various Congresses.

Mr. MADDEN. We are preparing the data for a statement which I will be able to make next week, but I do not think we ought to do it until all the bills have passed the House.

Mr. FESS. Mr. Speaker, I ask unanimous consent for half minute——

Mr. BLANTON. May the gentleman have a minute to answer a question?

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

Mr. BLANTON. Does the gentleman from Illinois think it is such an accomplishment that it is worthy of being bragged about that we have been able to rush these supply bills through in the manner in which they have been rushed through without proper consideration?

Mr. MADDEN. They have been given proper consideration. I think they have never been given such good consideration.

Mr. BLANTON. They increased the estimates of the gentleman's Budget yesterday from $26,000,000 to $56,000,000 without any consideration at all.

Mr. MADDEN. The gentleman knows that I did not agree with that.

Mr. BLANTON. That is one illustration of the way they have been rushed through.

Mr. MONDELL. There was a solid vote in favor of doing that on that side.

Mr. GARNER. Oh, no; the gentleman is mistaken.

Mr. MONDELL. There may have been one exception.

Mr. GARNER. There were five Democrats that I counted myself. There were five, instead of one. You are about as near correct as you usually are. You are one-fifth correct. [Laughter.]

Mr. FESS. I think the House will appreciate the statement that the appropriations of this Congress, having been pared down so differently from other Congresses, for dismantling the war machine, and so on, has made it more difficult than heretofore.

Mr. MADDEN. Yes. We will get all the data and present it later on.

Mr. GARNER. When the gentleman from Wyoming winds up his service here with an oration recapitulating what the Republican Congress has done, especially at this session, he will not be justified in taking all the credit for his party for the performances of the House and the performances of the committees. [Laughter.]

Mr. MONDELL. The gentleman from Wyoming in no statement he has ever made has ever taken all the credit or given all the credit to the Republican side, as the gentleman from Texas well knows.

DESIGNATION OF SPEAKER PRO TEMPORE FOR SUNDAY, JANUARY 21, 1923.

The SPEAKER. The Chair will designate to preside over the proceedings to-morrow the gentleman from Tennessee [Mr. GARRETT].

LEGISLATIVE APPROPRIATION BILL.

Mr. ANDERSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13926) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes; and, pending that, I ask unanimous consent that the general debate be limited to three hours and a half, one-half to be controlled by the gentleman from Tennessee [Mr. BYRNS] and one-half by myself.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the general debate be limited to three hours and a half, one-half to be controlled by himself and one-half by the gentleman from Tennessee [Mr. BYRNS]. Is there objection?

Mr. MONDELL. Mr. Speaker, we ought to finish this bill to-day, and we can not finish it to-day if we have three hours and a half of general debate. I was going to suggest that I would like to have 15 minutes, but I am willing to get along without any time at all in order that the time may be reduced. We can not finish this bill to-day if we have three hours and a half of general debate.

Mr. BYRNS of Tennessee. I think that with three hours and a half of general debate we can conclude this bill to-day. There is nothing controversial in it.

Mr. MONDELL. I do not think it can be done, Mr. Speaker. I think if we go beyond three hours we can not finish the bill.

Mr. BLANTON. If we take the proper time we can not finish it to-day anyway, and we shall save time in the end by having proper time in which to discuss it.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent, then, that the general debate be limited to three hours, one half to be controlled by the gentleman from Tennessee [Mr. BYRNS] and the other half by myself.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the general debate be limited to three hours, one-half to be controlled by the gentleman from Tennessee [Mr. BYRNS] and one-half by himself. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota [Mr. ANDERSON], that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative bill.

The motion was agreed to.

The SPEAKER. The gentleman from Oregon [Mr. MCARTHUR] will please take the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13926, the legislative appropriation bill, with Mr. MCARTHUR in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13926, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13926) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Chairman, I ask to be notified when I have used 15 minutes.

The CHAIRMAN. Very well.

Mr. ANDERSON. Mr. Chairman, the estimates considered by the committee on this bill, including $959,935 in supplemental estimates, amounted to $13,666,791.60. The amount recommended by the committee is $12,603,376.60, which is $205,632.35 less than the appropriations for the current year and $1,063,415 less than the 1924 estimates.

This bill covers the Senate, the House of Representatives, the Capitol police, the Joint Committee on Printing, the legislative drafting service, the Architect of the Capitol, the Botanic Garden, the Library of Congress, and the Government Printing Office.

In general the committee followed the policy heretofore adopted of not recommending increases of salaries covered by the bill. There are under the House of Representatives some additional places authorized by resolutions of the House. These include an auditor for the Committee on Accounts, at $3,000; a clerk, at $2,000, for the Committee on the Disposition of Useless Papers; and a janitor, at $720, for the Committee on Reform in the Civil Service. There is a rearrangement of the employees of the Committee on Appropriations, which results in a saving of $1,000. The salary of two ladies' attendants in the retiring rooms are increased from $800 to $1,200, in accordance with a House resolution. A legislative clerk at $3,600 is provided in the office of the majority leader, also in accordance with a resolution of the House.

There is no other change in the House employees. There is an apparent increase of $40,000 in the item for miscellaneous expenses of the House, which is accounted for by the longer session which will begin in December of this year, and there is a reduction of $8,000 in the amount which is appropriated for folding speeches, this resulting from the fact that there normally are not as many speeches printed during an off year as in a year in which a campaign is conducted.

There is an increase of $1,000 in the sum for purchase of uniforms for the Captiol police. The amount carried two years ago was reduced from $4,000 to $2,000 last year. No uniforms were purchased for the House end of the Capitol police last year, so that it is necessary to provide an additional amount this year in order to take care of that item.

The items under the Architect of the Capitol represent a decrease, although there are several new items for repair and renewal of heating plant, the waterproofing of the portico in the center of the Capitol Building, and several other items of this sort, amounting in total to approximately $96,000.

There was submitted to the committee a supplemental estimate of $800,000 for the construction of an additional bookstack in the northeast court of the Library Building. This estimate the committee did not approve. While it is apparent that the space in the Library Building for books is very nearly entirely occupied, the committee was of the opinion that it should be possible to provide a building at considerably less cost in which a considerable amount of material now in the Library could be stored, thus relieving the space situation there. In other words, there is a considerable amount of material over in the Library which is not used currently and which could be stored in a much cheaper building, or in a building that could be constructed at a less cost than $800,000.

In the Library of Congress estimates of increases were submitted covering 371 employees and involving an additional appropriation of $85,000.

The committee did not allow these increases. The committee did provide for some additional employees asked by the librarian. These include one inspector of stacks at $1,440, three assistants at $960 each, one assistant in the document division at $960, one assistant in the law library at $960, one chief clerk in the copyright office at $2,260, one clerk at $1,800, three clerks at $1,200 each, one assistant in the card-index division at $1,500, and one book cleaner in the Library Building at $720.

The bill also covers an increase in the amount carried this year for temporary services in connection with the distribution and sale of card indexes of $2,000.

There is an increase of $5,000 for the legislative reference service, and $3,125 additional is carried in the bill to provide for a more adequate service in the Library on Sundays and holidays. There is also an increase of $500 for books of reference for the Supreme Court allowed upon the request of the Chief Justice.

In the Government Printing Office the bill carries a reorganization of the watch force which involves a net reduction in the whole appropriation for this force of $3,020.

I should like to say in this connection that the policy adopted last year of carrying in each appropriation bill the sum total required for the printing for the department appropriated for has resulted in considerable economy in the printing items and it is recommended that this policy be continued.

There is an increase of $13,966.80 in the amount for the employment of labor engaged in the distribution of documents under the Superintendent of Documents. This increase is due to a very large increase in the mailing lists submitted by the departments for whom these publications are sent out.

Four cataloguers at $900 each are omitted under the Superintendent of Documents and three are provided at $1,200 each, making no change in the total appropriation.

I think that covers in general the modifications of existing appropriations carried in the bill. Does any gentleman desire to ask any question?

Mr. FESS. What was the sum of the increase for the Library of Congress all told?

Mr. ANDERSON. The total increase under Library of Congress amounts to $27,195 over existing appropriations. It covers principally these added employees and some appropriation for additional map cases, additional shelving, and items of that sort.

Mr. FESS. Did the committee go into the question of the necessity for additional stack room over there?

Mr. ANDERSON. Yes; that matter was presented quite fully to the committee. As I said a moment ago it came up in a supplemental estimate which we considered as far as we could and did not approve, for the reason that we thought the matter could be handled more cheaply by providing an ordinary storage building where a large number of these books and publications which are not in general or current use could be stored, and that the whole proposition could be handled much more cheaply that way than by adding a new bookstack in the building.

Mr. FESS. Will that be on ground over there?

Mr. ANDERSON. No; I think it will have to be on cheaper ground somewhere, and ought to be.

Mr. FESS. I hope that the policy of the committee will not be to decentralize the Library by removing documents from the Library, and I hope that we will see the time in the near future when we can provide this additional stack room.

Mr. ANDERSON. I imagine that will eventually have to be done in any event, but some time or other we are going to reach the point when we will have to provide additional storage space. When that is done it ought to be storage space which could be used for the storage of documents and books which are not currently used, and there is an amount of that sort of stuff over there. It seems to me it is desirable to start that policy now instead of starting a policy of building a new stack in the building, which under present prices would cost around $800,000, about two and one-half times what the stacks in the northwest corner of the building cost 10 years ago.

Mr. FESS. Did the committee recommend this separate building ?

Mr. ANDERSON. We did not.

Mr. MILLER. Will the gentleman yield there for a question?

Mr. ANDERSON. Yes.

Mr. MILLER. On page 21 of the bill there is the appropriation for the office of the Architect of the Capitol:

Salaries: Architect of the Capitol, $6,000; chief clerk and accountant, $3,000; civil engineer, $2,400; construction draftsman, $2,000; 2 clerks, at $1,200 each; compensation to disbursing clerk, $1,000; laborers—2 at $720 each, 2 at $660 each; forewoman of charwomen, $480; 21 charwomen at $240 each; in all, $25,080.

What particular work is done by the Architect of the Capitol and this force?

Mr. ANDERSON. The Architect of the Capitol has charge of all of the construction and repair work around the Capitol, and in addition has charge of the power plant which heats, lights, and furnishes power for the Capitol, House and Senate Office Buildings, the Government Printing Office, the building over here occupied by the Coast and Geodetic Survey, and several other buildings in this vicinity.

Mr. MILLER. Were the plans and specifications for the additional storage for the Government Printing Office prepared by the Architect of the Capitol?

Mr. ANDERSON. Does the gentleman mean the Printing Office or the Library?

Mr. MILLER. I thought the gentleman said the Printing Office.

Mr. ANDERSON. If I said that I misspoke. I meant the Library of Congress. Those plans will be prepared and the contract drawn and signed by the Architect of the Capitol, who is in charge of all of the repair work.

Mr. MILLER. Did this architect have anything to do with the enlargement of the Printing Office?

Mr. ANDERSON. No.

Mr. MILLER. What does this man do? There is no construction work of any volume going on here.

Mr. ANDERSON. Oh, this is an old building.

Mr. MILLER. I am not inquiring about the building, but about this man and what he does.

Mr. ANDERSON. I am trying to tell the gentleman. If he does not want me to tell him, there is no use in trying.

Mr. MILLER. I would not have asked the question unless I wanted information.

Mr. ANDERSON. As I said a moment ago, he has charge of all of the repair work around the Capitol, and that is considerable in an old building of this sort. Then there is the painting and the renovating repairs around the House Office Building, the supervision of the elevator force, of the repair force, of the general heating plant, which, in addition to the heating of this building, heats the Government Printing Office and the building of the Geodetic Survey and of the Botanic Garden and several other buildings.

Mr. MILLER. I am just asking for information. I am not aware of any great appropriations that were made for reconstruction or anything of that character. There are some carried in the bill, but unless some appropriations are provided for I do not see how this gentleman could do very much work.

Mr. ANDERSON. There are appropriations running up around $500,000 altogether, which are expended under the Architect of the Capitol.

Mr. MILLER. All under the jurisdiction of this man?

Mr. ANDERSON. Yes.

Mr. MILLER. Oh, that is all right.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. The gentleman stated that in his opinion eventually an extra building will have to be erected for the storage of documents and periodicals now and hereafter to be preserved in the Library of Congress. I would like to inquire whether the gentleman or his committee has any idea as to whether that building can be located on the present ground of the Library?

Mr. ANDERSON. I would not think it ought to be.

Mr. CHINDBLOM. I would consider it a very unfortunate thing if any portion of the Library should be far separated from the main building. The people who use the Library find it necessary to make their researches not only in the documents and in the periodicals which may be placed in such a building as that suggested, but they find it necessary as well to use the books which are in the stacks, and I hope the committee will give the matter very careful consideration before there is a removal from the main building of any considerable part of the Library.

Mr. ANDERSON. As far as I am concerned, my mind is not settled upon any particular policy. The matter came up so late that there was no opportunity to consider it from its various angles. Because consideration had not been given to the possibility of using an outside storage building, we did not feel justified in taking action in a matter which would result eventually in the expenditure of $800,000.

Mr. BYRNS of Tennessee. Mr. Chairman, as the gentleman from Minnesota [Mr. ANDERSON] has stated, this bill carries $12,603,976.60. That is a reduction of $205,632.35 from the appropriations of last year. That reduction was made possible because of the installation of certain boilers during this year in the Capitol for the purpose of distributing the heat to the Capitol and the House Office Building and other buildings under the control of the Architect of the Capitol. In other words, the sum of $270,000 was appropriated for the current year to put in these new boilers, and of course it will not be necessary to make a reappropriation for them in this bill.

The gentleman further stated that the bill carried $1,062,415 less than the 1924 estimates. The chief item, as the gentleman from Minnesota has explained, in that reduction is $800,000, which was requested for the bookstacks in the Library of Congress but which the committee did not feel should be undertaken at this time, thinking that perhaps it would be possible later on to have the necessary space provided for a much less sum. There is no question but that in time, and possibly very shortly, some provision will have to be made for the Library of Congress because it is becoming very crowded.

Mr. BRIGGS. Are the records being preserved in good condition, irrespective of the lack of stacks?

Mr. BYRNS of Tennessee. Oh, yes. They are being properly preserved, but the books and pamphlets and other papers which are being collected by the Library and preserved by the Library are increasing from year to year, and while the Library has not reached its full maximum it is rapidly approaching that condition, and something will have to be done shortly to make provision for needed space.

Mr. BRIGGS. The documents are available, notwithstanding the fact that they have not all of the stack room necessary?

Mr. BYRNS of Tennessee. Yes; certainly.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. LONDON. Has there not been a rather extraordinary increase in the number of books and pamphlets since the war?

Mr. BYRNS of Tennessee. I could not answer the gentleman as to that.

Mr. LONDON. I understand that there has been an unusual increase in the number of books, and that the Library really is short of space.

Mr. BYRNS of Tennessee. It will be short of space very quickly, and something will have to be done sooner or later to take care of that situation. There is another matter that I expected to discuss, but which I shall not do now on account of the limited time. That is the question of the salaries of the employees of the Library. The committee has made no increase. It has not felt under the new rule that it is proper for it to make increases. Those are legislative matters which should be taken care of by the proper legislative committee. There is no question, however, about the fact, and everyone who has investigated the matter will agree with me, that the salaries in the Library of Congress are far below those which are paid in other branches of the Government for services many of which are not so important, and I hope that at some time it will be possible to take up the question of salaries in the Library. While I would not favor an unreasonable increase, they should, at least, be equalized with some of those paid in other departments, and all of them should be given what might be called a proper living wage. I am sure that those of them who receive $50, $60, and $70 a month are not receiving a proper living wage.

Mr. LAZARO. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes; for a brief question.

Mr. LAZARO. I do not quite agree with the chairman of the committee in his statement that a supplementary report had been made to the committee asking for $800,000 for stacks for

books, and the committee had come to the conclusion that there were a whole lot of documents that were not used which ought to be stored and room made for other documents that are needed, and then he wound up by saying that the committee had made no provision at all for the old documents. It seems to me that some provision ought to be made for these old documents until we can appropriate for the new stacks.

Mr. BYRNS of Tennessee. That was the suggestion made by the gentleman from Minnesota and is worthy of consideration. There are many old documents and old papers in the Library which are not in active demand that might possibly, as the gentleman from Minnesota explained, be stored in some convenient and safe building, and at the same time remain accessible to those who want to use them rather than go to the enormous expense of nearly a million dollars for bookstacks. It was only a suggestion made by the gentleman from Minnesota, and is something that will have to be worked out.

Mr. LAZARO. I simply felt that something ought to be done.

Mr. BYRNS of Tennessee. I do not understand that the Library will suffer for lack of space if we do not do anything in this bill. My understanding is that they have the space now to take care of valuable and important documents in the Library, but they are quickly becoming overcrowded, and sooner or later they will need additional space.

Mr. ANDERSON. I think they will have to have additional space in three years.

Mr. LAZARO. We ought to take good care of the Congressional Library and give them all the space they need.

Mr. BYRNS of Tennessee. I quite agree with the gentleman, and Congress will undoubtedly do so.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. CHINDBLOM. I was glad to hear what the gentleman from Tennessee said about the salaries of the employees in the Library. My recollection is that they are not included in the reclassification bill which we had before the House.

Mr. BYRNS of Tennessee. I can not say definitely about that. I was of a contrary impression. I hope they are included.

Mr. CHINDBLOM. Are they civil-service employees?

Mr. BYRNS of Tennessee. They are not.

Mr. CHINDBLOM. If not covered by the reclassification bill, I hope the appropriate committee will take the gentleman's remarks to heart and give it consideration. I know many of these employees, and I know they are working for meager pay.

Mr. BYRNS of Tennessee. Many of them are college graduates, receiving from $1,200 to $1,500 a year.

Mr. CHINDBLOM. And many of them are linguists and know several languages.

Mr. BYRNS of Tennessee. I hope that they are included in the reclassification bill, but if not I hope the committee will take it up and give the question some consideration.

The gentleman from Illinois [Mr. MADDEN] referred to the splendid record made by this Congress and by the Committee on Appropriations in early reporting to Congress the regular annual supply bills. As he clearly showed, it is a record that has never been excelled, and a record for which I think Congress can justly take pride. [Applause.] The gentleman from Illinois was generous enough to say that every member of the committee on both sides of the party lines, and every Member of the House on both sides of the Chamber, was entitled to credit for the result.

That is true, but I think it is only fair to say that the chief credit is due to the gentleman from Illinois himself. [Applause.] He has established a number of what I consider very wise reforms in the way of reporting appropriation bills which I am sure under the Budget system will redound to the interest of the Government and economy in governmental expenditures. He has made a great chairman, and will go down in history as one of the greatest chairmen of that great committee. [Applause.] He has brought to bear all of his splendid and well-known business and executive ability in the performance of the duties which rest upon him as chairman. As he stated, there is no politics in the committee. Republicans and Democrats alike in the committee look upon it as a business proposition. We differ sometimes, of course, on questions of appropriation, and sometimes bring those differences to the floor of the House, but we do not show any politics or any partisanship to the committee. All members have been glad to give their support and cooperation to the chairman in his effort to conserve the public money and to report out appropriation bills at an early date so that Congress may have ample time to give them the fullest consideration.

I wish to repeat, and I say this from my heart, that during my entire service on that committee the committee has never had a chairman who has shown greater executive and business ability, greater interest in conserving the public money, than has the gentleman from Illinois [Mr. MADDEN]. [Applause.]

Mr. ANDERSON. Mr. Chairman, I yield 45 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman and gentlemen, on yesterday in the consideration of the item providing for rivers and harbors there was perpetrated on this floor a parliamentary situation the like of which in my 16 years of service I have never seen before. The river and harbor bloc, aided by the inland waterways bloc, absolutely declined to give opportunity to the committee that had spent days upon days on the item under consideration to present to the House its reasons for recommending $37,000,000 and the reasons for rejecting the amount of $56,000,000 as suggested by the Assistant Chief of Engineers.

An attempt was made prior to its consideration to have some agreement as to length of debate. Three hours was suggested, only to be objected to by a member of the Rivers and Harbors Committee, the gentleman from Delaware [Mr. LAYTON].

As soon as the first paragraph was read under the five-minute rule, within my rights as a member of the subcommittee, I rose for recognition, making the usual pro forma amendment of striking out the last word. I was proceeding with an explanation of the estimates of the department when the gentleman from Missouri [Mr. NEWTON], the first lieutenant of the chairman of the Committee on Rivers and Harbors [Mr. DEMPSEY], interposed a point of order that I was not speaking to the amendment. Rarely have I seen such tactics adopted. Never have I seen it resorted to where a member of the committee reporting a bill was for the first time attempting to get the floor to explain to the House the reasons for the committee making its recommendation of $37,000,000.

During the subsequent consideration of the item the gentleman from Illinois [Mr. MADDEN] took the floor. He was interrupted. The gentleman from Wyoming [Mr. MONDELL]—he, too, had difficulty in getting recognition. All the time that was given to the consideration of the amendment under the five-minute rule was 20 minutes, 10 minutes only in opposition to the extravagant proposal of the gentleman from New York, when the Member from Illinois [Mr. DENISON], a member of the inland-waterway bloc, moved to close debate. When, after the House had voted by an overwhelming vote the $56,000,000 in connection with the discussion of appropriations for surveys, I attempted to give some explanation of the action of the committee for its recommendation again a member of this bloc, the gentleman from Missouri [Mr. ROACH], raised the point of order that I was not speaking to the amendment. Of course I knew I was not speaking to the amendment, so I desisted. The followers of the two blocs were in the saddle, and they drove ruthlessly their advantage without any regard to the rights of the only committee that had given any consideration to the estimates. There were men here ready to support not only the committee but the administration in the hour and a half in support of the committee's recommendation, if three hours of debate had been allotted—men who would have been listened to with interest, men who have made a special study of river and harbor projects for years and years. The gentleman from Ohio [Mr. BURTON], recognized by everyone in this Chamber and over the country as an expert on river and harbor matters, had gone over the report the night before so as to present his views on this important question of whether we should adhere to the committee's estimates or whether we should take the pork-barrel scheme, that of the Assistant Chief of Engineers. He could not be heard. The gentleman from Illinois, chairman of the Committee on Appropriations, wanted to lay emphasis upon the fact that the vital principle of budgetary reform was at stake. He wanted 10 minutes. The gentleman from Wyoming, the majority leader, wanted 10 minutes to emphasize and point out the fact that it was critical that the budgetary system should be adhered to. No opportunity other than for 10 minutes to be heard.

There has been some peculiar proceedings going on behind the scenes. The subcommittee on the War Department appropriation bill, of which I am a member, gave hours and hours of hearings to the various estimates of the department as to rivers and harbors. There are 120 pages of testimony in which every project in the entire country, for which estimates had been proposed, was gone into in detail. The Rivers and Harbors Committee has held no hearings on these estimates. They had had some executive meetings, I am told, to determine the

plan of campaign they were to wage when this matter would come up for consideration. But there was a new bloc formed other than the bloc of the members of the Rivers and Harbors Committee, a bloc known as the inland-waterway bloc. They have been having dinners in the Capitol, attended by a number of Members; dinners, as I am told, given and paid for by some outside party interested in these appropriations. Far be it from me to cast any reflection upon the members of this bloc for getting good dinners at the House restaurant at the expense of some interested party. They are all honorable gentlemen. That bloc is under the leadership of the gentleman from Missouri [Mr. NEWTON], who had the valuable assistance of his colleague [Mr. ROACH], a member of this bloc. They were particularly energetic and active yesterday to prevent proper consideration of this item. It was as ruthlessly energetic a group to put through their exorbitant program with the minimum of debate as I have seen even under force rule for a long time.

During the general debate 26 minutes was yielded by me, in charge of the debate for the time being, to the gentleman from New York [Mr. DEMPSEY] to explain his position. There were many glaring misstatements in that speech that I thought should be answered. Why, in the speech that he delivered on the floor he stated there would not be one cent for any of the new projects carried in the river and harbor authorization of September 22 last if we did not increase the appropriations authorized by the subcommittee. That was a glaring misrepresentation, and without support in fact at all. Let me read to you what he says in his printed remarks on that question. Page 1870 of the RECORD:

> Yet if the appropriation for rivers and harbors is only $37,000,000, as proposed in the bill, very little will be done on the great projects approved in the September bill, of which New York Harbor, the Sabine-Neches Waterway, Coos Bay, and Umpqua Bay are only fair samples.

Then he goes on:

> It would be bad business judgment, when both the new projects and the old projects can not be prosecuted owing to the inadequacy of the funds available, to tie up the Government plants which are prosecuting the work of the old projects and transfer them to the new projects.

Now further:

> Nothing will have been appropriated for these new projects unless the amount embodied in the amendment is approved by the committee and that amount is appropriated.

How strange. How lacking in confirmation from the hearings before our subcommittee. What could have been his motive in making this misrepresentation? If he can read the hearings he certainly would not have so grossly misrepresented the facts. And what a wonderful change has come over this fighting Member from New York [Mr. DEMPSEY] from that which he took two years ago, when as chairman of the subcommittee which reported this bill he brought into this House, as you older Members will remember, a recommendation for a lump-sum appropriation of $15,000,000, when the estimates of the same engineers were $56,000,000 for that year. Why did he not advocate the full estimate then, as he did this and last year?

The Democrats almost to a man in the fight to increase the $15,000,000 recommendation, and almost to a man yesterday, opposed his position and under the leadership of the minority Member, Mr. SMALL, proposed $28,000,000. On a record vote, let me say to the credit of the almost united Republican membership in the last Congress, only 13 Republicans joined with the Democrats. They stood by the recommendation of the gentleman from New York, head of the subcommittee on rivers and harbors appropriations committee of the Committee on Appropriations, in favor of $15,000,000 as against the proposal of the minority Member, Mr. SMALL, who wished to raise it to $28,000,000.

Why, at the prior session, when he was ranking Republican member of the Committee on Rivers and Harbors, before the appropriating power had been transferred from the Committee on Rivers and Harbors to the Committee on Appropriations, a lump-sum appropriation carrying $12,400,000 was reported for river and harbor projects. The Senate raised it to $24,400,000, and as one of the conferees of the House this same Mr. DEMPSEY came back with a conference report in favor of $12,400,000. And, gentlemen, how much were the estimates of the department for river and harbor work when he voted $12,400,000 in 1921? The estimates were $42,541,000. This year the estimates are $56,000,000. Now he has changed front completely, because, forsooth, he is not charged with responsibility, and asks, for a second time in the history of the Congress and repeating his position of last year, the granting of the maximum asked for by the engineers.

Mr. SNYDER. Mr. Chairman, will the gentleman yield? Is there any river and harbor item in this bill?

Mr. STAFFORD. No; I am speaking in general debate, because I could not get time yesterday.

Mr. SNYDER. I was wondering why the gentleman, who is so anxious to save time, is wasting time by talking about an issue that is finished. [Laughter.]

Mr. STAFFORD. Oh, this issue is not finished. The gentleman is too previous about that. Yesterday I could not get time because of the activity of those in the river and harbor bloc, with whom the gentleman from New York was cooperating, in stopping discussion.

Mr. SNYDER. This is the most wonderful post morten address I ever heard. [Laughter.]

Mr. STAFFORD. I am going to present it for the benefit of the country, and the gentleman does not have to remain here unless he cares to.

Mr. SNYDER. I am going to stay and listen to it. [Laughter.]

Mr. STAFFORD. I am glad to hear the gentleman is willing to listen. Perhaps he will get some enlightenment. [Applause.]

Now, Mr. Chairman, what has been the history of the appropriations for rivers and harbors? What are the amounts of expenditures that have been made during the past 11 years for river and harbor work? This information was not furnished to the House yesterday. Perhaps when this bill comes back from the Senate, or from the President, perchance, the gentleman from New York [Mr. SNYDER] may utilize this information; and if the gentleman from New York does not wish to utilize it, perhaps the country will like to know how much money we have expended for river and harbor work in the last 11 years.

In 1912 we spent $29,519,589; in 1913, $32,270,171; in 1914, $40,354,000; in 1915, $37,714,420; in 1916, $28,786,070; in 1917—the first time when we took the appropriation for river and harbor work on the Mississippi out of the bill and made a special permanent appropriation, to be expended by the Mississippi River Flood Commission—we expended $23,829,265; in 1918, $20,614,005; in 1919, $33,378,364; in 1920, $34,779,873; in 1921, $41,241,503; in 1922, $27,415,981; or a total, according to the figures that I have here, of $352,903,241, or an average of expenditure for river and harbor work, exclusive of the Mississippi River and the permanent appropriations that are not carried each year in the regular river and harbor act, of $32,082,112.

Now, what was the status of the appropriations at the last date available when the hearings were held in January? On November 1, 1922, there was unexpended of the appropriations that have heretofore been voted—and remember that these appropriations are all available until expended; they do not lapse with the end of the fiscal year for which they are made—on November 1, 1922, the last date available, there was unexpended $49,112,308.

How much was unexpended on December 1, 1921, a year before? Twenty-eight million three hundred and twenty-four thousand dollars; $21,000,000 more, remember, unexpended on November 1 last than there was within one month of the corresponding date in the prior year.

Mr. NEWTON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Not at present. I want to make my statement.

How much was unexpended on June 30, 1922? Seventeen million two hundred and forty thousand dollars. So that there was expended between December 1, 1921, and June 30, 1922, the difference, or $11,247,000.

As $49,112,308 was unexpended on November 1, 1922, and as we had expended in the six months' period of the past year $11,247,000, and allowing for one month's expenditure $2,000,000, that of November, which was not included in the prior year, which would make $13,247,000 as the estimate of expenditure until this coming June, there would be unexpended on June 30, 1923, $36,112,000. Thirty-six million one hundred and twelve thousand dollars unexpended, as against $17,247,926 on the prior June 30, 1921.

Now, add to that the $37,000,000 that was recommended by the committee for expenditure next year, it would make available for expenditure July 1, 1923, $63,112,382.

But this total does not include, remember, the $6,998,000 that we authorized for the continuation of the work at Muscle Shoals; neither does it include the $10,500,000 of authorization to enter into contracts on that project. Neither does it include the $6,000,000 item of appropriation for work on the Mississippi River under the permanent appropriation; neither does it include the $500,000 for the improvement of the Sacra-

mento River under the permanent appropriation. But the $63,000,000 unexpended, without even these supplementary appropriations, would be the largest amount available and unexpended at any time in the history of the Government.

Let us take another angle as to the basis on which the committee arrived at its figures of $37,000,000.

Mr. MONDELL. What did the gentleman state as to the amount of unexpended balance?

Mr. STAFFORD. Deducting the amount expended in the seven months' period from December 1 last to June 30 last, $11,247,000, and adding thereto $2,000,000 for allowance of expenditure in November of last year, so as to cover the same period of time, namely, from November to June 30, that would equal $13,000,000. Deduct that from the amount unexpended on November 1 last, $49,112,000, and it would make available on June 30 next $36,112,000, as against $17,247,000, which was unexpended, according to the hearings, on June 30, 1922.

Add to the $36,000,000 that will be unexpended on June 30 next the $37,000,000 our committee recommended, makes a grand total of $63,000,000, the largest amount in the history of the Government that would have been available on July 1 of this year for expenditures.

Mr. MONDELL. I understand, then, that with the sum voted yesterday and the unexpended available balances there will be over $90,000,000 available for work next year.

Mr. STAFFORD. The sum of $23,900,000 should be added for the other separate projects carried in the bill, or, in round numbers, $87,000,000, according to my computation, which does not include the $19,000,000 which was so outrageously voted yesterday by the pork-barrel bloc.

Mr. MONDELL. With the appropriation of yesterday and the $36,000,000 together, they amount, as I figure it, to about $82,000,000—that is, without the appropriation for the Mississippi River.

Mr. STAFFORD. Yes; $82,000,000 without the $23,900,000 carried for Muscle Shoals, lower Mississippi River, and Sacramento River.

Mr. SNYDER. Will the gentleman yield?

Mr. STAFFORD. My time is running. I would prefer to finish my statement. I will yield later on.

Mr. SNYDER. I believe the 196 men who have been called a bloc did not know they were doing such a good job.

Mr. STAFFORD. The gentleman from New York approves the outrageous expenditure of Government funds which was voted yesterday in violation of the Budget system. He is welcome to any credit that may attach to voting all that the engineers ask.

Take it from another angle, to show how the committee arrived at its figure of $37,000,000.

Mr. NEWTON of Missouri. Will the gentleman yield?

Mr. STAFFORD. No; I want to continue. My time is running.

Mr. NEWTON of Missouri. Why did not the gentleman say something about the $600,000 for Milwaukee Harbor?

Mr. STAFFORD. I will be very glad to before I conclude if the gentleman and the House will give me time. But I will say, so far as the estimate for Milwaukee Harbor is concerned, in justification of myself——

Mr. NEWTON of Missouri. You need that.

Mr. STAFFORD. I do not think I need it with anybody other than perhaps the gentleman from Missouri.

Mr. BLANTON. Mr. Chairman, I make the point of order that the rules should be observed, that the gentleman should not be interrupted unless he yields.

The CHAIRMAN. The point of order is well taken.

Mr. STAFFORD. During the war and ever since, and in fact during my entire service in this House of 16 years, I have followed religiously the suggestion given to me during my first term of service by my very dear lamented friend, the late Hon. James R. Mann, that I should never put myself under obligation to any department head or bureau chief where I was in a position on a committee to vote appropriations that that department or bureau might desire. [Applause.] I have never spoken to any member of the Corps of Engineers here in Washington or elsewhere since I have been a member of the Committee on Appropriations in advocacy of any appropriation for the Milwaukee Harbor project. [Applause.]

If it has merit—and General Taylor stated in the hearings last year that it was one of the very best propositions, and was listed in class A—I know that it will receive recognition it deserves without the personal importunings of Members, as is sometimes the case, of going down to get the favor of the engineers to get appropriations for projects that are not meritorious and that savor of pork.

Now taking another angle to show the way our committee arrived at our estimates, I wish to say there is a difference between unexpended balances and unobligated balances. I want to be very fair. I have given considerable study to these estimates and I only wanted on yesterday to have an opportunity to present the figures. I am a good loser. It is nothing to me personally. I want only to do my duty. That is all. I thought it was owing to the House to submit these figures to its attention. We had no opportunity. Taking it from another angle, there is a difference between unexpended balances and unobligated balances. The Engineer Department may contract and obligate some of these unexpended balances that I have been referring to. I want to show you how we arrived at the estimate and what we considered should be included in the estimate for the new projects.

Mr. LINEBERGER. Will the gentleman yield?

Mr. STAFFORD. Not now. Later on I will be glad to.

Mr. LINEBERGER. I simply wish to ask the gentleman whether it is the $27,000,000 or the $37,000,000 that he is referring to.

Mr. STAFFORD. The $37,000,000.

Mr. LINEBERGER. Not the $27,000,000 which is the original budget?

Mr. STAFFORD. The original budget was $27,625,760. Of unobligated balances that had no ties connected with them at all that the department could utilize as it saw fit, on November 1, 1922, they had unobligated $33,319,679.50. On December 1 of the prior year, 1921, they had, unobligated, $18,550,082. The total of the estimates of the Assistant Chief of Engineers was $56,589,000. In response to a query put to the Assistant Chief of Engineers, Gen. Harry Taylor, by Mr. ANTHONY as to what the effect would be in case Congress only voted the Budget allowance of $27,625,000, virtually one-half of what was suggested for utilization in the coming year by the Engineers, General Taylor said substantially what he said last year:

> We should advise each district engineer that we had a total of $27,625,760 for allotment, which would be a little less than half the sum stated in the annual report as the sum needed; that he would have to get along with 50 per cent of the amounts which he stated to be needed for his district; we should ask him how he would divide up the total for his district for the best interests of commerce. I presume we would find every district engineer would report he needed more than 50 per cent of the original amount and that he would distribute 75 or 80 per cent or more of that amount. We would take the figures and check them over, going back and forth with the district engineers, and finally allot the money to those improvements where it would be of the greatest value to commerce.

So our subcommittee, basing its action on the statement of General Taylor, that the district engineers would come back in their reports for 80 per cent of the total estimates that they submitted, namely, $56,589,410, took 80 per cent of the total for all the projects, which included those that had been authorized in the act of September 22 last, which 80 per cent equaled $45,271,000. Bear in mind that there was available $33,319,000 unobligated on November 1, 1922. At the end of the year it was testified that there would be $12,000,000 to $15,000,000 still unobligated of this $33,000,000. Our committee thought there would be something like $18,000,000 unobligated. So we figured that taking the engineer's own word that 80 per cent of the total request would be all that was needed, or $45,271,000, we recommended $37,000,000, which, with the $15,000,000 or $18,000,000 unobligated on June 30 next, would make available for new obligations a grand total of $52,000,000 to $55,000,000, $7,000,000 to $10,000,000 more than the 80 per cent that would be required.

Take another angle. Of the new projects authorized under the September 22, 1922, act, which totaled $38,245,991, it was estimated that during the next fiscal year only $13,144,000 could be expended; 80 per cent of that was $10,515,000. So, adding the $10,000,000 to the Budget estimate of last year of $27,000,000 made $37,000,000. We had cut down the Budget estimates on the military activities $14,000,000, and we thought we were not doing any violence to the Budget and in nowise obstructing the President in his great policy of trying to keep the appropriations within the receipts by recommending $10,000,000 more than the original Budget estimates, so as to be certain to take care of the new projects carried in the river and harbor act of September last.

I find that I will not have time to go into the respective projects.

Mr. BUTLER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BUTLER. There is the weakness of the argument. Why not explain your increase over the Budget?

Mr. STAFFORD. Because we wanted to make certain the new projects authorized so late as September 22, and which

may not have been given consideration by the Budget officer, and we took 80 per cent and added that amount. That does no violence to the fundamental budgetary principle. We appropriated no more than what the Budget officer said should be expended for War Department activities.

I come from a harbor district. I am in sympathy with all harbor projects. My two colleagues on the committee, the gentleman from Kansas [Mr. ANTHONY] and the gentleman from Mississippi [Mr. SISSON], do not have any harbors or navigable rivers in their districts. For two years I have been on the subcommittee on military affairs, a subject entirely new to me, and I have given as much consideration to rivers and harbors as my other work would permit. I wish I had time to review the various projects for which estimates have been made, but time will not permit. Take the Ohio River project. I am in hearty sympathy with it.

The Ohio River project is virtually completed down to Louisville.

Mr. STEPHENS. We have 13 more to build.

Mr. STAFFORD. The gentleman from Ohio says they have 13 more dams to build, but I wish to inform the gentleman that the engineers are considering abandoning some of the dams on the lower reaches beyond the confluence of the Tennessee and the Cumberland Rivers and have a permanently dredged channel. The dams on the lower reaches are twice as expensive as they are on the upper reaches because the river is much wider. They are now considering a permanent improvement of the channels each year rather than to build the adjustable dams.

Last year there was expended $7,000,000 on the Ohio because the water conditions throughout the country were more favorable last year for river and harbor work than for a decade or generation before. In the allotment for next year they estimated $7,000,000 for the Ohio River, and in reply to a question put to General Taylor he said that sometimes with high water when there was considerable rainfall they could spend only $2,000,000 and usually with average rainfall only $5,000,000. We have a right to conclude that with the average climatic conditions, with the average rainfall, that it will not be possible in the next year to spend $7,000,000. We should expect that they might spend $5,000,000.

Mr. STEPHENS. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. STEPHENS. How do you draw your conclusion when they have spent $7,000,000?

Mr. STAFFORD. Because that was during an exceptionally dry season. General Taylor said that in an ordinary year they could expend but $5,000,000, and when the conditions are not favorable they could expend only $2,000,000. A 6-foot channel is available the entire year as far as Louisville, more than half the distance.

So we went through the various estimates, some of them very questionable. The Missouri River, for instance, where it is proposed to spend $1,000,000 on improvements and $500,000 for maintenace. The upper Mississippi and the upper Missouri are other instances. One member of the inland-waterway bloc, the gentleman from Iowa, who has been regaled with harbor dinners in the House restaurant, perfectly proper, was informed I understand by General Taylor that if the $56,000 000 was voted there would be available $1,000,000 for the improvement of the upper Missouri from Kansas City to Council Bluffs, when only $25,000 was estimated for maintenance according to the official reports.

There is the questionable practice in this whole matter. The gentleman from Ohio [Mr. BURTON] is present, a distinguished Member of the House, the former leader against pork-barrel river and harbor appropriation. For years he had to stand here alone and fight the buffeting waves in the efforts of Members of the House to get appropriations for improvement and maintenance not warranted. But the scene has changed. For the second time in two years, and never before in its history, we find the House voting every cent of money that the district engineers ask, and have the Members go to the new power at the other end of the Avenue, to the War Department, and ask for some of this total appropriation that they could not get if the project was placed on its merits. Not only that, but voting the maximum amount of the estimates encourages not only the Chief of Engineers to yield and favor questionable projects but it encourages awarding contracts at high prices because of excess of work with only a limited number of contractors with equipment to do the work.

This fight is now transferred from the House and the Capitol to the White House. Never was I more thrilled by any statement during the hearings on the War Department appropriation bill than when Secretary of War Weeks stated to the committee that it was the policy of President Harding to keep down the estimates of the Budget within the limit of receipts.

He said it was the President's fixed policy not to exceed the revenue, to adhere closely to the requirements of the Budget law, and yet yesterday this House, without any consideration whatever by any committee other than the War Department Appropriation Committee, which was denied a hearing, ran wild to the extent of adding $19,000,000 more than the committee had recommended, and $29,000,000 more than the Budget had recommended. If we are going to maintain the budgetary policy, if this House, which is Republican, charged with responsibility, is going to uphold the hands of the President, it is vital that we keep within the income of the Government in making our appropriations. The responsibility is with us; it is not on the Democratic side. Two years ago, before the Budget law was in force, the gentleman from New York [Mr. DEMPSEY], having charge of the bill as chairman of the Rivers and Harbors subcommittee of the Committee on Appropriations, came before this body with a recommendation of $15,000,000, when the estimates of the engineers were $56,000,000. The demand for economy to-day is just as strong as it was then.

The year before, as the ranking member of the Committee on Rivers and Harbors, he came into this House with a report for $12,000,000 of appropriations, when the estimates were $42,541,000. Then there was just as much need for economy as there is to-day. To his credit be it said that he stood here against the demands of the Senate, as one of the conferees in their attempt to increase the $12,000,000 appropriation to $22,000,000, and he carried the day. Two years ago when we voted this lump-sum appropriation of $15,000,000 on a roll call you stood like a phalanx against the importunings of the engineers for larger appropriations. And yesterday, with the Budget law in force, you take away the prop that is necessary to uphold and sustain the President in his great work. The greatest achievement of the Republican administration is the Budget law, and ours is the responsibility to carry it through effectively. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 30 minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, I rise to speak on threatened disaster to extension work.

The Congress and the country are entitled to a frank statement of facts in regard to the reorganization, about one year ago, of the extension work in the United States Department of Agriculture.

Partisan and sectional politics is more rampant and baneful in this reorganization and its administration than was ever the case in the Bureau of Printing and Engraving. The effects on agriculture are more far-reaching and disastrous.

Maladministration in the Department of Agriculture is repealing acts of Congress and defying the intent of Members of Congress, who enacted definite legislation for the national welfare.

Under the guise of "A national program of agriculture" and "A unified program," the whole order of proper procedure in extension work is being reversed and southern agriculture is being discriminated against. Present economic conditions make it clearly impossible for the southern farmer ever again to have his corncrib and smokehouse in the Corn Belt, but present practice in the Department of Agriculture is ignoring this fact and is wrecking, if not annihilating, the home-demonstration work for women and girls in all parts of the country. Under the new scheme of Assistant Secretary of Agriculture C. W. Pugsley, in charge of extension work, through his chief, C. B. Smith, more Federal and State funds are being spent for specialists, or experts, and overhead expenses than are allowed for men and women agents in the counties who do the real work of value.

Specialists in scientific studies have, of course, a high and important place, but the average agricultural expert is a man who states what everybody knows in language that nobody understands. He honestly believes that his use of unfamiliar terminology makes him appear wise and great.

The available records show that in 1921-22 there was allotted to cooperative extension work $18,500,000, of which the Federal Government contributed $5,580,000 under the provisions of the Smith-Lever Act. In addition Congress, by direct appropriation to the Department of Agriculture, made available $1,050,000 for farmers' cooperative demonstration work and $100,000 for extension work by the several bureaus of the department, cooperating with the States Relations Service, making a total from Federal sources of $6,730,000.

The State legislatures appropriated $4,880,000, the counties $5,850,000, and $1,040,000 from other local sources. Of the $11,610,000 contributed by Congress and the State legislatures,

$6,786,000, or 58½ per cent was used for overhead expenses, which includes administration, publications, supervisors, and specialists or experts, leaving only $4,994,000, or 41½ per cent of all Federal and State appropriations, to go directly into the salaries of county workers. This means the larger part of the burden of county workers' salaries and expenses must come from the county and local people. This was clearly not the intent of Congress.

Farmers, editors, educators, and other public-spirited thinkers at home and abroad have heartily commended the establishment of the farm and home demonstration work in the counties. They will deplore its present mismanagement.

Secretary James Wilson administered this work in a broad, nonpartisan, national way. I have great respect for Secretary Wallace, and I am surprised that he permits the things that are going on in his department. Under the system now in vogue he would hardly be able to get voluntary information, for it costs a man his job to go over the heads of certain types of bureau chiefs. Certainly not the bravest employee would dare go over the head of Smith or Pugsley to the Secretary.

A great humanitarian service which affects the destiny of our civilization should not be conducted in such a way as to invite political reprisal with each change of administration. I, for one, here and now protest against these partisan methods.

The Department of Agriculture, in cooperation with the land-grant colleges, has the supervision of the expenditure of nearly $20,000,000 and the appointment of about 4,000 men and women in extension work. The usefulness in agriculture of all other scientific and teaching divisions is largely dependent upon the efficiency and success of the demonstration work. It had its origin in the South. The late Dr. Seaman A. Knapp was its founder. He was a native of New York and a former president of the Iowa Agricultural College. In 1903, when he began this work, he was a citizen of Louisiana. Upon his recommendation Secretary Wilson appointed the first county farm-demonstration agent in this country and the first woman county home-demonstration agent in the history of the world. More than 600 men agents and more than 250 women agents were at work in the South when the Smith-Lever Act was passed in 1914. In the discussions when this act was pending, Representatives and Senators, regardless of party, expressed approval of this work and the methods of doing it. They wanted it extended. Successful demonstration was the inspiration of the extension act.

Doctor Knapp's efforts were confined mainly to the Cotton Belt, because he was working under special appropriations for boll-weevil control, but he aroused interest and created a demand for demonstration work all over the country. He was the first to arouse in the farmer the pride of vocation, the ambition to do one thing well which leads to other better things.

In 1911, the year of Doctor Knapp's death, the first county agent in the North was appointed. After the passage of the extension act and its acceptance by the States it spread very generally. Under this rapid development it came to pass that there were two offices of administration in the United States Department of Agriculture—extension south and extension north and west. It will be freely admitted that a combination of these two offices was desirable, but any fair-minded person will say that good administration called for the utilization of the best talent, thought, and experience available from the two old offices, which had about the same number of experienced people in their respective forces at the time of consolidation. Let us see what happened.

When the reorganization was announced the head of the office of north and west was made chief. The head of the southern office, Mr. J. A. Evans, who was Doctor Knapp's first appointee and lieutenant, was relegated to a nominal advisory position. All the other members of his force, some of whom had been in the work under Doctor Knapp from the beginning, organizing and establishing important lines of the work in the South were assigned to unimportant positions in the new organization.

A distinguished group of agriculturists and field agents who were eminently successful in establishing and building up the invaluable demonstration work in this country following the brilliant leadership of Doctor Knapp and his distinguished son have been ignored. Among them are W. B. Mercier, H. E. Savely, E. A. Miller, I. O. Schaub, O. B. Martin, I. W. Hill, F. P. Lund, C. L. Chambers, Miss Ola Powell, Miss Madge J. Reese, and Miss Hannah L. Wessling.

In the reorganization not a single one of these was made a head of a division or even a chairman of a subcommittee, notwithstanding the long experience and successful administration behind them. The assignments were arbitrary, made without any regard to peculiar fitness for the job. Neither was anyone's advice as to the qualifications of the various members of the southern office asked for at time of assignments or since. Every subchief division head and chairman of all committees came from the northern office.

Regardless of the fact that Congress had provided for extension work in agriculture and home economics, suggesting two logical grand divisions, this reorganization plan, like Gaul, was divided into three parts. They are "projects and programs, methods of organization, and subject matter," with an administration office over all. The big chief, Dr. C. B. Smith, who, as a former member of the Office of Farm Management, had read a paper in the department years before, in which he minimized the influence of practical demonstration in agriculture as contrasted with other agencies of instruction, fits well into the new scheme. Two of his assistants, Messrs. Graham and Wilson, from the office of north and west, are put at the head of divisions.

The third place was left vacant for months, although the men and women who had helped establish the work and given it to the world were available. By and by an outside man, Mr. L. H. Goddard, from Ohio, was brought in and put in charge of projects and programs. Conditions soon became so intolerable in the division of organization that its chief, Mr. M. C. Wilson, had to be removed, but he was transferred to the Office of Administration and put in charge of reports and records with an increased salary. Then the divisions of organization and subject matter were combined and the salary of that chief increased also. The chief of this new combination made three little chiefs—all from the North—and their salaries were elevated likewise.

They had less experience and little success in comparison with those who were ignored because they were from the South. Then the big chiefs organized batteries of clerks with chiefs and messengers galore while the salary elevator kept rising. It is strange that successful civil-service clerks from all parts of the country who had worked in the southern office did not have a chance to get aboard the rising salary elevator.

The subdivisions of the division of methods were made to include county-agent work, home-demonstration work, and boys' and girls' club work.

These last subdivisions have a human suggestion about them. They come down toward the earth, dealing with the farm and the home. One would expect that the man, W. A. Lloyd, who had done most to develop county-agent work in the North and West, would be put in charge of the first of these subdivisions, but not so, because he is an Ohio Democrat and had to go. He was transferred to projects and programs and assigned to a district in the far West. Mr. A. B. Graham, with elaborate ideas about methods, programs, and projects, was appointed. Miss Florence Ward, who had been in charge of the very limited home-demonstration work of the 33 Northern and Western States, was assigned to projects and programs in agriculture and home economics and given a district made up of New England and some Middle Atlantic States. Miss Grace E. Frysinger, who has orthodox ideas about organization, methods, nomenclature, programs, and phraseology, has States in her district that have no home-demonstration agents, some have one, and some a few more, while the women in the southern work, Misses Ola Powell, Madge J. Reese, and Hannah L. Wessling, who had been so influential in getting from 30 to 75 women agents to a State, have been relegated to positions where no such influence for good can ever be exerted.

I present below a comparative table showing number of women home-demonstration agents in a group of 13 States taken from the Southeastern and South Central and a group of 13 States taken from the North Central. As far as possible, the States are paired according to the amount of Smith-Lever funds allotted to them. This table gives only white women agents in the South. There are also 94 negro women agents in the South.

*January 16, 1923.*

| SOUTHERN. | | NORTHERN. | |
|---|---|---|---|
| Alabama | 34 | Missouri | 9 |
| Arkansas | 33 | Michigan | 7 |
| Florida | 33 | North Dakota | 1 |
| Georgia | 61 | Ohio | 10 |
| Kentucky | 23 | Indiana | 2 |
| Louisiana | 26 | Kansas | 8 |
| Mississippi | 39 | Iowa | 17 |
| North Carolina | 50 | Illinois | 16 |
| Oklahoma | 39 | Wisconsin | 1 |
| South Carolina | 35 | Minnesota | 4 |
| Tennessee | 27 | Nebraska | 4 |
| Texas | 67 | Pennsylvania | 0 |
| Virginia | 33 | South Dakota | 5 |
| Total | 500 | Total | 84 |

The above table reveals that the major part of this work is done in the South. The South, however, has little part in making "programs" and "projects" in the Department of Agriculture.

The same kind of treatment was given to the men who originated and developed the boys' club work, with its large and profitable record in crop and live-stock production, while the Rocky Mountain section was drawn upon to find a man, Ivan L. Hobson, of limited and local experience, to put at the head of the boys and girls' club work of the entire country. There can be no objection to his working among his own people, but it will hardly be contended that Rocky Mountain agriculture and Brigham Young theories of home making should be thrust upon all the American home builders.

The home-demonstration work was based upon the belief that "the great force which readjusts the world originates in the home." Congress made extension work in home economics coordinate with extension in agriculture, but the reorganization of the department makes it very subordinate. In the projects and programs it is put on a parity with cattle, crops, hogs, and sheep. The highest positions given to women are five or six degrees removed from the Secretary. The women in the department and in the States who developed this great educational system in a decade are pioneers and benefactors. No other nation has women county agents. Three-fourths of such agents are in the 15 Southern States. Other countries have sent representatives here to study the work in the South, and some of our women have gone abroad with their message of hope and promise. Perhaps some big and little chiefs in the department had better be informed that women are now citizens of this Republic. Some leading women are protesting the fact that the extension office in Washington has prepared an annual report form for the whole work which does not mention the word "woman" or provide properly for reporting many of their most valuable activities. The women of the country are being shamefully ignored by certain pinhead chiefs in the Department of Agriculture.

In the conduct of the extension work under this revised reorganization no important communications can be sent out by former members of the southern office. Even the unimportant ones must bear the approval of a petty chief of a different political and pedagogical faith. He is often one who has no personal information of southern conditions.

This practice has been going on for more than a year. Five of the best workers have resigned. Others remained for the sake of the cause and hope for better things. All of them came from useful fields of service. Some have written valuable books, bulletins, and other publications on agriculture which are in demand in this and other countries. But they are gagged now. Thus the teachings of the great founder of the work are being suppressed in spite of the fact that former Congressman Lever, the author of the extension act, said "Dr. Seaman A. Knapp stands out toweringly among a bare half dozen really great agricultural leaders in the history of our country.

Surely a mere statement of this situation will call for a remedy from a department which heretofore has been remarkably free from partisan politics.

Some explanation may be found in a difference of opinion on educational principles and methods. There are two schools of thought. The one begins at the bottom and works upward, the other begins at the top and goes downward. The one begins with a great idea, the other with an elaborate schedule. The one starts with the farm and the home, the other goes forth with national programs and projects. In the one the department was created for the farmer, in the other the farmer exists for the experts of the Department of Agriculture. The one depends upon growth, the other upon dogmatics. The one makes the demonstrator on his own farm the center of influence and instruction, the other scatters instruction from the specialists. The one starts with simple demonstrations in production and develops them through standardization and marketing, the other starts with didactic instruction and assumes the superiority of the instructors. This accounts for the multiplication of specialists or experts, and points to the threatened failure of the whole enterprise as Congress conceived it.

The one represents the vanguard of educational thought, the other is medieval in its philosophy. The one eagerly seeks to teach how best to grow corn and cotton, the other satisfies and inflates itself on high-sounding terminology. The one was the inspiration of Doctor Knapp in creating the demonstration work, the other is the conceit of petty chiefs and specialists now destroying it.

The demonstration method in agriculture has met with approval and support everywhere, even in periods of great rural depression. In fact, it shines when tested. Hard times enhance its value.

If Assistant Secretary Pugsley and Chief C. B. Smith are not responsible for this threatened disaster to the extension work, let them name the guilty. If they are responsible, let them be transferred or dismissed.

I am not speaking against any person, but for the life of extension work in the Department of Agriculture which two short years ago offered such promise to the American farm and to the American home builder.

I have already indicated that Secretary Wallace is perhaps not informed of the havoc that is being wrought in the extension work. Without their knowledge or consent I have named the witnesses who are able to give him exact information.

Be not deceived, Mr. Secretary; your department is losing the confidence of the people in the counties. Give less money and time to strait-jacket mechanical "programs" and office paraphernalia and deal with the human element in the counties; expend the money you have in the counties where the work, if it is to count, must be done. Give the men and women in this service a square deal; cut out cheap politics; reduce the amount of money expended in overhead expenses and get the demonstration work, by boys and girls and by men and women alike, down to the earth in the counties where the farmers live, and avert the impending disaster. [Applause.]

*Summary statement of allotments of cooperative extension funds by sources and lines of work, 1922-23.*

| Items. | All sources. | Federal Smith-Lever. | State Smith-Lever. | Supplementary Federal Smith-Lever. | Supplementary State Smith-Lever. | Farmers' cooperative demonstration work. |
|---|---|---|---|---|---|---|
| Total | $18,819,894 | $4,580,000 | $4,100,000 | $1,300,000 | $1,300,000 | $1,027,981 |
| Administration | 1,014,569 | 519,090 | 321,178 | 3,007 | 698 | 10,359 |
| Publication | 357,711 | 136,542 | 95,213 | 693 | 1,380 | ..... |
| Specialists | 3,392,813 | 1,376,382 | 1,037,193 | 23,196 | 9,705 | 43,533 |
| County work | 4,054,801 | 2,547,986 | 2,646,416 | 1,273,104 | 1,288,217 | 974,098 |
| County agent work: | | | | | | |
| Leadership | 969,262 | 498,897 | 234,904 | 90,803 | 21,466 | 118,927 |
| County extension work | 8,974,806 | 847,173 | 1,645,850 | 1,096,460 | 1,106,568 | 490,465 |
| Home demonstration work: | | | | | | |
| Leadership | 660,455 | 307,497 | 194,711 | 12,285 | 9,910 | 79,831 |
| County extension work | 2,347,761 | 529,653 | 402,357 | 42,563 | 135,793 | 186,562 |
| Boys and girls' club work: | | | | | | |
| Leadership | 551,414 | 299,090 | 117,228 | 1,843 | 14,180 | 66,043 |
| County extension work | 551,103 | 65,676 | 51,366 | 29,150 | 300 | 32,269 |
| Total college | 6,946,224 | 3,137,498 | 2,000,427 | 131,827 | 57,339 | 318,684 |
| Total within the county | 11,873,670 | 1,442,502 | 2,099,573 | 1,168,173 | 1,242,661 | 709,297 |

Due to a revision of the Kansas budget, there is a difference of $1,250 in county agent work between this table and the one by projects.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, the newspapers of the country have given much publicity to the decision of Professor Lowell, of Harvard University, in which he refused to allow a negro to board in a dormitory with white students. Professor Lowell is right as far as he goes, but he does not go far enough.

There is, though, in his reasoning the idea which if expanded and enlarged means the solution to a large extent of the race question. What I shall say now is not for the purpose of stirring up bitterness between the races, but for the purpose of defending Professor Lowell's position and showing that he at least has a glimpse of the true light on this question. I want to quote the newspaper item on Professor Lowell's decision, but before doing so I want to quote from what I said on the race question on this floor on the 18th day of January, 1922, just a year ago. I want to show that the professor of the great New England university is coming to the viewpoint of the South on this great question, which is the only correct viewpoint. This question

would be practically solved if no one would mess with it except those who are familiar with it.

Here is what I wanted to repeat from my speech on the Dyer bill:

Let us build up a better feeling between the races, not a more bitter one.

Mr. Chairman, the white race will determine what position in this great civilization the Negro race shall occupy. This will eventually be determined not by sectional hatred—not by partisan prejudice and not by political selfish narrowness. The white race will write the verdict of the negroes' rights in this Nation, and the white people of the South will help make, will agree to, and will approve the verdict. The verdict will be impartial. It will be fair. It will speak the truth. It will be made up, after a careful consideration of all the evidence submitted by the Negro race, in view of all the surrounding circumstances and under the laws of eternal fairness, justice, and right. The verdict will not be a directed verdict. It will not be a forced decision. The white race will decide what position the negro is worthy to occupy from the negro's own acts, from his merit or lack of merit, and not from demands made by negro propagandists of either the Negro race or white race, except that these propagandists by the creation of racial hatred are introducing a mass of evidence against the colored race. I will say more along this line later.

The white man's verdict on the race question will not be made up by bills pushed through Congress, except this kind of thing hurts the Negro race. The verdict will not be made up favorably to the negro by the Negro race forcibly exercising privileges contrary to the wishes of the white race. The Negro race suffers from this. It does not gain. If I had a case before 12 jurors I would, so far as possible, introduce my best evidence. I would not want to be obnoxious to the jurors. I would want to show them every possible courtesy. I would want to be polite to them. Some negroes are handling the matter properly. Others are not. The negroes of the South are making a better showing for the race than is being made by the negroes of the North. The white race of the South is helping the negro solve the problem. We would soon solve the race question in the South if we were only let alone by racial prejudice, vultures of other sections. The negro of the South is very much more polite and respectful to the white race than are the northern negroes. While the southern negro as a rule is courteous and polite to the white man or woman, the northern negro is arrogant, haughty, disrespectful, and insulting to the white man and his folks.

The negroes of the South are working out their own salvation in this country; the northern negro is working out his own condemnation. The time is fast approaching when the North will bitterly detest the whole Negro race. The worst negroes of the South, if they miss the penitentiary, the gallows, and the occasional lynchings, are coming north to add to your already haughty, contemptible northern negro population. This mixture of our worst with the northern bad Negro race will go on making themselves as obnoxious as possible to the white race. They will push you and your wives and children aside to get on street and railway cars first, and then take the best seats and slouch down on the seats and force you and your loved ones to sit by them while they, in order to be sure they appear your equal, make themselves as offensive as possible. They will push you and your folks off the sidewalks to show you that they have special rights and are exercising them. At the public parks and public gatherings they will be anxious to show the white man that they are his equal. They will be sure and get between you and the music, and stand if you are sitting. They will talk loudly and laugh boisterously while you are trying to hear, to show you they are exercising equal rights. They will puff their cigar smoke so you will get a full share, and they will spit so a little will come your way, so you will know they are exercising their rights. They will not dare sit together at the band concerts; they will mix as thoroughly as possible, so you will see they are there. As nearly as possible they will get one on each seat in the street and railway cars, to show you they are exercising their rights.

It does not differ how many seats are in your waiting rooms; they will, if possible, get a few on each seat, so you will have the pleasure of standing or sitting by them and knowing they are exercising their rights. What I am saying is the truth. I am describing the condition in Washington and the North where the negro is to-day. I am not talking about the South now. On Christmas eve night I was in that great, magnificent passenger waiting room here in Washington, the most magnificent waiting room in the world. There are many, many most splendid seats. There were present about one-third enough people to fill all the seats, and yet, upon careful observation, I found a few negroes on every seat in that great waiting room. Not a single seat left where a white woman or child could sit without being side by side with a negro. Yes, plenty of room, but no room where there were no negroes. The negroes of Washington and the North are determined to force themselves in as the equal of the white man. The so-called educated negro is the most obnoxious of all He thinks he knows how to swagger and not give an inch to any human being that is white. He thinks that to be courteous to a white person is to admit that he is not the white man's equal, and he must never do that.

The white people of the North will before long get the idea that there are no good negroes; no, not one. The northern negro and the mean southern negro who comes north will expect political equality, economic equality, and social equality. He is determined to push himself forward in these respects every time he can, and if he gains an inch he will swagger over it and make his colored brethren hate the white man all the more. The northern negro believes he is given a greater freedom with the white women up here. If he commits rape he expects the father and brothers, relatives, and neighbors of the outraged girl to plead for his protection and beg for him to become a great hero and have a fair and impartial trial with the outraged girl, if left alive, in court to testify and him to deny. He expects newspaper write-ups, and the folks, some saying, "The rapist, Mr. Jones, must be innocent," and bringing him flowers, and if convicted he expects executive clemency and probably a pardon, with an implied invitation to him and others of his kind to go and do likewise.

All the while the negro will be working his own condemnation, for as surely as day follows night so surely will the misunderstandings, the discourtesies, the insults, the outrages, the growing race hatred finally break forth not only in St. Louis, Omaha, and Washington but all over the North, and the awful carnage or race riots will hold sway. Why can not the northern negro see this and instead of being haughty, offensive, and discourteous to the white race be all that the southern negro is in the way of respect, courtesy, and politeness to the white race? You agitators had better quit teaching race hatred and teach race respect and good will. You better teach the Negro race to respect and love the white man instead of hating him. You better plead for good will, which will protect your innocent women and children against riots, instead of worrying over the rapist. You had far better plead for separate passenger stations, separate passenger cars, separate seats on street cars, and separate space at band concerts, and every other arrangement which will lessen the friction between the races and bring about a better feeling.

In the South everything has been done that can be done to lessen the friction between the races. A few of the worst negroes will be lynched. The negro in the South who commits rape knows what is coming. He simply commits suicide, that is all. If something is not done, and that speedily, hundreds will be killed in the North for every one we lynch in the South. You simply can not start a race riot where negroes are courteous and polite to the white folks. The white people will not stand for it.

When race hatred is fanned almost to an all-consuming flame and some one or score of men say lets destroy the negro section and dozens of men promptly say, "No; old Bill lives down there. Old Fanny, my good old cook, is down there. The negroes down there are the friends of the white people. They are polite and anxious to be our friends." No race riot takes place.

But, on the contrary, let every man in the crowd remember not a good negro but a bad one, not a good deed but a bad one, not courtesy and politeness but disrespect and vicious conduct, and then hell breaks loose. The good negroes are saving the negro race, the bad ones are destroying it. Why do not we worry about the good ones and not so much about the criminal and the rapist?

Here is the newspaper item about Professor Lowell's decision:

[By the Associated Press.]

NEW YORK, January 12.—President A. Lawrence Lowell, of Harvard University, in a letter to Roscoe Conkling Bruce, prominent negro graduate of the university, published in the New York World to-day, defends the exclusion of negro students from the freshmen dormitories.

Mr. Lowell declares that while the negro is entitled to the same opportunity for education as the white man, "we do not owe to him to force him and the white into social relations that are not or may not be mutually congenial."

REQUEST FOR ROOM DENIED.

Bruce's recent request that a room be reserved in the freshman halls for his son, who is preparing to enter Harvard, was denied.

President Lowell's letter says:

"I am sorry that you do not feel the reasonableness of our position about the freshman dormitories. It is not a departure from the past to refuse to compel white and colored men to room in the same building. We owe to the colored man the same opportunities for education that we do to the white man, but we do not owe to him to force him and the white into social relations that are not, or may not be, mutually congenial.

WOULD INCREASE PREJUDICE.

"We would give him freely opportunities for room and board wherever it is voluntary, but it seems to me that for the colored man to claim that he is entitled to have the white man compelled to live with him is a very unfortunate innovation, which, far from doing him good, would increase a prejudice that, as you and I will thoroughly agree, is most unfortunate and probably growing.

"On the other hand, to maintain that compulsory residence in the freshman dormitories—which has proved a great benefit in breaking up the social cliques that did much injury to the college—should not be established for 99½ per cent of the students because the remaining one-half of 1 per cent could not properly be included seems to me an untenable position."

Professor Lowell says in brief, "we do not owe him," speaking of the negro, "to force him and the white into social relations that are not or may not be mutually congenial." Writing further, Professor Lowell says that to do so "far from doing him good would increase a prejudice" "that is probably growing." This is the truth, if not the whole truth. The time is fast coming, it is here, when everyone, white or black, North or South, who thinks about this great question must agree that every time the negro forces himself or is forced by others into places where the white race does not welcome him he injures the Negro race by offending the white race. The Negro race must succeed by being courteous and not by being offensive. If he attends a white school, he injures his race by creating a bitterness against his people. If the white students of the school stand for it, the white people of the Nation as a whole do not approve of it and condemn the people in charge of the school who permit it. Professor Lowell has caught a glimpse of the light. He and his school need more light.

Negroes ought not to attend his school at all. The so-called "Jim Crow" law which makes whites and negroes ride in separate coaches on trains, use separate seats in street cars, and use separate waiting rooms at the stations is a most excellent law for both races. In the South neither race offends in the least the other while traveling. The white man with his family starts for a trip, goes and returns and thinks no less of the Negro race after his return. In the North a white family is, while traveling, all the while face to face with the impudence, the insults, and the offensive conduct of the northern negro, who takes special delight in being offensive to the white race with whom he feels equal and to whom he feels superior.

You can not tell me the white people of the North all do not want to associate with negroes. The same feeling we hav in the South is here and is growing rapidly. The best th

the Negro race could do for itself would be to say: "Give us separate cars, separate waiting rooms, separate parks, separate schools, separate libraries, and separate sections of town to live in. We do not want to offend the white people in the least. They are our friends. We are theirs. We plead and are willing to live for a still better feeling between the races." This would help mightily, the situation.

A school library was finished last year here in Washington, and the men in control said they wanted the negroes and whites all to use it, and said it was a library for all. I thought how wrong they are. It will not be a library for all. It will be a library for two classes only, namely, the white people who want to associate with negroes and the negroes who want to be offensive and who delight in forcing the white man to deal with him as an equal. There will be no place at this library for the white person who does not want to associate with negroes and no place for the negroes who do not want to do anything which will offend the white man, if there are any such negroes in Washington. I believe the negroes teach their children here to be as offensive to the whites as possible. The old and the young of the Negro race here are doing well their part of building up a contempt of the white race for the negroes.

On street cars, on railway trains, and in passenger waiting rooms, where the two races are forced to occupy the same seats and sit side by side, there is built up a race hatred that will eventually make the Negro bitterly hated by the white race, and which hatred will go far toward the destruction of the Negro race. The Negro race must have the good will of the white race in order to exist among the white race. The negro can only live in white United States by the grace of the white man. Why the negroes do not strive in season and out of season for the good will of the white man by which good will the negroes only can live, I do not know. Many negroes of the South see in the white man their friends and are day by day building up a good feeling between the races. The negroes of the South are making themselves a place by being courteous and polite to the white man and his folks. The negroes of the North are destroying the chance they have by attempting to force themselves where they are not wanted and by being insolent and offensive. Many negroes in the South would not under any circumstances come in at the front door of a white home unless specifically requested to do so. They do not want to use a white waiting room or ride on a train in the white coach if it offends the white man or white woman or white child in the least. These kind of negroes are the saving power of the Negro race. You have very few or none of them in the North. The average negro of the North takes a special pride in making himself offensive to the white race. He wants to ride with the white folks. He wants to use the same waiting room. He wants to use the same libraries, the same schools, and the same boarding house. He wants to live in the white neighborhood of the towns. He wants to do all this not because he loves the white folks but because he hates the white race and wants to show them he is their equal and their superior. He wants to do all these things not in order to be polite but to be obnoxious. You have here in Washington probably the most beautiful passenger station in the world, with hundreds of most splendid seats. You have worlds of space there and hundreds of seats for the negroes who want to be vicious and offensive to the white race and who gloat over making white folks sit by them, regardless of whether the white folks want to sit by them or not. You have in that waiting room not a single seat nor a square inch of space for the negroes who do not want to be offensive, who do not want to sit by white folks if not desired, and who prefer to sit with their own race and foster a good feeling between the races. You have in that waiting room all space for the whites who want to associate with negroes. There is no space for the white man, woman, or child who does not want to sit with strange, offensive negroes and who prefer to associate with the white race.

Millions and millions of the people's money have been spent and are spent each year on dozens of most beautiful parks here in Washington, and most splendid music is furnished—for whom? For only the whites who want to associate with negroes, who want to smell the cigar smoke puffed in his face by an offensive negro, who likes to have them walk in front of him and talk loudly, regardless of where he may move, and who prefers the boisterous laugh of the crowd of negroes in front of him to the music. These parks and music are also for the special use of the negroes who want to and do get a special satisfaction out of so far as possible appropriating all the parks and all the music to themselves by so acting as to prevent the white people from enjoying either. We need a few parks for the negroes who live in Washington and who do not want to be obnoxious—if there are such here. There ought to be some provision for the whites—and I know there are thousands of them—who want a breath of fresh air without being compelled to associate with offensive negroes.

Oh, the disgrace of the negro situation here in Washington! We have here in Washington a so-called reformatory for girls. It is filled up with negro girls and a few white girls. In other words, if a white girl makes a mistake or does some wrong for which she should be corrected she is forced to live with a bunch of negroes in order that she, a white girl, may be made better. The gang in authority in Washington who causes this to be done ought to be forced to eat with negroes, sleep with negroes, live with negroes, smell negroes, and work at hard labor with negroes in a penitentiary for and during the full end and term of their natural lives.

Gentlemen of the committee, the race problem will be solved when the negro race and the white race find out that the thing to do is to do that which will cause the least friction between the two races and promote the best feeling between the white man and the colored man. [Applause.]

Mr. ANDERSON. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, some weeks ago while I was not in the Chamber several gentlemen took a kindly interest in the bill to establish a Code of the Laws of the United States, which passed the House two years and four days ago, and made inquiry as to what had become of it during the last two years. I can not now go into this in much detail, but I can perhaps answer a few of the questions that were asked at that time. Let me preface my remarks by saying a word in respect to the history of what was done before the bill left here. Twenty-two months of hard work were put on the bill before it came into the House. We had the assistance and encouragement of more than 100 Members of this House who came in to see us and personally observed just what was being done. We followed the plans of the old, original, Revised Statutes, taking advantage of that experience, and, we hope, considerably improved the work that was done, especially as we had more time in which to do it.

HE WANTED TO LOAN ANOTHER BILLION.

The bill passed the House May 16, 1921, unanimously. As far as I know, no other man who ever tried a lawsuit has ever made any objection to the bill. We sent the bill to every department, and some of them helped us considerably. For example, the War Department made a very careful research of the bill as it affected laws respecting the Army. They found two mistakes, which we were very glad to correct. I was glad to be able to say that we found that in their array of military law there were 27 omissions, which we had supplied and which they inserted. Other departments took different views. The then Secretary of the Treasury, for example, found a "terrific blunder of such serious character" that he stated the bill could not possibly be any good. It seems a law had been passed authorizing an issue of $1,000,000,000 of Liberty bonds. The law was executed. That gentleman was greatly distressed to find that it was not included. He said the $1,000,000,000 worth of bonds were out, and it would be very embarrassing if they did not have anything to stand behind them; he was not quite sure whether the bonds could ever be paid. I suggested that since the law had been executed and was not in effect any more it would certainly be very embarrassing if we reenacted it, as we would if we included it in this bill, because he could then issue another $1,000,000,000 worth of bonds. I said I did not believe that was the best thing to do. I asked him who his attorney was, and he said that it was not practical to say. Gentlemen can judge from this of the kind of some of the help that we received.

NAVY THROWS OUT 71 SECTIONS ON THE "BEST OF OUR INFORMATION AND BELIEF."

The Secretary of the Navy called our attention to the fact that the rear admirals, the General Staff, the war council, and some other great men had very carefully considered certain legislation enacted by Congress and had reached the conclusion that it could not be put into effect, and not being putable, so to speak, "it evidently was not in effect," and therefore it would be necessary for us to drop those laws out of the bill. Not being gifted with any special authority we did not feel that we could drop them out, and we declined to do so. Let me show you a little something else about that Navy Department. They called attention to 71 sections which "to the best of their information and belief" were not any longer the law.

Just exactly what would you do, gentlemen, if you were a judge and a fellow laid a brief before you in which he stated that to the best of his information and belief such and such was the law? That is the way they started. What it really meant was that there were certain sections of our law they had

entirely overlooked and did not have. We looked the stuff over very carefully. And there was one thing we thought was open to debate, and I think we took their advice. We had the very liberal assistance of gentlemen who wanted to leave out the law which was about a matter of precedence.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LITTLE. In a minute. There are certain sections they wanted to omit, because "to the best of their information and belief" they were not there. I think they are right about it, "to the best of their information and belief." [Laughter.] But I am referring to questions of precedence ordered omitted because the war council, the General Staff, and three or four rear admirals objected and ordered it not to be put in; high treason; ought to be court-martialed and shot. They called attention to the little headlines at the head of sections, which are no part of this law, specially provided, and we did not ask the gentlemen to do anything but take the law as it is now. Their taste did not approve our headlines, which are no part of the law, but satisfied the committee. So we did not change them. That introduced into this matter from the beginning a misunderstanding, very unfortunate, and we were compelled to overrule many suggestions, because we could not omit the law on their "information and belief." They became indignant and are so still. They demanded that we omit the law, change our section headlines, and omit 71 sections on their information and belief. We declined, and for that reason, and that alone, the Judge Advocate Generals and rear admirals of the second nine have kept up a continuous and baseless attack upon this bill, and you will see by their letters of May 25, 1920, and March 1, 1921, they demanded this omission because the General Staff and the rear admirals of the second nine had decided that your laws could not be put in effect, and they would therefore beat the bill, because we published the law as you made it, about who should go into dinner first, and hence these tears from the naval lawyers and rear admirals of the second nine.

Nevertheless, these very gentlemen, who know less of the law than any similar force in any department, have registered more alleged criticisms than probably all the rest put together. Hon. James R. Mann once remarked to me that there was more incompetence in the Department of the Navy than in any other in Washington. You wonder why such presumption should go with such ignorance, but I will show you. Perhaps the greatest difficulty that the revisers have had has been avoiding the malice of people who insisted that we should leave out the law or should put in something that had long since ceased to be the law. The most egregious and unpardonable offender has been the Department of the Navy.

When the Committee on Revision began this work and got it under way, they invited the assistance and cooperation of the legal staff of every department and bureau. Some of them were very prompt and helpful. The War Department made a thorough and careful examination of our work, comparing it with their aggregation of the laws of the Army. They found two mistakes which we gladly corrected. They also found 27 sections of the military law that they did not have in their compilation and promptly utilized them, giving us credit for them. But witness the Department of the Navy. In response to the committee's letter, the Secretary of the Navy at that time, on May 25, 1920, wrote the chairman of the committee that he had found many sections of the naval law of which he had never heard. He evidently had no intelligent compilation of the laws of his department with which to compare ours, but he promptly announced all the law he did not know was not there.

He said on May 25, 1920:

> The department has noted a large number of sections which to the best of its information and belief are no longer in force. * * *
>
> The following sections in said compilation have been noted as not in force March 4, 1919, and should be omitted therefrom: 2444, 2448, 2449, 2460, 2463, 2465, 2486, 2489, 2512, 2513, 2522, 2523, 2524, 2526, 2527, 2531, 2534, 2542, 2544, 2546, 2551, 2555, 2556, 2563, 2576, 2577, 2582, 2587, 2589, 2590, 2598, 2609, 2610, 2614, 2617, 2618, 2626, 2633, 2638, 2639, 2640, 2641, 2644, 2653, 2654, 2659, 2660, 2663, 2664, 2679, 2718, 2719, 2721, 2743, 2744, 2749, 2758, 2759, 2760, 2764, 2767, 2772, 2773, 2775, 2784, 2815, 2899, 2900, 2915, 3019, and 3023.

You will note at once the difference between the intelligent law department the Army then had and the gentlemen who had never tried a lawsuit who purported to be lawyers for the Navy. They actually expect people to give consideration to the criticisms of men who undertake to write a law brief beginning "to the best of its information and belief" this is not the law. That there should be anybody in the world so supremely ignorant as to ask a committee to accept such a statement on information and belief as of any value is almost beyond imagination. We knew, of course, then, that there was nobody down there who could be of any assistance to us, and we have never had any reason to change our minds since May 25, 1920.

NAVY SAYS CAN'T USE THE LAW CONGRESS MADE AND CODIFIER MUST OMIT IT.

But that was mild. Turn to the last page of the letter of May 25, 1920, which reads as follows:

> Section 2757 demotes rear admirals instead of promoting brigadier generals, as was intended by section 3 of the act of October 6, 1917. Further, so much of said act as provides that brigadier generals of the Army shall hereafter rank relatively with rear admirals of the lower half of the grade is defective and it has been impossible to put it into operation, for which reason the War and Navy Departments have requested its repeal. It is the opinion of the department, therefore, that all reference to relative rank between brigadier generals and rear admirals of the lower half of the grade should be omitted. The provision of section 1446, Revised Statutes, ranking commodores with brigadier generals is still in force and should be included in this section.

The gentleman gravely states that the law embodied in section 2757 "is defective and it has been impossible to put it into operation, for which reason the War and Navy Departments have requested its repeal. It is the opinion of the department, therefore, that all reference to relative rank between brigadier generals and rear admirals of the lower half of the grade should be omitted." We, of course, explained to them that we had no place in our plan that permitted us to omit any law. Of course you realize, gentlemen, that a man must be either extremely ignorant or wholly lacking in personal integrity to ask a committee to omit the law, but what shall we say of a man who, after being thoroughly informed of the situation, came back a year later on March 1, 1921, and repeated and again urged that we should omit that law, the letter reading as follows:

> The clause in the act of October 6, 1917, was the subject of the fullest consideration by the experts in both the War and Navy Departments, including the General Staff and the war council, with the result that the two departments agreed that this provision could not be put into effect, and concurred in recommendations to Congress that it be repealed. Inasmuch as the said provision could not be put into effect, its repeal would serve no purpose other than to eliminate it from the statutes, thereby preventing confusion which it might cause in the minds of those not familiar with the subject; whether repealed or not, the fact would be that it was not in effect and could not be put into effect, and therefore could not be regarded as a provision of law which was in effect in 1919.

As a matter of fact, gentlemen, you see at a glance why it is that the Navy Department has accumulated more alleged errors than anybody else, or than all the rest, probably. They were determined that we should omit the law, and we incurred their rancor and vicious opposition from that moment till now because we would not omit the law.

NAVY INSISTS CAN'T ADMINISTER NAVY IF LAW ON SEATS AT DINNER BE PUBLISHED.

If it were a matter of any importance it would be easy to understand, but as you glance at the letter of May 25, 1920, you will see that it is nothing at all but a little matter of social prestige, of what they call "precedence"—a quarrel as to whether a brigadier general or a rear admiral of the lower grade shall go in to dinner first—and, gentlemen, as astounding as you may consider it, they actually tell us that "it has been impossible to put it into operation"; and later they tell us that they could not administer the Navy unless we leave it out.

Kitchener, of Khartoum, once told me that with a commissioner from France and one from Germany, he representing Great Britain, he took part in investigating some points on the African coast line, each having a ship of his own. They went ashore in one boat every day, and the other two gentlemen quarreled constantly over a point of precedence as to which of them should go ashore first, until finally one day one of them fell into the water during the quarrel; and afterwards they went in three boats. An immense percentage of the obstacles that have been so viciously thrust in the way of this great code has been because the Navy did not want a rear admiral of the second nine to go in to dinner alongside a brigadier general. I have too much respect for the Government of the United States to state in full my views of such conduct; but you will see at once, gentlemen, that anything coming from the Navy must be discounted at least 99 per cent.

When House bill 9389 passed the House in December, 1920, they went into spasms because we did not omit the law, rushed down and told the Senate committee that they could not administer the Navy if this code went into effect, and began piling up an array of infinitesimal and contemptible criticisms. For example, in their first essay of May 25, 1920, they criticized section 2437 of House bill 9389, which is now section 2438 of House bill 12. We were worrying a bit over that and had about decided to make a slight change, and were glad to have their correction and made it. The first section, of course, in the Navy had their exact approval, which was just the way they wanted it; but when they found we had not omitted the rest they began by starting in again with another criticism of that section. Either they were ignorant when they made the first one

or they were malicious when they attacked it again, and they were both. Let us proceed another step in reviewing their letter of May 25, 1920, showing the basis of the work which is still hurling bricks at this committee.

NAVY REQUIRES HEADLINES IN CODE BILL BE CHANGED.

We asked the Department of the Navy, as we did the others, to compare our compilation of their laws with their own and to tell us what, if any, we had omitted and what dead law we had inserted. They evidently did not know that that was all they could do, and they proceed to make 103 criticisms of the wording of the headlines to the various sections in the code. This bill especially provides that the headlines are no part of the law. They were simply matters of taste and were written by the chairman and the revisers and the committee. Naturally, we felt that our taste was sufficient, and we did not ask for their criticisms; but, instead of proceeding to look up the law, they stated that "to the best of their information and belief," and gave full rein to their literary tastes and interests, changing the heading of one section from "Dentists' qualifications" to "Qualifications for appointment to Dental Corps"; changing "Enlisted strength" to "Enlisted strength defined," and so on ad infinitum. The committee, with their strenuous and extensive duties, found themselves unable to give consideration to the literary tastes of gentlemen who knew no law. By the time they had read our disposition of their original criticisms, some of which were adopted, the alleged lawyers from the Navy were far beyond control, and since then, over and over again, they have multiplied and dignified every possibility to make a suggestion into some criticism. One of the greatest mistakes of this Government is having Judge Advocates General of the Navy who never studied law. No man who never studied law should be permitted to occupy such a position.

REAR ADMIRAL OF SECOND NINE'S DINNER SEAT AT STAKE.

The whole difficulty has been because some Judge Advocate General, like the present one, a rear admiral, is worried about where he will sit at dinner when a brigadier general comes in, and has kept the gentlemen doing the work on the jump to find more and more imaginary objections.

The Assistant Secretary of the Navy recently said in testifying before a Senate committee that they had three Judge Advocates General in St. Elizabeths Hospital. I am going to be perfectly frank and say that from the best of our observation of the Judge Advocates General during this great work, every one of them ought to be in St. Elizabeths, and we suggest that as an improvement in the Navy legal department.

A few months ago for the first time we finally got somebody in the Navy to give us the name of some lawyer that was working at it, and they did, two very pleasant gentlemen, neither of whom ever tried a lawsuit. The chairman, after a conference with them, found 41 things they suggested, most of which did not amount to anything, and conceded their being placed in the book as perfecting amendments and so wrote the chairman of the Senate committee and suggested that when he brought the bill in, he might make those amendments. At that time they had brought with them about 90 others and it was absolutely agreed between the gentlemen and myself in my office that practically all of them were not worthy of consideration and should be eliminated from the question. After returning to the Judge Advocate General and rear admiral of the lower half of the grade, whose place at dinner was at stake, they repeated the 41 that we had already agreed to put in and turned up with 96 more alleged criticisms, most of which they had already conceded to be of no value. Gentlemen of the House, this was done simply because we would not let them compel us to omit the laws of the land from the code of its laws, and not one of those objections was made in good faith, all just a malicious effort to make trouble.

WHY AREN'T ALLEGED ERRORS CORRECTED, IF ANY?

The committee has been told by the chairman of the Senate Committee on Revision that the Navy had some objections. Well, why does he not state them like I have? Why does he not say they are right? He has received from the House committee a full and clear analysis of even these 96, most of which were supremely silly. His committee has been drawing $6,800 a year for revision of the laws. Why should he not sit down and go to work, and if 96 of them are right, say so and amend the bill? That is what he is appointed for. The House committee gave 22 months to this work. Is there some society gentleman whose fingers must not be stained with a few minutes' honest toil? If there are some objections that are good, he ought to be just as able as the House committee to find them, and he is just as much at liberty to move their insertion. We will be glad to have the arguments in favor of why the Navy thinks the law should be omitted and why we should follow the "best of its information and belief." If there are no arguments in favor of that view, let us hear no more about it and let us take up something serious and finish this great bill, which has cost so much time and so much honest effort and which is so enthusiastically indorsed by members of the Cabinet, by solicitors of the departments, by United States judges, by great authors of the law, and by eminent attorneys.

Mr. HUDSPETH. I have complimented the gentleman from Kansas here on this floor and other places upon the efficient work performed in regard to the recodifying of the law. Will the gentleman from Kansas kindly state, I have inquiries from lawyers every day, when this work will be available for the law libraries?

Mr. LITTLE. I have only 10 minutes, and I am endeavoring to make the most of it. It went over, and as soon as it landed there I afterwards found that there were a great series of underground attacks being made on it which I could not locate then. I found much came from alleged law clerks in the departments who were mad because they could not dictate to the committee. I called the attention of one of the bigger ones to the fact that the lawyers on this committee had an active practice combined of something like 400 years, and I wished they would get somebody to examine them who had been in a court. These men then went to the Senate, apparently, and then we heard this talk about mistakes. Nobody in that committee has ever suggested to us any mistakes he had located, and I have sought eagerly for them. At this time, as far as I know, every department except the Navy has withdrawn every suggestion about a correction except those in which our committee concurred and asked such amendments be made. We have offered 66 amendments to the original bill. I have shown the status as it went there. Now, what has become of it? Gentlemen, I am very much better prepared than several weeks ago to answer that. For 20 months till yesterday no committee has held any meeting on House bill 12 or given it any examination whatever. They had a meeting yesterday. Now, is not that progress? You do not look pleased; I thought you would. They did; and some one is, he says, at work. Just how much work—the 4th of March this Congress expires—just how much work anybody is going to do in two months on 2,000,000 words I do not know. You can figure it out yourself. There are 10,700 and more sections; and I am going to ask you, gentlemen, would you think of beginning an examination now after holding it up for 20 months? Would any man in good faith make such a pretense of work on such a bill?

I am going to say this, just between us now, not for publication, that in my judgment every man who approached it with a particle of good faith had, within 12 months after it passed the House, fully presented every objection that he had to it, and criticisms which originated a year after it passed here were made merely to occasion confusion and delay.

Mr. MOORE of Virginia. Will the gentleman permit me to interrupt him?

Mr. LITTLE. I will.

Mr. MOORE of Virginia. Has the gentleman in mind the date when the Senate created the committee to take charge of this matter and pass upon the bill which was sent to the Senate by the gentleman's committee?

Mr. LITTLE. It is a committee like ours. It is about two years, with only three members. Senator ERNST is chairman.

Mr. MOORE of Virginia. About two years ago?

Mr. LITTLE. Before it left this House.

Mr. MOORE of Virginia. I will ask, When did the bill leave this House?

Mr. LITTLE. May 16, 1921.

Mr. MOORE of Virginia. And when did this Senate committee hold the first meeting?

Mr. LITTLE. Yesterday.

Mr. MOORE of Virginia. Yesterday.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Could I ask for three minutes more?

Mr. ANDERSON. I have not any time.

Mr. LITTLE. I would like to revise and extend my remarks.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. BLANTON. Mr. Chairman, some very ludicrous situations occur from time to time in this House. The Corpus Christi project, from both an economic and strategic standpoint, is a fixed policy of the Government, and it is so big and necessary to our progress, that it is not dependent upon the pork

barrel for its life or destiny. When the distinguished subcommittee having the river and harbor appropriations in charge reached that item, General Taylor testified, and the whole inquiry was conducted by our able friend from Wisconsin [Mr. STAFFORD], and that portion of the hearing speaks such volumes on that question that I ask, if there is no objection, that I may put the whole questions and answers in the RECORD in connection with my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to incorporate in the RECORD the matter indicated. Is there objection?

There was no objection.

Mr. BLANTON. I will not take the time to read it. I will insert the entire hearing in the RECORD. It is as follows:

CHANNEL FROM ARANSAS PASS TO CORPUS CHRISTI, TEX.

Mr. STAFFORD. The next item is the channel from Aransas Pass to Corpus Christi, for which you estimate $750,000 to be expended on improvement work in the next year and $10,000 for maintenance. Congressman WURZBACH, of Texas, appeared before the subcommittee in advocacy of this project and directed attention to the bill he had introduced (H. R. 12821) providing for its construction and maintenance. Describe generally that important project.

General TAYLOR. The reason for the recommendation for the improvement of the channel to Corpus Christi is that southwestern Texas is developing at a very rapid rate, and the need of additional shipping facilities is very evident. Galveston is the nearest point to Corpus Christi.

Mr. STAFFORD. And how far away is Galveston?

General TAYLOR. About 180 miles. There has been a project for a channel into Aransas Pass, with a terminal just inside of the pass. Several times facilities for making shipments have been developed, but almost as soon as they have been developed and started in operation a hurricane has destroyed them. The object now is to provide a harbor where it will be sheltered from hurricane effects. There were several localities considered and investigated with a view to the establishment, as the law said, of "a safe and adequate harbor." After very careful consideration Corpus Christi was selected as the proper point.

Mr. STAFFORD. What other places were considered?

General TAYLOR. Rockport, the city of Aransas Pass, on the mainland, and Harbor Island, near the entrance. Those three places and Corpus Christi were all considered, and Corpus Christi was selected for various reasons, one being that there are four railroads entering Corpus Christi; another, it is the largest place and is the business center of that country. Everything pointed to Corpus Christi as being the better place for a large development, and I see no reason why a port there comparable to Galveston should not develop in the future. It will affect a very large section of country in southwest Texas and all of the country tributary to that section.

Mr. STAFFORD. This is an entirely new project?

General TAYLOR. Yes, sir. There has been a 12-foot channel, but that is not sufficient for deep-draft ships.

Mr. STAFFORD. That also shoaled by reason of prior hurricanes?

General TAYLOR. Yes, sir. They tried to run a small boat from Corpus Christi to Galveston, but any boat that could operate in a 12-foot channel was unsafe in the Gulf.

Mr. STAFFORD. What character of traffic is likely to develop with the improvement of this harbor?

General TAYLOR. It will be a large cotton shipping point, for instance, and general merchandise will come in.

Mr. STAFFORD. What is the total cost of this project?

General TAYLOR. The total cost is estimated at $5,051,900, of which the United States is to contribute $1,394,800. The local interests are to contribute the balance.

Mr. STAFFORD. None of this work will be done until the local interests manifest their willingness to actually raise the necessary money to go ahead?

General TAYLOR. They have manifested that interest already; they have had a State law passed providing that a certain amount of taxes is allowed to be used for this work; the city of Corpus Christi has undertaken to raise a large amount of money and, I believe, they will be ready to go ahead with their part of the work as soon as we are.

Mr. STAFFORD. Does this consist of building jetties?

General TAYLOR. No; our work is altogether dredging; dredging the channel across Corpus Christi Bay.

Mr. STAFFORD. Will the National Government undertake any other work for the municipality?

General TAYLOR. No; they will do all of their own work. Their work is dredging the harbor basin, making some jetties for protection of the entrance into the harbor, building wharves and slips, and all accessory work.

Mr. STAFFORD. Will this be contract work or Government work?

General TAYLOR. Contract work.

Mr. STAFFORD. Suppose that one-half of this amount should be made available, what work would be done?

General TAYLOR. If one-half of the amount were made available, then one-half of the work would be done, and I am not certain whether it would be advantageous to do it or not.

Mr. STAFFORD. It is not certain that the money which is to be raised by the municipality will absolutely be available during the coming year?

General TAYLOR. They think it will be available by the 1st of March; they are planning to meet all the requirements imposed upon them by the 1st of March.

You will observe that General Taylor showed that he had provided $750,000 for the project and $10,000 for its maintenance, and the whole matter was practically approved and passed upon by our friend from Wisconsin. It passed his vigilant eye. Thereafter, after the whole hearings on this subject were over, our distinguished colleague from Texas [Mr. WURZBACH] went to the chairman of the committee and said he wanted to be heard on that item; that he had a bill to cover it, a private bill, and he wanted to be heard on it. The chairman [Mr. ANTHONY] told him that the whole matter had been passed, and it was too late. But out of courtesy to him our distinguished colleague from Wisconsin [Mr. STAFFORD], as he always does to help a fellow out, before the hearings were printed, preluded that feature—the first question asked in the hearing—with this statement:

Mr. STAFFORD. The next item is the channel from Aransas Pass to Corpus Christi, for which you estimate $750,000 to be expended on improvement work in the next year and $10,000 for maintenance. Congressman WURZBACH, of Texas, appeared before the subcommittee in advocacy of this project and directed attention to the bill he had introduced (H. R. 12821) providing for its construction and maintenance. Describe generally that important project.

That reference to Mr. WURZBACH was put in after the hearings were had, but before they were printed. I do not blame the gentleman from Wisconsin [Mr. STAFFORD]. He knows how beneficial that is to a Congressman——

Mr. STAFFORD. Especially to a Republican Congressman from Texas——

Mr. BLANTON. Yes; especially when he is the only Republican from Texas, and the administration wanted to help him out. But when Mr. DEMPSEY's amendment was offered yesterday—keep this in mind, gentlemen, that General Taylor and the committee had already taken care of Corpus Christi in its bill—but when the amendment was offered to put a lot of "pork-barrel" items in it, here is what happened. Mr. MADDEN was speaking, and the gentleman from Texas [Mr. WURZBACH] tried to get in a question. I read from the CONGRESSIONAL RECORD of yesterday, page 2023:

Mr. WURZBACH. Will the gentleman yield?

Mr. MADDEN. I do not yield.

Then, on page 2024:

Mr. WURZBACH. Mr. Chairman, I move to strike out the last two words.

Mr. KINDRED. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KINDRED. I rise in opposition to the pro forma amendment. Am I recognized?

The CHAIRMAN. The gentleman from New York is recognized in opposition to the pro forma amendment.

The gentleman from Texas [Mr. WURZBACH] did not get in there. Now, after the Dempsey amendment was offered, here are some more attempts to get in. On page 2025:

Mr. WURZBACH. Mr. Chairman, I move to strike out the first word.

Usually it is the last word, but he wanted to get in first. [Laughter.] I read further:

The CHAIRMAN. The Chair will recognize the gentleman from Wyoming in opposition to the amendment.

The gentleman from Wyoming was recognized. Then while the gentleman from Wyoming was speaking the gentleman from Texas [Mr. WURZBACH] asked, "Will the gentleman yield?" And the gentleman from Wyoming replied, "No; I can not. I have only five minutes."

Then the Dempsey amendment was passed by a vote of 152 ayes to 44 noes. Was the gentleman from Texas [Mr. WURZBACH] responsible for that? No. If he had not been here, it would have passed just the same. But long after it passed, after nine pages of debate on the Muscle Shoals proposition, here is where our friend comes in. He got up over here, after the gentleman from California [Mr. LINEBERGER] had moved to strike out the last word on the American Legion proposition, and said:

Mr. Chairman, I rise in opposition to the pro forma amendment. I have been trying all day to get a few words in on the river and harbor appropriation. I have a vital interest in the matter, not a selfish, personal interest, but one of those interests that affect the entire State of Texas.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment.

Mr. ARENTZ. The gentleman will not yield?

Mr. BLANTON. In a minute. I always yield eventually; but I do not want my remarks to be interspersed with irrelevant questions. From Mr. WURZBACH's speech published last night in the RECORD I read further:

I have heard it said that "an honest confession is good for the soul," and therefore I may frankly confess that a somewhat selfish interest prompts me to favor the increase of appropriations for rivers and harbors—

As if that was a matter he was about to bring to pass. Then Mr. WURZBACH says:

My good and genial friend, the gentleman from Wisconsin [Mr. STAFFORD], a member of the subcommittee that framed this bill, and who measures his words with great caution, was so impressed with the project which I had theretofore briefly presented to the subcommittee that he was impelled when referring to it in his interrogation of General Taylor to state most impressively, "General, describe generally that important project."

[Laughter.]

Now, listen; let me repeat what Mr. WURZBACH says:

The project which I had theretofore briefly presented to the subcommittee that he was impelled, in referring to it in his interrogation of General Taylor, to state most impressively, "General, describe generally this important project."

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not yet. I have not got to the yielding point yet. [Laughter.] Mr. WURZBACH also said:

I repeat a prediction I made several months ago, that San Antonio and Corpus Christi will become the twin-city metropolis of the great Southwest. The benefit of a deep-water port at Corpus Christi to the farming and live-stock interests of all that section will be enormous. It will cause thousands of acres of our virgin soil now lying in pastures and used for grazing purposes only to be cleared and plowed and put in a state of cultivation, and all that section made to blossom as a rose and make it the garden spot of the world. Where the forks-in-the-road country stores now stand will spring villages, villages will grow into towns, towns into cities, and cities will double and treble their population, and there will be happiness and prosperity for all.

You understand he did not say all this here on the floor in his five minutes; but that is what he extended in the RECORD, several pages of it. [Laughter.] But here when he rose to that pro forma amendment and spoke that five minutes, hoping to extend this speech in the RECORD, he said:

Mr. Chairman, I ask unanimous consent to revise and extend my remarks—

Mr. STAFFORD said, "I object." He did not have any right to put this speech in the RECORD, but he went back to his office and extended his five-minute remarks into this magnificent speech and put it in, over objection and against the rules of the House. Here is the keynote of the transaction——

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. The gentleman ought not to bother me. The gentleman from Nevada [Mr. ARENTZ] ought to know the rules, and he sought to be placed where he should know the rules of the Senate as well.

Mr. ARENTZ. I do not want to have a misstatement made.

Mr. BLANTON. There is no misstatement.

Mr. ARENTZ. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. BLANTON. I do not yield, and I ask the Chair not to allow the gentleman from Nevada to interrupt me.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLANTON. Here is the keynote of the whole proposition. Mr. WURZBACH said:

I repeat a prediction I made several months ago, that San Antonio and Corpus Christi will become the twin city metropolis of the great Southwest—

And so on. That is the keynote of the whole proposition. That is the ludicrousness of the situation, I will state to the gentleman.

Mr. ARENTZ. Will the gentleman yield?

Mr. BLANTON. Not now. I will yield to the gentleman later.

Mr. ARENTZ. I just want to state——

Mr. BLANTON. I am not going to let you do it till I get ready. Here is the ludicrousness of it. Mr. WURZBACH and his friends went from one side to the other of the fourteenth district of Texas and said, "There is just one way to get Corpus Christi taken care of. The Republicans are in power and I am the only Republican from Texas. They will listen to me. They will do more for me than they will for a Democrat. Elect me and I will take care of Corpus Christi."

The Texas people are just like anybody else. They wanted to take care of Corpus Christi. In the fourteenth district they want pork just like the people do in your district, and believing him they elected WURZBACH. They elected him and he has got to make it appear that he got the goods. Did he get the goods? No. Let me show you. It was Texas Democrats that put that increase in the bill, not WURZBACH. Let me show you the names of the Texas Democrats who voted for it.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BLANTON. Why, WURZBACH'S administration was against it. Did not Mr. MADDEN, the great he-Republican of you all, speak against it? Did he not fight it? Did he not try to whip you boys into line? Did not the great floor leader, Mr. MONDELL, oppose it and try to defeat it? Did not your distinguished chairman from Minnesota, Mr. ANDERSON, one of the leading leaders that you have on this side of the House—did he not oppose it? Did not your great big floor manipulator from Ohio, my good friend JIM BEGG, oppose it? Did not the distinguished Senator from Ohio, Mr. BURTON, oppose it? Why, your leaders tried to kill it; but Texas Democrats like Box; and BRIGGS, and BUCHANAN, and CONNALLY, and GARNER, and GARRETT, and LANHAM, and MANSFIELD, and SANDERS stood up with the rest of the meat getters and helped put that in there. [Laughter.] Why, it was not WURZBACH who managed it; and when WURZBACH sends this speech out to those 300,000 people in that fourteenth district he ought to let them know that the whole thing was cut and dried by a Democratic meat bloc and not by the Republicans. It was the Democrats from all over this House who wanted it; who took in a few of you Republicans with them and put it over your administration. [Laughter.] Now I will yield to my friend from Nevada.

Mr. ARENTZ. I just want to say to my friend from Texas that compared to him WURZBACH is a modest and shrinking violet.

Mr. BLANTON. Oh, yes; he is almost as shrinking as the distinguished gentleman from Nevada who will shrink out of the House on March 4. [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Can the gentleman from Tennessee give me five minutes more?

Mr. BYRNS of Tennessee. I yield to the gentleman five minutes more.

Mr. BLANTON. I was not one of the Texas men who voted for that $19,000,000 increase, because I believed that as a matter of justice and not as a pork-barrel matter Corpus Christi would be taken care of and that every other project that ought to be taken care of would be taken care of by the bill itself without that $19,000,000 increase. I am one of the few men in this House who stands consistently for a budget system. It is the only way on earth we will ever cut down expenses. I vote against my own interest sometimes in upholding the President's Budget. Why, the President's Budget sets this item at $27,000,000. To show that the distinguished gentleman from Wisconsin and the distinguished gentleman from Kansas were liberal on this matter they increased it $10,000,000, because in their bill they gave $37,000,000, and I was for upholding the Budget, and Mr. DEMPSEY and his meat getters then increased it to $56,589,910.

What is the Budget? It is just this, that the President, who is responsible to the people for the manner in which they are taxed, shall have a survey made of the available income of this country, and then, taking all the manifold interests of the Nation into consideration, he maps out the maximum expenditures that can be made along certain lines that will come within that income. Unless there is a Budget of that kind strictly adhered to there is but one thing staring this great Republic in the face, and that is bankruptcy. We have got to hold to a budget system and keep within budget maximums, and as long as I am a Member of this House I am going to continue to do it. I am going to fight for upholding the President's Budget, whether it is a Democratic or Republican one. I am going to stand behind the President in keeping down the expenses of this Nation and removing the great burden from the tax-paying people of this country. [Applause.]

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. BYRNS of Tennessee. I yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, one of the sad results of the World War is an all pervading cynicism. Men seem to have lost faith in their better selves. Appeals to idealism, appeals to a spiritual life, appeals to ethical and moral concepts are treated as the prattle of children.

An event of portentous importance is taking place to-day in Europe, an event fraught with most serious danger. Five times since the armistice has France threatened to invade German territory, and twice she has invaded it. France is now in possession of the coal-producing region of Germany. The British Parliament is not in session, but the radical and labor representatives of the British Parliament have given expression to a protest against the invasion. In Sweden an appeal has been made that the League of Nations take up the question, but the League of Nations is an abortion. It has neither moral nor any other force. It has no prestige. No one respects it. Its euphonious name can not conceal the rascalities committed by the Versailles treaty.

The American Congress should not be silent. The voice of America should be heard in this crisis. There is no other voice that can speak with authority. Europe has become Balkanized. It has been split up into numerous little nationalities and States, each jealous of the rest, and all coveting their neighbors' goods. The two greatest powers on the Continent of Europe, outside of Russia, are France and Germany. Unfortunately for France, the population of Germany keeps on growing, and, in spite of the increase of her territory as a result of the Versailles treaty, the population of France has diminished. The world can not accommodate France by killing off 25,000,000 or 30,000,000 of Germans so that the French and German populations may be numerically equal. The policy of France is actuated by fear and by the hatred which is born of fear.

Germany was mutilated by the terms of the Versailles treaty. Through the loss of all her colonies she lost many sources of raw material so essential to her manufactures. She was

stripped of a substantial part of her European population. She was deprived of her merchant fleet. Her organization for commerce with the outside world was shattered. She was deprived of a large portion of her iron and coal producing sections. The principal means of communication were put under the control of the Reparation Commission. An army, the maintenance of which costs Germany more than her entire army and navy cost her annually before the war, was placed upon her soil.

The powers of the Reparation Commission practically destroyed Germany as a sovereign power.

Not content with having divested Germany of a substantial portion of her population, of her territory in Europe, of all her colonies, and of many of her resources, an indemnity has been imposed which can not be paid without dooming to serfdom more than one generation of the German people.

It is under the pretext of enforcing the collection of this uncollectible indemnity that the invasion of the Ruhr region is undertaken.

The doctrine which permitted the imprisonment or the physical punishment of a debtor for the nonpayment of debt has long ago been repudiated. It was the South American statesman, Drago, who enunciated the doctrine which was vigorously supported by Roosevelt that at least so far as the American continent is concerned no attempt shall be made to collect debts from a nation by force.

The invasion of the Ruhr can have only one meaning and only one real object: It is to permanently strangle German industry, to prevent her industrial and commercial revival, and to enable the steel industrialists of France to add to their acquisitions of the iron region of Lorraine the coal regions of Germany.

The myth of the "one guilty nation" has by this time been disposed of. No serious student of history has ever believed it. It was a convenient war propaganda to divide the world into two groups—one endowed with all the noble qualities and contending for the highest ideals of democracy, the other representing an incarnation of all that is evil. Some people would want us even now to forget that when the European war began the Allies had on their side the autocrat of all the Russias, the King of Serbia, and the Mikado of Japan as a good counterpart of the Kaiser of Germany, the Emperor of Austria, and the Sultan of Turkey. While there is division of opinion as to whether the Czar of Russia or the Kaiser of Germany was responsible for the initial move which brought about the World War, I have not any doubt that it was German military strategy which determined when and where the first blow should be struck.

Analyzed in the light of the facts which we now possess, Germany was ready to strike while everyone around her was getting ready. No one nation can be charged with the sole responsibility for the European war. It was preceded by a severe imperialistic contest for colonies, for world markets, for the absorption of the weaker nations, for the acquisition of new sources of raw material and of new markets, by commercial rivalry, by the endeavor of Germany to establish a competitive route by land to penetrate Asia Minor, by dynastic intrigues, the fanning of national and racial hatreds, and by the artificial stimulation of the war spirit.

As I said four years ago in one of my speeches on this floor:

> Europe was first an armed camp, then it became a slaughterhouse, and it is a madhouse now.

It is inevitable that the invasion of German territory should lead to a revival of the war spirit. France, which has been complaining of kaiserism—and there is no doubt that the presence of a militaristic caste in Germany was a constant source of danger to her—is playing into the hands of the junkers and of the old military clique. Is there any surer way of destroying the confidence of the German people in their present Government than the humiliating of the Government by what amounts to a forcible annexation of German territory? How long can a self-conscious and self-respecting people tolerate foreign military domination?

Mr. GARNER. Will the gentleman yield?

Mr. LONDON. I will yield to the gentleman.

Mr. GARNER. The gentleman said that this country ought to do something. What would the gentleman have this country do?

Mr. LONDON. I would have the American Congress express in kind but solemn words a desire that the invaded territory be evacuated. I would ask that the President be instructed to mediate. I would urge the convocation of an international economic conference. I believe that, in the name of the joint sacrifices made by the United States in the war, France owes a respectful hearing to the American Congress. While France relied for sustenance in her distress on czarism, it was not czarism that saved her; it was the American democracy that finally saved her. [Applause.]

Mr. LINEBERGER. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. LINEBERGER. What does the gentleman think Germany owes civilization for the ravages she committed from 1914 to 1918?

Mr. LONDON. Oh, please, can the gentleman for a moment abandon this war talk about ravages? War is destruction. There is no mercy; there is no humanity during war. There is no greater negation to everything human than war.

I have no doubt that there were many acts of brutality, but every war is brutal, and we must abandon this war psychology, for it is about time to abandon it.

Mr. GARNER. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. GARNER. Let me ask the gentleman another question. Suppose the United States carried out the suggestion of the gentleman from New York, and France did not see fit to heed her admonitions. In that case what would the gentleman do?

Mr. LONDON. The only thing that we could do would be to morally isolate France. The only punishment that you can inflict is to isolate a nation and refuse to do business with it. If it is right for France to invade German territory in order to collect money, it would be right for America to invade French territory to collect the $3,000,000,000 that she owes America, and nobody would ever think of suggesting that.

Mr. MACLAFFERTY. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MACLAFFERTY. Is not France within her treaty rights to-day in endeavoring to collect money from Germany?

Mr. LONDON. I want to say that that treaty has no moral sanction in the mind of any thinking man. The Versailles treaty is a treaty of violence. It was dictated by physical force, and one of the most infamous things committed in that treaty was to compel a nation to admit that it was the only guilty nation.

Mr. MACLAFFERTY. I again ask the gentleman whether or not France is within her treaty rights.

Mr. LONDON. At the present time?

Mr. MACLAFFERTY. Yes.

Mr. LONDON. Not according to the opinion of her British or Italian allies.

Mr. MACLAFFERTY. Within the gentleman's opinion?

Mr. LONDON. In my opinion she is not. In my opinion it is wrong to take the territory of another nation, which means taking the livelihood of the other nation. It means the enslavement of another nation. Slavery can not be defended on the basis of any treaty or of any piece of paper which was dictated under physical coercion.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANDERSON. Mr. Chairman, I yield 15 minutes to the gentleman from Nebraska [Mr. EVANS].

Mr. EVANS. Mr. Chairman, on the 12th of December last, when the committee had before it for consideration the bill H. R. 13232, the gentleman from Tennessee [Mr. BYRNS] propounded certain inquiries to me, then in charge of the bill, respecting the accountants that had been employed in the Department of Justice. I was unable at that time to reply to the inquiry or give any definite answer, either affirming or denying the statement which he then said that he had received from high authority. As soon as I could, I got in touch with the Department of Justice and requested a statement from the department and from Mr. Cameron, who is the chief accountant, as to the questions propounded by the gentleman from Tennessee. I have in my hands a letter written by Mr. Cameron, of date December 14, which it had been my intention to present to the House at the time the conference report upon the bill was being considered, but at that time I was engaged in committee work and was not present and I failed to do so. I ask now that the Clerk be permitted to read the letter in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

DEPARTMENT OF JUSTICE,
OLD LAND OFFICE BUILDING,
*Washington, D. C., December 14, 1922.*

Hon. ROBERT E. EVANS,
*Chairman Subcommittee on Appropriations,*
*House of Representatives, Washington, D. C.*

MY DEAR CONGRESSMAN: The CONGRESSIONAL RECORD under date of December 12, 1922, pages 370 and 371, reports some discussion relating to the appropriation for the investigation and prosecution of war

frauds. During this discussion certain questions were asked, and with a view to furnishing the information for reply to those inquiries the following data is sent you:

The present staff under the director of accounting investigation consists of 45 permanent employees, to wit:

One director, $18,000.

Seven employees (5 accountants and 2 engineers), ranging from $7,500 to $4,000.

Thirty-five employees (33 accountants and 2 engineers), ranging from $3,900 to $1,680.

Two typists, at $1,200 and $900, respectively.

The immediate needs of the work require 8 additional accountants. If the various matters now undergoing preliminary survey require extensive accounting, approximately 50 additional engineers and accountants will be required.

There are at present no special accountants; that is, firms of public accountants in the employ of the war transactions section.

With reference to the employment of special accountants for the examination of the records of the Lincoln Motor Co., please be advised that this firm was utilized for this service in conjunction with the permanent force of this office. The accountants had the work well under way on August 23 and completed the accounting by October 28. These special accountants are only paid for the actual number of days on which they perform service. On no occasion have accountants been employed at the rate of $50 per diem, nor have any junior accountants or assistants been paid at the rate of $25 per diem.

In the case of the Lincoln Motor Co., this firm of public accountants, one of the most reputable in the United States and having amongst its clients some of the most prominent individuals and largest corporations in the Middle West, accepted a contract from the Department of Justice to furnish accounting services at the rate of $30 per diem for principals and $15 per diem for junior accountants or assistants. At the present time a member of this firm is at the call of counsel in this case; that is, he is available on demand without charge to the Government except on such days as he actually performs services.

For your information, the employment of special accountants at per diem rates includes the furnishing to the department without additional charge of such services as stenography, typewriting, report writing, stationery, and the usual office facilities, such as space, typewriting machines, desks, etc.; that is, the usual overhead.

The use of firms of public accountants in connection with the permanent force of the department was decided upon after mature reflection. It was deemed wise and prudent, more economical in the long run, and for the Government's best interest in every way to secure the services of firms of public accountants who were well known and who have been in business for some time and who will be available whenever the Government proceeds to try the cases at issue, whether it be this year or five years from now. It is no more than right that the Government have at its call the best accounting minds in the profession for use in cases where the opposite side have used public accountants.

With few exceptions practically the entire accounting profession, including the most prominent firms, recognizing that they had a patriotic duty to perform, have offered support to the director of accounting investigation by agreeing to accept per diem rates from the Department of Justice considerably less than the usual rates of $50 minimum, which they are paid in the commercial world.

As some question arose as to my training and experience, the following information concerning myself is submitted:

I have been a public accountant since 1901; a certified public accountant since 1915; from 1905 to 1909 I was executive manager of the Audit Co. of New York. That is the company owned by T. DeWitt Cuyler, George Harvey, William A. Nash, Cornelius Vanderbilt, Joseph S. Auerbach, James B. Forgan, John J. Mitchell, and others. Since 1909 I have been in business in New York on my own account. In the more prominent cases mentioned below I was retained more particularly because of my wide experience in the examinations growing out of charges of fraud in public affairs.

I was retained by the executive department of the State of Pennsylvania to prosecute an examination into the expenditures in the years 1901 to 1907 for the acquisition of grounds, erection, construction, and furnishing of public buildings, more prominently referred to as the Harrisburg capitol conspiracy cases.

I was then retained by the attorney general of the State of Pennsylvania in criminal and civil suits against public officers of the State.

I was later retained by a group of taxpapers in the investigation of charges of fraud in the printing of the legislative record of the State of Pennsylvania.

I was a member of the advisory council of accountants in the investigation into the distribution of coal cars by the Pennsylvania Railroad Co. at the time when charges of preference were made by coal operators.

Then I was retained by the executive department of the State of NewYork in the investigation of the department of the sinking fund, investigation of the educational department of the State, and investigation of the State road contracts. Later I was retained to prosecute an investigation of charges of fraud, known as the New York dock frauds investigation.

Then I was retained in the taxpayers' suit in the State of New Jersey in an investigation of charges of fraud in the erection, construction, and furnishing of public buildings in Jersey City, Hudson County.

I was then retained by the State of New Jersey to prosecute charges of fraud in the erection of these public buildings.

I was appointed lay prosecutor in the State of New Jersey by the Hon. Francis J. Swayze, presiding judge of the supreme court, to prosecute alleged frauds in the fiscal affairs of Hudson County (Jersey City).

I was then retained by the executive department to report on the conduct of public affairs in all counties in the State of New Jersey.

I was later retained by the prosecutor of pleas in criminal charges against public officers in Hudson County.

The city of Louisville, Ky., retained me in cases growing out of fraud in public contracts and the erection and construction of filtration plants.

The city of Nashville, Tenn., retained me to prosecute an investigation of affairs growing out of charges of fraud in contracts for road construction and the taxpayers' suit to throw the city in the hands of a receiver, followed by a survey and investigation of all departments of the municipality.

The city of Wheeling, W. Va., retained me to lay out the fiscal affairs under the new charter growing out of change of form of municipal government.

In many of the above cases Mr. H. M. Brinckerhoff, engineer, partner of Col. William Barclay Parsons, of New York, was associated with me as the engineering representative.

I trust the information submitted herein will be of service to you.

Respectfully submitted.

JAMES CAMERON,
*Director of Accounting Investigation, War Transactions Section.*

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. EVANS. Yes.

Mr. BYRNS of Tennessee. I do not think that in the colloquy I had with the gentleman I said anything that would in any way reflect upon the capability or competency of Mr. Cameron. At that time I did not know that I knew Mr. Cameron. Since then I have learned that he is the same gentleman who did extensive work on the records of my home city—Nashville, Tenn. He did a splendid service there. Certainly I had no reason to question his competency and did not. I think he is an exceedingly competent accountant. My inquiry was based upon information which had been brought to me to the effect that accountants had been employed to investigate the Lincoln Motor Co. case at $50 and $25 a day, whereas those same men were employed by the firm which furnished them for this investigation at $200 per month. The letter which the gentleman has had read states that that is a mistake; that they were employed at $15 and $20 a day, but there is no statement in the letter contradicting the information brought to me that while the Government was paying for their services at that rate they were receiving only $200 per month from their employer.

Mr. EVANS. It is very probable that the employees of accountants used by Mr. Cameron in this investigation were employed at very much less or at considerably less than the price which the Government was required to pay, but the contracts which are made by Mr. Cameron with various firms of accountants are that at any given time, on his demand, he shall have placed at his disposal for the benefit of the Government certain accountants of a certain class, trained in a particular way, who are vouched for by these firms.

And it is certainly unnecessary to say that you could not expect any firm to create an organization, which has commended itself by its work to the public generally, for a price which they themselves are actually paying to them in wages and then add in addition thereto the overhead which is enumerated in Mr. Cameron's letter. Further, in respect to this matter of inquiry as to Mr. Cameron's employment briefly, the facts attending are as follows: That the Department of Justice inquired from all creditable sources as to where they could get such a person as would properly take charge of the immense problem they had in the investigation of these fraud cases, and after numerous inquiries in general throughout the country they decided that Mr. Cameron was the best, if they could get him, and called him to Washington and asked for his assistance, and he volunteered to give to the Government free of charge his advice in consultation in every way possible without permanent employment. What the Government desired was some person who would take charge of the organization and the investigation and be responsible.

They then offered him a salary of $10,000, and he would not consider it at all. They offered him $12,000, and he would not consider that. He was getting an income much more from his private business than he is now getting in salary, and it was only after repeated attempts on their part to secure his services, and when they had secured other persons outside of the Government employment to go to him and impress upon him the importance of the investigation to be made and the duty that he owed as a citizen that they could secure his employment. In this matter he has gone to the leading firms of accountants, men of influence and standing, where investigations have been or may have to be made, and has an arrangement with them by which he can secure their advice without cost, by which he can secure from those various firms at the rates to which I have called attention and to which he refers. There was another matter which came up during the consideration of that bill in reference to the rate paid attorneys, and I have secured a statement which sets forth this information, and also I ask that it may be included in my remarks as an extension if there is no objection.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks by printing the matter referred to. Is there objection? [After a pause.] The Chair hears none.

The time of the gentleman has expired.

The memorandum referred to is as follows:

*Comparative statement showing special assistants to the Attorney General and to United States attorneys, in special cases, under all appropriations, of the Department of Justice in service at the close of business on March 4, 1921, and December 12, 1922, respectively.*

| | On Mar. 4, 1921. | | On Dec. 12, 1922. | |
|---|---|---|---|---|
| | Number. | Range of compensation. | Number. | Range of compensation. |
| Engaged in antitrust work and paid from antitrust appropriation: | | | | |
| Special assistants to the Attorney General. | 8 | From a maximum rate of $24,000 per annum to a minimum of $2,000 per annum. | 18 | From a maximum rate of $12,000 per annum to a minimum of $1,800 per annum. |
| Special assistants to United States attorneys. | 4 | .....do..... | 7 | Do. |
| Engaged in war-fraud matters and paid from war-fraud appropriation—Special assistants to the Attorney General. | ..... | .....do..... | 35 | Do. |
| Engaged in general work other than above and paid from appropriation for pay of special assistant attorneys: | | | | |
| Special assistants to the Attorney General. | 129 | .....do..... | 111 | Do. |
| Special assistants to United States attorneys. | 114 | .....do..... | 103 | Do. |
| Total..... | 255 | ..... | 274 | |

It will be noted from the foregoing statement that omitting the attorneys employed in the war-fraud work which constitutes a new element, there is actually a decrease of 16 in the number employed on December 12, 1922, as compared with the number employed on March 4, 1921, and that including the new branch of work there is an increase of only 19, whereas, there has been an increase of approximately 30 per cent in the amount of business transacted, apart from the business arising in connection with war-fraud matters.

Mr. ANDERSON. Will the gentleman from Tennessee use some time?

Mr. BYRNS of Tennessee. I yield three minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, continuing my remarks with regard to the code, I depicted somewhat its history and condition up to date. We kept working on it in the House for 22 months. When it went over to the Senate it was just 22 months from that time until the close of this present session. In other words, the other people had the same time that we had. But they have had this great advantage that an immense amount of work had been done which would be wholly unnecessary to do again, and they could put in their time on such parts as they desired. For that reason there never was any reason why it could not be done. Now, the question arises, why has it not been done, and why have they never had a meeting until yesterday? I think I stated before that after that bill left us everybody in the world who had a real objection to make in good faith had made it. I repeat that in my judgment any objections made after a year, from May 16, 1921, were made from some motive other than a desire to make a good bill or to have one. I am going further to suggest that every suggestion since a year after it was passed here was made for some ulterior motive, unless they have done what the Senate did in 1874, and, as I have said, they have never made any objection I know of personally except one. Every department, I think, except one has withdrawn its criticisms. There are none that have not been gone over thoroughly and accepted if correct. In 1874 Roscoe Conkling was chairman of the revision of the laws committee of the Senate, and Matt Carpenter and some of the ablest lawyers who ever lived were members of that committee, and after spending a month or so looking at it Mr. Conkling took the floor and in 40 minutes procured a unanimous approval. They were asked if they did not think there might be some mistakes in it. Conkling and Carpenter replied in effect that they supposed there might be, but there could not be any mistakes in it half as important as not to have the bill, and so the bill was passed in 40 minutes. I take it these distinguished gentlemen have reached the conclusion they will do the same thing, and possibly for that reason have not devoted any time until yesterday, and have concluded they would adopt that policy.

I feel the more assured of this because of the fact that the chairman of the other committee had so often informed me and others that he had decided to report the bill favorably. He had told me that one Member was very much opposed to the bill and would fight it.

ERNST SAID WOULD REPORT CODE FAVORABLY.

When Congress was last in session, prior to the recent election, I met him, and he voluntarily informed me that he had smoothed out all the difficulties and he was now prepared to report the code bill favorably, and he would do so, and that it would pass, so informing others, too. In the Kansas City Kansan of September 28 last, United States Senator ARTHUR CAPPER said:

The code bill, of which LITTLE is the author, is virtually sure of passage at the next session. Senator ERNST, chairman of the Senate Revision Committee, told me just before I left Washington that he would make a favorable report on the measure, which he highly commended.

As far as I know, no department has now any criticisms to offer with regard to the bill, except the Navy Department, which will always object until we omit some of the law that they and the General Staff decided could not be enforced. If there are any remaining criticisms any lawyer with any qualifications whatever can, in a few days, prepare and insert in the bill the amendments necessary. All it needs is a little ordinary sense, some reasonable knowledge of the law, and some industry, of which there was plenty in the House for 22 months to the general knowledge of most of the House Members. Of course, it is quite possible that errors may still be discovered occasionally. More than 300 were discovered in the old Revised Statutes of 1874, after they had been in print for several years, including some that the bill (H. R. 12) people have discovered and corrected. The great point is to get an assembly of the laws so that people can use it. What if there are a few mistakes in 2,000,000 words? Conscientious men will endeavor to find them and finish the work. I think it best that I shall now take advantage of my leave to extend and present here a fairly full discussion of the attitude of the Navy Department toward this bill, and the reasons, and make some reference to the bill (H. R. 9389) which was the code bill that passed the Sixty-sixth Congress and received four months' careful review before it was introduced in the Sixty-seventh Congress as the bill H. R. 12.

On February 27, 1920, the committee chairman wrote the Secretary of the Navy that the committee had now the galley proofs of all the Navy part of the codification and would be glad to have his department look it over, the Secretary replying that they would be glad to do so, and on March 9, 1920, the Secretary was sent a preliminary copy of the bill, including the part with regard to the Navy. On May 12 the Secretary replied that it was received and had been referred to the office of the Judge Advocate General, adding:

I am advised, however, that the proper consideration of this matter is a very tedious and onerous task, requiring considerable time for its consummation.

On May 14 the chairman wrote that the War Department had received similar material about that department and had already compared it with their own collections of military and departmental law and returned it. (I may say right here that the War Department discovered two mistakes at that time.) The chairman said:

The task is greatly simplified as they simply take their collection and mine and ascertain what sections they have that I have not in the bill, and vice versa.

On May 25, 1920, the Secretary of the Navy returned his views and the views of his Judge Advocate General's Department, and said that—

The department has noted a large number of sections which, to the best of its information and belief, are no longer in force.

And added:

That lack of time and personnel qualified precludes the possibility of undertaking a further review at this time.

He further said:

The following sections have been noted as not in force on March 4, 1919, and should be omitted.

Then he just offhand points to 71 sections that he tells the committee have no place in the code. As the committee had been working, then, for nearly a year on it, it seemed better that he give in detail his reasons for omitting 71 sections, but he did not.

Then he proceeds to speak in some detail of 147 sections. He devotes a good deal of his time to suggesting changes in the titles of the sections. We had asked the Secretary to suggest any omissions or mistakes in the law. The section headings are no part of the law and nobody asked his views about those titles and nobody wanted his views. The committee felt quite competent to write its own headlines, and he could have been of some service if he had devoted his time to the matter that was submitted to him for his suggestions.

As to the rest of the views he presented, they are so juvenile in nature as to absolutely demonstrate the correctness of his statement in that letter that—

A lack of time and personnel qualified for the task, which could be detailed for such work, precludes the possibility of undertaking a further review at this time.

JOCK LOST ASHORE.

Let me add that after two years and seven months I am now prepared to state that his original statement to that effect was thoroughly well founded, and I shall now indorse it by saying a lack of lawyers who ever tried a lawsuit in his department has been so marked that he has never been of any serious assistance. The newspapers announced yesterday that Col. Theodore Roosevelt, jr., Assistant Secretary of the Navy, in the hearings before the Senate Committee on Appropriations, said that three of his judge advocates were now at St. Elizabeths. I will frankly say that the whole outfit of judge advocates in the Navy ought to be in St. Elizabeths, and I will cheerfully support a bill to appropriate money to take care of them till they can be returned to a normal mental condition.

The same paper stated that the Judge Advocate General of the Navy, Rear Admiral of the Second Nine Latimer, testified that a marine had died at Parris Island before finally accepted in the Marine Corps, and that the department could find no law or method of getting rid of the corpse. The Judge Advocate General of the Navy should be a lawyer, which he is not, and much of the difficulty that has been made by that department has been made by judge advocates who were neither lawyers in peace nor sailors in war and never served under fire. The law should provide that a judge advocate general should be a lawyer of long experience and ability, and these difficulties the committee has run into have made this entirely obvious.

For example, suggesting changes in little headings, which are of no legal importance and no part of their duty, they say that the title "Extension of term of enlisted men" should read "Extension of term of enlistment" and that the title "Limitation of total number of clerks' should read "Limitation of total number of pay clerks," and that the title "Inconsistent laws relating to Dental Corps repealed" should read "Prior inconsistent laws relating to Dental Corps repealed." The prodigious talents of the lawyers of the department conceived evidently the idea that the words "prior laws" should be inserted for fear that without that some subsequent legislation would be wrecked, ruined, repealed, and destroyed. While we have long since learned that the Navy Department knows no law, we did suppose that they could furnish us some common sense. And so they continue almost indefinitely with silly suggestions which require just as much time to be considered by the hard-working force of the committee as if they were drawn with ordinary intelligence.

The Judge Advocate General's Department, over the signature of the Secretary of the Navy, rose to the highest and loftiest flight in their final suggestions of May 25, 1920, when they said:

Section 2757 demotes rear admirals instead of promoting brigadier generals, as was intended by section 3 of the act of October 6, 1917; further, so much of said act as provides that brigadier generals of the Army shall hereafter rank relatively with rear admirals of the lower half of the grade is defective and it has been impossible to put it into operation, for which reason the departments have requested its repeal. It is the opinion of the department, therefore, that the reference to relative rank between brigadier generals and rear admirals in the lower half of the grade should be omitted.

LAW BY GENERAL STAFF.

In his letter of March 1, 1921, Secretary Daniels said:

The clause in the act of October 6, 1917, was the subject of the fullest consideration by the experts in both the War and Navy Departments, including the General Staff and the War Council, with the result that the two departments agreed that this provision could not be put into effect and concurred in recommendations to Congress that it be repealed. Inasmuch as the said provision could not be put into effect, its repeal would serve no purpose other than to eliminate it from the statutes, thereby preventing confusion which it might cause in the minds of those not familiar with the subject. Whether repealed or not, the fact would be that it was not in effect and could not be put into effect and therefore could not be regarded as a provision of law which was in effect in 1919.

Probably in the entire history of this country no member of the Cabinet before ever wrote such a remarkable and astounding letter. The Secretary sympathetically informs us that after a conference of "experts" from the War and Navy Departments, "including the General Staff and the War Council," actually held to decide whether the laws made by Congress should be enforced, they decided that they would not pay any attention to the law, and adds:

Inasmuch as the said provision could not be put into effect, its repeal would serve no purpose other than to eliminate it from the statutes, thereby preventing confusion * * *; whether repealed or not, the fact would be that it was not in effect and could not be put into effect and therefore could not be regarded as a provision of law which was in effect in 1919.

NULLIFICATION BY NAVY EXPERTS.

What was this that challenged the attention of both departments and all their experts? Just simply a question of how brigadier generals and rear admirals of the second nine should go into dinner. There was not another thing involved, but this distinguished gentleman had stepped into the breach and saved the country from ruin by carefully considering it and announcing that it was not necessary to repeal it, but that they would just drop it out. This was simply a nullification, and every man engaged in it should have been court-martialed and dismissed in disgrace, and the Secretary who encouraged it should have been impeached, and yet, because the committee declined to give any serious attention to such rot, for three years the work of the committee has been hamstrung, handicapped, and subjected to continual assaults by people who had no qualifications to criticize, but who time and time again after finishing up their criticisms began another series.

The committee undertook to assemble and codify the laws made by Congress without changing them. In his first letter the Secretary of the Navy demanded that we nullify and drop out the law as above shown, and gravely said that it was defective and must be left out. The committee, of course, pointed out that we were not endeavoring to repeal any laws or omit any laws, but we worked on the theory that Congress knew all the laws it wanted and all we were doing was to get them together. All the difficulties that have arisen since then about the Navy have sprung from the declination of the committee to change the laws Congress made in order to please the department.

H. R. 9389.

On December 20, 1920, the bill (H. R. 9389) to make a code of the laws unanimously passed the House of Representatives and went to the Senate, which adjourned on the following March 4. The chairman of the Senate Committee on Revision of the Laws was sick and called to Florida and was not able to get the bill before the Senate, though he frequently told me he would call it up and ask for its passage just as Senator Conkling and his committee did in 1874 with the Revised Statutes. A few days before the bill passed one of the force in the Navy Department that had been doing the work on it telephoned the House committee inquiring for a copy and said he wanted to see if we had followed his suggestions. As most of his suggestions were crude, puerile, and foolish, we had not followed all of them and he flew into a rage and immediately began a vicious assault upon the bill, which has been continuously maintained by his successors. He was mad because we did not drop out the law about the brigadier generals and rear admirals, which is a matter of no importance whatever, just a question of precedence as to who should go into dinner first. He then began to pour in every objection he could conceive or think of to the bill, sending it to the Senate committee, which referred it to the House committee, which gave it immediate and careful attention. Every suggestion which was worthy of serious consideration, that was worthy of being approved, was promptly approved, and the House committee sent to the Senate committee reams of matter, thoroughly explaining everything else, and the poor fellow dropped dead one day and others succeeded him. Before dying he had gone down to the Judge Advocate General's Department of the Army and had induced another poor fellow down there to get up and send in a ridiculous set of criticisms without any foundation whatever, a man without any legal experience.

Attention was called to the absurdity of these, and Secretary Baker withdrew those objections and wrote the chairman of the House committee very highly indorsing the whole bill and urging its passage.

The Senate adjourned without getting time to take the matter up. When this gentleman and anybody he could stir up began his efforts to compel us to omit the law about who should go in to dinner first in the Army and Navy, the House committee began a four months' careful analysis of all the criticism that was made, and a very thorough one, and when the Sixty-seventh Congress convened the thoroughly revised revision was placed before the House after a review of four months, having the benefit of all the criticisms from all the departments that were offered. Some of them were very good and useful. Probably 90 per cent of them were of no force or value. I have yet to learn of any lawyer that ever tried a lawsuit that has made any real criticism of the bill, though there have been some very excellent suggestions.

WANTED $1,000,000,000 MORE.

The absurdity of them is indicated by a letter, for example, that the committee received from the Secretary of the Treasury, Mr. Houston. The Secretary said that the bill H. R. 9389 had

omitted certain authority for the issuance of certain Liberty bonds. He said sadly:

It is entirely omitted—

And added—

In view of the $2,000,000,000, or thereabouts, of outstanding bonds of the first Liberty loan, a repeal of the statutory authority under which they were issued would be unfortunate and embarrassing.

The committee wrote him that in view of the fact that all the bonds authorized by law had been issued, and that law had been fully executed, it would be very unfortunate and embarrassing if the law should be reenacted, which is what the code would do, because if it were the law on the date the code should go into effect, and it would be if reenacted, the Secretary of the Treasury could issue another $2,000,000,000 of bonds, which we declined to assist him in doing. Furthermore, it was suggested to him that even if the law were repealed that it was executed and that would not affect the validity of $2,000,000,000 of bonds. Of course, it is a suggestion that no lawyer could possibly make and that nobody with any sense would make, and of course that precipitated a few onslaughts from some people, and with such silly stuff as that we have had to contend for three years.

GEOLOGICAL LAW.

Another excellent illustration of the vicious and silly character of the criticisms which we had to examine carefully, just as if somebody fit to make suggestions had made them, came from the Geological Survey of the Interior Department. In the last days of the Wilson administration somebody in the department sent word around to see what flaws could be picked in the new code bill. The "brilliant and learned scholarly lawyer" at the head of the Geological Survey, who probably was never in a law office in his life, wrote that the geology laws seemed to be in, though not as well arranged as they would have been by his bureau, but that section 10742 did not meet with his approval and if permitted to stand would ruin the whole work. He said section 10742 changed the whole bill and made it a jumble of confused absurdities without form and void and simply a bundle of nonsense. He was informed that that section was prepared in 1874 by Luke Poland, Benjamin F. Butler, James Lawrence, of Ohio, George F. Hoar, and other great lawyers, and approved by Roscoe Conkling, Matt Carpenter, and other great lawyers; that it had stood unchallenged since 1874 as the governing section of the Revised Statutes, the greatest law book the world ever saw; and that our committee had copied it exactly on the theory that with such famous names authorizing it and its approval for nearly half a century, it would be all right. We thanked him for his scholarly advice and informed him but for his wise prudence and caution we would have been involved in what was evidently a total wreck, and that we had sons studying law and we would like to know where he acquired his profound and erudite legal scholarship; but we have never had an answer. We asked Secretary Houston who was his legal adviser, but he said it was not practicable to say. In this statement I think he was correct.

On May 16, 1921, the bill went to the Senate committee, and 20 months have elapsed and it has never had a meeting. Of course, long since every man who in good faith had any criticisms to make has made them. On May 26, 1922, a year after the bill passed the House the last time, the chairman of the House committee wrote the chairman of the Senate committee:

All those who in good faith wish to make suggestions have long since had ample time in which to do so.

Since then nobody who in good faith wished to assist in making good laws has offered any criticism. The bill had then been before the country over a year as it now stands, and anything offered since that date was, of course, done just to annoy and necessarily was of a trivial nature and a matter of no importance.

ASKED OPINION OF ALL BUREAUS.

In the spring of 1922, nearly a year ago, the Committee on the Revision of the Laws, through its chairman, entered into conversation and correspondence with all the departments. Most of them had long since declined to offer any suggestions of correction. A few departments had some on file with the Senate committee, though not many. After the chairman of the House committee had conferred with the attorneys and solicitors of those departments an agreement was entered into as to just what changes, none of them important, should be made, and the department and the committee joined in suggesting to the Senate committee that those changes be made. A bill has just been introduced in the House to make the 66 perfecting amendments to the code on which the departments and the committee agreed, including finally those made by agreement with the Navy's attorneys, and there was no more work for the Senate committee to go over, everything being fully placed before them. Since that time the Navy presented what they call 137 criticisms, 41 of which were fully settled upon and agreed to by the Navy lawyers and the committee, and they are inserted in the corrections suggested to the Senate committee. Yet just for purposes evidently of confusion they include them in the 137. Of the remaining 96, it had been absolutely agreed between the committee and the representatives of the Navy that practically all should be discarded and not utilized because they were of no value, yet they come back repeating them. The balance were just an endeavor to create an array of pretended suggestions and criticisms in order to make the work seem more extended and difficult. The Navy Department is the only one that has permitted itself to stoop to such conduct. None of those criticisms made since May last is entitled to any consideration whatever, because they were not made in good faith, but simply to create an appearance of confusion and criticism. This bill went before the country in December, 1920, and again in May, 1921. Long since every man who was entitled to be heard has made what suggestions he has to make and there is no reason why anything made in recent months should be given any time whatever.

The Navy, I believe, has 96 criticisms of 96 sections which the other committee should examine. The House committee has 96 answers thereto. All that is needed is that the attacks and explanations and answers be read and a decision thereon be reached, and amendments be made if needed. That is what legislators on committees are for. Let them work a little, about 10 minutes; a total of 960 minutes will be enough to reach conclusions. If they make 96 amendments it will require about five minutes each to write out the amendments. Three days of good work will dispose of all the Navy has said, at the most. We worked 22 months.

There is where it stands now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON. I yield the remainder of my time to the gentleman from Missouri [Mr. NEWTON].

Mr. BYRNS of Tennessee. I yield the remainder of my time to the gentleman from Missouri.

The CHAIRMAN. The gentleman from Missouri [Mr. NEWTON] is recognized for 21 minutes.

Mr. NEWTON of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. STAFFORD. Mr. Chairman, for the present I object.

Mr. NEWTON of Missouri. Mr. Chairman and gentlemen, I did not hear all of the speech of the distinguished gentleman from Wisconsin [Mr. STAFFORD], but I am told that he charged me and other Members of this House with leading certain blocs for the purpose of making a pork-barrel raid on the Treasury. That is a reflection upon my integrity and the integrity of other Members of this House. I think I am just as conscientious, that my purpose is just as high, that I am just as much interested in serving this whole country as the gentleman from Wisconsin or any other gentleman. [Applause.]

I have been trying for three weeks to get an opportunity to discuss the river and harbor needs of the country before the membership of this House and to lay before the House the facts which I think are of vital concern to this great country, but because the gentleman from Wisconsin and others opposed to the amendment had charge of the time I have been denied that privilege. This forenoon the gentleman from Wisconsin [Mr. STAFFORD] was allowed 45 minutes in which to hold a funeral ceremony that should have been held on Sunday over the remains of his inadequate budget for rivers and harbors and to attack the personal character and integrity of Members of this House. I tried on yesterday and again to-day to get a reasonable time in which to present the facts which justify the action of three-fourths of the membership of this House, but without avail. I have to-day asked for the privilege of extending my remarks in order that the facts which this House ought to know, and which the country ought to know, might go into the RECORD, and I am met with an objection from the gentleman from Wisconsin [Mr. STAFFORD].

What is this pork-barrel howl which he delights to make? It is the cry that the railroad lobbyists have been echoing around these corridors for the last half century. [Applause.] Three-fourths of the membership of this House went on record yesterday in favor of cheap water transportation for the shippers of this country, and I thank God the time has come when the railroad lobby can no longer run this House or the Congress of the United States. [Applause.]

And I will say to you now that you are going to have to meet the issue. You can hurl your warnings all you will, and you can threaten to remove the chairman of the Committee on Rivers and Harbors if you will. But I will tell you something. The vote in the House of Representatives on yesterday was in response to the great call of the mass of the American people, a call which will echo from the people back home in the next election.

You who are trying to defeat the will of this House and of the country are raising the same old cry. When you want to scare Members away from voting reasonable appropriations, everybody's project except your own project is "pork barrel."

The gentleman from Wisconsin has talked pork, pork, pork, and yet under this appropriation he gets for his Milwaukee breakwater one-fifth of all that is appropriated for all the harbors on the Great Lakes; but he stuck it down in his jeans and ran away with it, and when challenged he tried to justify it. If he is so anxious about economy, why does he not turn it back into the Treasury?

Now what are the facts? The gentleman from Wisconsin talks about $90,000,000. The truth of the matter is we appropriated last year $43,000,000 for the rivers and harbors of this country, and we were compelled to do it then over the protest of the gentleman from Minnesota——

A MEMBER. Wisconsin——

Mr. NEWTON of Missouri. Yes. The gentleman from Wisconsin, and I beg the pardon of the Members from Minnesota. [Laughter.] But it passed the House and it passed the Senate, and it was necessary for the absolute needs of the rivers and harbors of this country.

Since we passed that bill we have adopted projects—this House and the Senate—new projects, meritorious projects every one of them, which call for an additional appropriation of $38,000,000.

The engineers in their report this year provided for the projects which were on the books last year the same that we appropriated last year, $43,000,000, and they provided $13,000,000 for the new projects adopted since we made appropriation last year, and in this bill we are doing no more than carry on the same kind of reasonable improvements that we provided for last year.

They talk about the "pork barrel." Where is the "pork"? They talk about appropriating for little rivers. I tell you that the engineers of this country have cut the estimates to the bone. I challenge them to show you one piece of "pork" in the whole list of projects. "Little rivers," they say. Why did not the gentleman from Minnesota tell you this morning?

A MEMBER. The gentleman from Wisconsin.

Mr. NEWTON of Missouri. Again I beg the pardon of the Members from Minnesota. [Laughter.] Why did not the gentleman from Wisconsin tell you this morning, when he was holding his funeral ceremony, that the sum total for improvements of all the second-class rivers was only $181,000 and yet these smaller rivers carry millions of tons of freight each year?

Ah, it is the old cry, the celebrated old cry that comes from the railroad lobbyists. You sound your warnings if you will. I give you warning now. The people of this country are not interested in railroads. They are not interested in waterways. The thing that the people of this country want is an adequate system of transportation that will carry the commerce of the country at the cheapest rates. [Applause.] And I think the people back home will be able to take care of the fellow who comes down here and advocates a system of transportation to the exclusion of all others that costs four or five times as much as water transportation. This old railroad pork barrel cry is getting stale, and the people back home are coming to know who is making it. [Applause.]

The most serious problem confronting the American people to-day is the problem of transportation. Our industries can not develop and will not grow beyond the limits of our transportation facilities. When you shut down the machinery for transportation, you paralyze the industries of the country.

We have an abundance of evidence to show that our facilities for transportation are inadequate. In a speech recently before the National Rivers and Harbors Congress, in Washington, the president of the Illinois Central Railroad declared that our railroads are continually being offered more freight than they can haul, and that within the past six years more miles of railroad have been abandoned in this country than have been constructed.

As further evidence upon this point, Vice President McCrea, of the Pennsylvania Railroad, before the Pittsburgh Chamber of Commerce, on February 24 last, is reported to have said:

> In the United States during the 12 months ending December, 1921, but 400 miles of new rail lines were built, while 700 miles have been abandoned.

Vice President Elisha Lee, of the Pennsylvania Co., in a speech before the Manufacturers' Association of Philadelphia early last year, made a statement which contained the following:

> Traffic on our American railroads measured in ton-miles doubles about once in a decade. The next time our country has a real revival in business we shall in all probability be confronted with the most severe congestion of railroad traffic and the greatest inadequacy of railroad facilities ever experienced in our history.
>
> When that happens, rates will be lost sight of. Everyone will be clamoring for service, and our public highways will again be torn to pieces by huge truck loads of freight carried over roadways never designed for such purposes, and at rates and costs of operation so high as to constitute gross economic waste.
>
> Then business men will not be bothering themselves much about rates. All they will be thinking about will be how to get transportation at any price.

From statements such as these from men like Mr. Markham, of the Illinois Central, Mr. McCrea and Mr. Lee, of the Pennsylvania system, it is evident that the railroads of the country are totally incapable of meeting the demands of commerce, and it is ridiculous to assume that the railroads will increase their capacity sufficiently during the next 10 years to meet the requirements of a 100 per cent increase in commerce, which experts like Mr. McCrea advise us is the usual and natural development in this country.

I am not here as an antagonist of the railroads, and I fully appreciate that the railroads are the basis of the transportation system of our country. As a Member of Congress, I voted for the Esch-Cummins bill, and I did it knowing that it contained the so-called "guaranty clause," which was intended to give to the railroads a reasonable return upon their investments. I have voted for all appropriations necessary to make up to the railroads the losses sustained by them during wartime operation. I did this, however, not because the beneficiaries of such legislation were railroads; and I say to you that the American people are not interested in railroads as such; they are not interested in waterways; and they are not interested in highways. The thing that the people of this country are interested in is an adequate system of transportation, made up of railways, waterways, and highways, constituting a system able to meet the commercial needs of the country, capable of aiding our commercial growth and development, and which will produce transportation at the least possible cost.

We would not have railways if we did not have shippers to use them. We would not improve our waterways if it were not for the commerce which needs them for transportation, and because of the demands of commerce, railways, waterways, and highways are being developed. Our difficulty, however, comes from the fact that the various transportation facilities of the country are not sufficiently cooperative.

They have not yet learned to recognize that they are instruments of the public, and that what the public is interested in is not a controversy between carriers but a great system of transportation, adequate to meet the demands of commerce and capable of supplying the cheapest possible rate.

Mr. Markham, of the Illinois Central Railroad, in his speech before the National Rivers and Harbors Congress, declared that public sentiment is uncharitable to the railroads, and I agree with his contention. I believe that the railroads of the country ought to be paid enough to meet their necessary expenses and to yield an adequate return upon their investment, and that the returns ought to be sufficient to stimulate investment in railroad property. The public ought to be willing to aid rail transportation, but if there is another form of transportation which can carry a part of the commerce of the country at a cheaper rate than the railroads can afford, then the railroads ought not to oppose the development of that form of transportation, but they should encourage it in order that the public may have the benefit of the cheaper rate and in order that the transportation congestion of the country may be relieved.

It is conceded that our transportation facilities are totally inadequate; that public sentiment is not charitable to the railroads and that capital is not seeking investment in railroad property. Our industries are trying to develop; our commerce is trying to grow; and yet they are retarded by the inability of the railroads to keep pace with the demands made upon them.

But why is public sentiment not charitable to the railroads? Why are our railroads not charitable to our waterways; why do they antagonize them? Why do they not cooperate with them, why have they always opposed physical connections and joint terminals, and why have they opposed the issuance of through bills of lading? Why have they constantly declared to the public that river navigation is impracticable, and yet for years they have made cut-throat rates upon rail lines which paralleled our rivers? And when Congress required them to

make physical connections, to issue joint through bills of lading, and to make joint through rates, they have been unconscionable in their demands for the division of the freight collected upon such through rates.

As an illustration of the unfair competition made by rail lines which parallel the river, the railway officials knew that a barge line was to begin operation between Minneapolis and St. Louis in April, this year. In anticipation of this barge-line service, the rail line paralleling the river between Minneapolis and St. Louis, early this year, with the approval of the Interstate Commerce Commission, made a rate upon first-class freight of $1.06½ per 100 pounds over a distance of 586 miles, while the rail rate from Minneapolis to Kansas City, over a more level country, a distance of 500 miles, was $1.44.

If it is necessary for the rail line to charge $1.44 on 100 pounds of first-class freight from Minneapolis to Kansas City, then it should not be permitted to haul the same amount of freight from Minneapolis to St. Louis for $1.06½. And if the rail line can afford to haul this freight from Minneapolis to St. Louis for the rate it has made, it should not be permitted to charge a 50 per cent greater rate to haul the same freight a less distance to Kansas City because no water competition exists.

As to the unfair division of through joint rail and water rates, I will call your attention to the through joint rate from St. Louis to Bayless, Ark. The total rate on 100 pounds of first-class freight is $1.55½. The rail line hauls this freight 74 miles and demands $0.88½ of the freight. The barge line hauls the freight 306 miles and gets $0.67 of the freight. From St. Louis to Monroe, La., the rail line hauls the freight 38 per cent of the distance and takes 81 per cent of the freight. The barge line hauls the same freight 62 per cent of the distance and gets 19 per cent of the freight. From St. Louis to Collinston, La., the rail line hauls freight 35 per cent of the distance and takes 81 per cent of the freight. The barge line hauls the same freight 65 per cent of the distance and gets 19 per cent of the freight. From New Orleans to Quitman, Miss., the railroad hauls the freight 40 per cent of the distance and gets 96½ per cent of the freight. The barge line hauls the same freight 60 per cent of the distance and gets 3½ per cent of the freight. And yet in the face of this unfair competition and the unfair division of joint rail and water rates, which I have described, the railroad officials continue to contend that river navigation is not practicable.

The truth about the matter is the barge line upon the Mississippi has demonstrated that river navigation is practicable. That it can afford to make rates which the rail lines of the country can not afford to meet. The earnings of the Mississippi Barge Line during the first six months of this year were sufficient to defray all of the operating costs and expenses of the line, to pay a reasonable depreciation upon the reproduction cost of its equipment, and still had enough left, if the same rate of earning continued during the year, to yield a return of 17.6 per cent upon the investment. This showing was made in the face of the fact that the barge line operation was experimental; that it was handicapped for adequate terminals; that the river was not fully improved; and that the rate which it charged to the shipper amounted to only 3.86 mills per ton-mile, while the records of the Interstate Commerce Commission show that the average rail rate throughout the country last year amounted to 12.74 mills per ton-mile.

Before the rail lines of the country are entitled to the confidence of the public they should cease their unfair competition with water lines; they should make a fair division of the through joint freight collected; they should concede to the public their inability to successfully compete with water transportation; they should cooperate with the waterways of the country and encourage their development; and they should be willing for the shipper to enjoy the blessings of cheap water transportation wherever it can be made available. When railroad officials of this country assume an attitude like this before the public sentiment toward them will become charitable and they will receive the help and public sentiment of which they are now so much in need.

As heretofore stated, railroad officials concede their total inability to meet the demands of commerce in this country. As an evidence of the potentiality of river transportation in dealing with freight congestion, let me call your attention to the fact that it has frequently occurred that one towboat leaves St. Louis with a cargo of barges and makes the trip to New Orleans in six days, carrying enough freight to load 12 full freight trains, with 50 cars to each train and 50,000 pounds to each car. If we had enough towboats and barges to carry the outgoing and incoming foreign commerce of the Mississippi Valley, we could readily relieve the freight congestion of the country.

The success of the Mississippi Barge Line, under Government operation, has dispelled every doubt as to the practicability of water transportation. It has demonstrated that the barge line can earn a profit carrying freight at one-fourth of the rate which is necessary for the rail lines of the country to charge, and I have no doubt but what this rate will be infinitely less when the river is improved, terminals constructed, unfair rail competition and discrimination eliminated, and private enterprise is given an opportunity to operate upon our inland waterways.

That the improvement and use of our inland waterways is necessary to relieve the freight congestion of the country is evident. That the industries and commerce of the country can not develop without facilities for transportation is still more evident. But the distressing thing about the whole situation has been the indifference of Congress in providing the necessary funds with which to complete our river projects.

We are threatened by those who oppose adequate river and harbor improvement with the wrath of the President of the United States, because we have done what we know to be our duty with respect to this appropriation, and in an effort to procure adequate appropriations for the river and harbor needs of the country. It was boldly insinuated that the President was opposed to the sum which we know to be necessary. I do not believe for one minute that the President has interfered, or attempts to interfere with the duties of the House in making this appropriation. The President was elected upon a platform which contained the following plank:

> We declare it to be our policy to encourage and develop water transportation service and facilities in connection with the commerce of the United States.

I am advised that during the campaign the President made a speech in Tennessee in which he declared himself in favor of the improvement and use of our waterways; that subsequent to the election and before his inauguration he made a speech in New Orleans in which he declared in no uncertain terms that he favored the improvement and use of our waterways; and again in the message which he delivered to this Congress early in the present session, he declared that we should begin to utilize the vast sums of money heretofore appropriated for the improvement of our rivers, and no one knows any better than he that our waterways can not be utilized until the improvements heretofore undertaken have been completed, and that our investments will not begin to yield a return until the job is finished.

The Bureau of the Budget has pursued a parsimonious policy with respect to our inland waterways. Last year the bureau for all the harbors and rivers in this great country for the current fiscal year at first allotted $13,500,000 and later, on our protest, increased the sum to $27,500,000. In this allotment the bureau ignored the recommendation of the Army engineers as to the essential river and harbor needs of the country. Congress, realizing the total inadequacy of the bureau allotment, increased the amount to $43,000,000.

The gentleman from Wisconsin [Mr. STAFFORD] and certain other alleged leaders of the House have denounced three-fourths of the membership of this House for voting for an appropriation for river and harbor improvement in this country in excess of the amount provided for by the Bureau of the Budget, and they charge that we, the overwhelming majority of the membership of this House, consisting of Members representing every State in the Union, are "pork-barrel" raiders of the Treasury because we refuse to abide by the recommendation made by the Bureau of the Budget for $27,500,000 for all the rivers and harbors in the United States. We have taken the report of the engineers, enumerating the projects heretofore adopted by Congress, and specifying the amount for each project, which constitutes a sum total of $56,589,410. There are approximately 500 projects in the United States heretofore adopted by act of Congress, and certainly there is no one who is better qualified to judge of the needs of these various projects than the Army engineers, who have trained engineers under them in every section of the United States, who have no interest in the river and harbor projects except to conserve the best interests of the country. In addition to that, the Committee on Rivers and Harbors of the House, consisting of 21 Members from various States of this Union, representing both political parties, many of whom have studied the river and harbor needs of this country for terms ranging from 15 to 20 years, have unanimously declared that the recommendation of the engineers is conservative. Hence you have upon one hand the engineers of the Army, recommending the amount which was approved by a three-fourths vote of this House on

yesterday, supported by the unanimous judgment of the Committee on Rivers and Harbors of the House, and upon the other hand you have the Bureau of the Budget, which, without intelligent investigation and without recommendation from the engineers as to any particular project, recommended a lump sum of $27,500,000 for all the river and harbor projects of the country. And you have the gentleman from Wisconsin and certain other members of the Appropriation Committee, who made no investigation as to the river and harbor needs, who charge us with "pork-barrel" intentions because we refuse to abide by the recommendation of the Bureau of the Budget, while they themselves, without rhyme or reason, have reported a bill providing for $37,000,000. They charge that we refuse to stand by the Bureau of the Budget, while they themselves increased the Budget estimate $10,000,000 when they submitted the bill to the House. It was they who repudiated the Bureau of the Budget, and if they themselves will not stand by the Budget's recommendation, why should they blame us for voting for a sum which we know to be necessary to meet the essential river and harbor needs of the country?

As a matter of fact, $56,589,410 is not enough to meet the urgent needs of river and harbor work for the next fiscal year. For illustration, in 1910 Congress adopted a project for the improvement of the Mississippi River from Cairo to St. Louis to cost $21,000,000, and it was written into the law that this project should be completed within a period of 12 years. That period expired on the 25th of last June, and yet only $2,000,000 of the estimated amount has been appropriated. The item for this stretch of the river in the $56,000,000 approved in the House on yesterday amounts to only $500,000. The barge line is endeavoring to operate over this unimproved stretch of the river, and there is not a more important project in the country. And yet if Congress continues in the future to appropriate each year the amount which is provided for this river section for the next fiscal year, it will take 38 years to complete the project, and during that time commerce, doubling once in every 10 years, the commerce of the Mississippi Valley will have increased 1,200 per cent, while the railroads of the country have less miles of track to-day than they had six years ago, without substantial prospect of increasing either their mileage or equipment in the future.

We have a waterway system in the valley consisting of projects heretofore adopted by Congress comprising 6,523 miles of rivers, including the Ohio from Pittsburgh to Cairo, the Mississippi from Minneapolis to the Gulf, the Missouri from Kansas City to the mouth, the Illinois from the Great Lakes to the Mississippi, and certain tributaries of the Ohio. Congress has heretofore appropriated and the engineers have expended upon these adopted projects a sum total in excess of $174,000,000, and yet this vast expenditure of money can not be utilized, because Congress has failed to appropriate the $75,000,000 estimated as necessary to finish the job, in order that this great waterway system may be made available for navigation and for commerce.

The gentleman from Wisconsin wails about "pork barrel" in the river and harbor item adopted by the House on yesterday. He talks about the vast sums to be expended upon important rivers throughout the United States, and he assumes to be familiar with all the items provided for river and harbor improvement and asserts that the amount is extravagant. The bill provides a sum total of $15,975,000 for the 10 principal rivers in the United States. The "pork-barrel" insinuations have all been lodged against the smaller rivers of the United States. There are nearly 80 of them, carrying millions of tons of commerce, while the total amount carried in the $56,000,000 item for the improvement of all of these second-class rivers amounts to only $181,820, and the distinguished economist from Wisconsin has failed to point out one single project of all this lot that is not meritorious. In fact, he and those who have aided him have failed to point out, out of the total number of 500 river and harbor projects provided for in the amount adopted by this House on yesterday, one single project which is not meritorious, and they have failed to show that the amount provided for a single project was greater than the needs that the projects justify.

Our opponents in their opposition to river improvement cry economy. I believe in economy. I believe in reducing the expense of the Government where such reduction can be made without injuring the necessary activities of the Government, but I say to you that when you build up a great waterways system, which will provide adequate transportation facilities for our commerce at a greatly reduced cost, such an expenditure is not an expense but an investment.

I am advised that the assistance that Congress has given to aid in building railroads in this country, consisting of land grants alone, comprise an acreage greater than the original thirteen States, and possess a value of more than $10,000,000,000. We have expended upon the highways of this country during the last four years, according to the Engineering News-Record, nearly $2,000,000,000, while, according to a statement made by Secretary Weeks before the recent Rivers and Harbors Congress in Washington, we have expended in the last century only $443,000,000 to improve navigation on more than 25,000 miles of navigable rivers in the United States, and more than 75 per cent of that amount has been expended upon projects which have not been completed, so that the investment thus made can not be utilized. It is time that the projects heretofore undertaken should be completed so that the vast sums heretofore expended may become productive.

I believe in a budget system. I like to support the recommendations made by the Bureau of the Budget, but I realize that the members of that bureau are human; that they are not infallible; and when I am convinced, as I am with regard to their recommendation for river and harbor improvement, that they have made a mistake which will result in a grave injury to the country, I will join hands with those Members of Congress who believe as I do in an effort to increase the appropriation to an amount commensurate with the country's needs, in the hope that thereby we may build up in this country a great system of transportation, consisting of railways, waterways, and highways, not conflicting and competing but harmoniously cooperating with each other, to the end that adequate facilities for transportation at a reasonable cost may be afforded so that our resources may be developed and our commerce permitted to grow.

Whom are we here to serve, the railways or the whole people? If we are trying to serve the whole people and we find that we can get water transportation which will relieve the freight congestion of the country at one-fourth the cost of the present rail transportation, then why, when we try to procure such transportation, does somebody get up and yell "pork barrel," unless it is the cry of the railroad lobbyist? [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. NEWTON of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Mr. Chairman, the gentleman was so insistent yesterday in stifling debate that I feel obliged to object. I do not object to his revising his remarks.

The CHAIRMAN. All time has expired, and the Clerk will read the bill.

The Clerk read as follows:

Office of the Vice President.

Mr. HUSTED. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed, out of order, for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed, out of order, for five minutes. Is there objection?

There was no objection.

Mr. HUSTED. Mr. Chairman, the gentleman from Missouri [Mr. NEWTON] in the course of his remarks referred to the influence of the "railroad lobby," as he called it, in connection with the appropriation recommended by the subcommittee of the Committee on Appropriations. So far as I am concerned as a member of the Committee on Appropriations, I never heard of any railroad lobby. I certainly never heard from any railroad lobby, and I think the suggestion that a railroad lobby had anything whatever to do with the amount of the appropriation recommended by the subcommittee is about as silly as anything I have heard of since I have been a Member of this House.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. HUSTED. I decline to yield at this time. I know how this rivers and harbors item was made up. The subcommittee of the Committee on Appropriations heard the evidence, and they fixed upon an amount which in their opinion was all the Board of Engineers ought to have, all they could wisely and usefully expend. They came here and recommended that amount to the House. The House did not agree with them and the House increased the amount, and that is all there is of it. All this talk about a railroad lobby having any influence upon the situation is sheer nonsense.

But that is not what I rose to talk about. In the bill that we passed yesterday we carried an item of nearly $7,000,000 for the completion of Dam No. 2 at Muscle Shoals. We also carried a contract authorization of about $10,000,000. The object of this appropriation and the object of this authorization is to complete

at Muscle Shoals a plant capable of producing the maximum amount of hydroelectric energy which can be generated there.

It was the intention of the Committee on Appropriations that this money should be used solely for the purpose of developing a power plant which could be adapted to any purpose to which the Government may hereafter see fit to put it, whether for the manufacture of fertilizers or for the manufacture of nitrates or for anything else. I am not altogether satisfied with the language carried in the bill which limits the use to which this money can be put. It provides that the $10,000,000 can be used for the completion of the project. I do not know what the project is. The only project that I know anything about was the one to produce nitrates during the war. I do not know anything about any other project which has ever had any Government sanction. I suggested different language, which I thought would meet the situation, but that language was not adopted. However, it is certainly the intention of the Committee on Appropriations, and I believe it will be carried out by the War Department, to construct there a general power plant which can be adapted to any particular use to which Congress may hereafter see fit to put it, and I hope that such use will be for the manufacture of fertilizers during time of peace, and that the plant will be so constructed that it could be used for the manufacture of nitrates during time of war. However, I do not think we should be in any haste to adopt a definite policy, and I certainly do not think we should be in any haste to accept any proposals which may be made for this plant.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HUSTED. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUSTED. It is only common sense from a business standpoint to realize that when you negotiate on the basis of an incomplete proposition you are negotiating at a great disadvantage. The advantage is always with the man who wants to buy. We do not know what we have at Muscle Shoals. We do not know how much hydroelectric energy can be generated there. We do not know how much our proposition is worth. I believe it will prove to be a very valuable proposition. General Taylor says that it is the finest water-power site in the United States; that more power can be generated there than at any other site in the United States. We should wait until our dam has been completed, until our gates have been constructed, until our power plant is ready for operation, and then we will be in a position to negotiate with anybody who wants to take it over at the best advantage to the Government.

As I said, I hope this plant will be used for the manufacture of fertilizers during time of peace. I agree absolutely with what the gentleman from Mississippi [Mr. SISSON] said, that no nation is any stronger than its soil. Our soil has been suffering for years. Even in our great Corn Belt we are not producing the average yield per acre that we did a few years ago, we are not doing it on the wheat lands, we are not doing it in the cotton fields of the South. The average yield per acre is decreasing steadily. There was a time when we produced in this country a great deal more than we could consume, but the time is rapidly approaching when this country will not even be self-sustaining from an agricultural standpoint. We are rapidly approaching that point at the present time, and therefore the question of the production of fertilizer and the improvement of our soil is a matter of vital importance.

Germany realized the danger of a similar situation many years ago. Long before the Great War practically the only thing that Germany exported of an agricultural nature was beet sugar. She imported our grains and she consumed our grains in Germany, and they went back into the soil, and she exported beet sugar, and beet sugar has nothing in it that is of value for soil enrichment. It contains neither nitrogen, phosphoric acid, nor potash.

Mr. LITTLE. Does the gentleman happen to have on hand the figures of how much we exported to Germany before the war?

Mr. HUSTED. I have not the figures. That was the German policy, and Germany adopted that policy in order to put fertility back into her lands, and she put it back so well under that policy that during the World War she was able to produce enough food to support not only the army in the field but the people at home. During the entire war she imported practically nothing in the way of foodstuffs. It was all produced in Germany. That was a tremendous accomplishment which would not have been possible in Germany 20 years before the World War began. It is time that we gave heed to the agricultural situation in this country. I believe we have a proposition at Muscle Shoals which could be utilized to very great advantage in furtherance of that policy if it is wisely handled, if we get the plant into the hands of the right people, and see that it is put to the right use under reasonable profit to the operator for the benefit of our people in the manufacture of commercial fertilizer in great quantity and at low cost. [Applause.]

Mr. QUIN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. QUIN. To move to strike out the last word.

Mr. MADDEN. Mr. Chairman, I hope gentlemen will let us go on with the bill and not talk on matters outside of the bill. We have been very liberal in general debate, and we have not begun to read the bill yet. I am not objecting to the gentleman taking five minutes, but I hope after that gentlemen will permit us to go on with the bill.

Mr. QUIN. I thank the gentleman. I have not said anything or taken up any time on this bill. I thank the gentleman from Illinois.

Mr. MADDEN. I am not complaining; I am just making a request.

Mr. QUIN. Mr. Chairman, I just want to make an observation about these gentlemen who seem to be complaining so much about two-thirds of this House voting for the people yesterday afternoon when we voted to increase the amount for rivers and harbors to $56,000,000. The gentlemen who are doing this complaining voted to give billions of dollars to the railroads out of the pockets of the people. They subsidized the railroads and the same gentlemen voted to subsidize the ships of the United States by giving them every year from $50,000,000 to $75,000,000, besides a billion dollars' worth of ships. Now forsooth, because the Representatives of the people want transportation at reasonable rates and so vote a little paltry sum of $19,789,000, you are growling about it. [Laughter.] Mr. Chairman, it is time for the people of the United States to receive their freights at reasonable rates. What are you going to do; talk and do nothing? I am in favor of repealing the Cummins-Esch bill. As I said before, the committee has had all these months to consider it. How are you going to reduce the freight rates of the United States? Here we voted yesterday to improve these rivers and harbors and keep on with its operation to a point where freight can go upon the bosom of the waters.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. QUIN. I can not now. The gentleman who last spoke said he did not think there was any necessity to be in any hurry about Muscle Shoals. Did you ever know a man to build a great building and have nothing in view as to what he is going to do with it? Did you ever know a man to construct a magnificent office building and not propose to have some tenant to occupy it? Is it possible the gentleman wants the United States Government to proceed with this project, putting in it $57,000,000, without knowing what it is going to do with it? You have before you, and have had ever since last May, a proposition from Mr. Henry Ford that guarantees the United States every dollar of money that it has put into it; that guarantees to make fertilizer in time of peace which when made, according to the evidence, is more than two-thirds of the entire amount that is to-day produced in the United States. He further puts in a guaranty that it will be made at a less cost than it is made to-day. He furthermore guarantees that the whole plant will be ready, well manned, well organized, and if we should ever happen to have a war it will be turned over to the United States Government so long as it may need it for the purpose of making explosives that it would be compelled to have in time of war. And yet the gentleman says he does not think there is any necessity for us to be in any hurry. I do not think there has been any hurry. You guaranteed us on your side last year when the recess was taken that the question would be taken up in the fall. Here it is now the 20th day of January, 1923, and the leader on your side says it is not yet time to take it up, and the distinguished gentleman from New York just said we ought not to be in any hurry. Is it possible that the farmers of the United States are not in need of any fertilizer at a lower price? They are the men who are looking to this Congress to do something on this proposition. They are the men who have the right to expect the Congress of the United States to take it up and act on it at once, and let every man here go on record and say whether he is willing to accept that Ford proposition for Muscle Shoals or to turn it down, to go out on the byways and hedges and let the great trusts of the United States do what shall be done with it.

Do you want to turn it over to the powers that appeared before the committee endeavoring to defeat the very ends that the gentleman from New York just spoke about with reference to having fertilizer in time of peace? All of the fertilizer interests, all of its allies, all the water-power interests, all the automobile interests, all the farm-implement interests, more than a dozen of the great powers and trusts of the United States appeared before that committee with their witnesses, saying that the dam could not be built and would not be, and that fertilizer could not be made there, and when that was refuted they came in with the other propositions and said, "We can offer you something better than Mr. Ford." The whole propaganda was had that it could not be finished, and if finished it would amount to nothing, that the nitrate plant would not be worth a "cuss" after we have spent $57,000,000 on the dam, and yet in the next breath they would come up and say, "We can give you a better offer." The farmers and laboring people know who their enemies are. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Missouri. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. NEWTON of Missouri. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Reserving the right to object, will the gentleman indicate along what line he wishes to extend his remarks?

Mr. NEWTON of Missouri. I wish to add some facts and figures purely on the discussion of the project.

Mr. STAFFORD. I have no objection.

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

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to extend my remarks on the Army bill passed on yesterday.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For driving, maintenance, and operation of an automobile for the Vice President, $3,000.

Mr. BLANTON. I make a point of order on the paragraph, on page 8, in lines 14 and 15, that it is legislation unauthorized.

Mr. ANDERSON. Mr. Chairman, the House provided an automobile for the Vice President by law, and clearly it is in order to provide for its maintenance.

Mr. BLANTON. It is merely an annual appropriation-bill affair, no authority of law for it, either the provision for the automobile or for its maintenance.

The CHAIRMAN. The Chair is ready to rule. The item in question provides for the continuation of a public work in progress, and is in order under the rules; and so the point of order of the gentleman from Texas is overruled. The Clerk will read.

The Clerk read as follows:

For packing boxes, $970.

Mr. BLANTON. Mr. Chairman, I make a point of order to line 1, page 9, as legislation on an appropriation bill unauthorized by law.

Mr. ANDERSON. Mr. Chairman, this is a necessary expense in connection with the Senate. It is just as much in order to appropriate for packing boxes as for lead pencils.

Mr. BLANTON. I cite to the Chair numerous decisions holding that it is legislation and subject to a point of order. It has been so decided many times here in Committee of the Whole. The Chair will find ample precedents for the position I take, and no precedents against it.

The CHAIRMAN. Without objection, the matter will be passed over for the moment, and the Clerk will read.

There was no objection.

The Clerk read as follows:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, $100,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the chairman of the committee as to whether it costs more under the Senate method of paying for taking testimony before their committees than under the House method. In the House we employ a regular staff of committee stenographers, and in the Senate they have no regular corps. Here we are appropriating $100,000 for the expenses of committee stenographers.

Mr. ANDERSON. I will say to the gentleman that there is no way of getting a fair comparison on that proposition, because the hearings before the House committees are very much greater than the hearings before the Senate committees.

Mr. STAFFORD. You do not know what is the total amount we carry for providing for taking testimony before House committees?

Mr. ANDERSON. I do not.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws the pro forma amendment. The Clerk will read.

The Clerk read as follows:

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, $30,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, because it is legislation unauthorized upon an appropriation bill; and I would like to be heard a moment, if the Chair will permit me.

Mr. Chairman, there is no law, or substantive law, authorizing a restaurant either for the Senate or the House. It has been carried by resolution only, so far as the House is concerned. I do not know what the Senate restaurant, in addition to this $30,000, is costing out of their contingent fund to the taxpayers of the Nation, but I do know what our own House of Representatives restaurant is costing, because that was développed by our committee. I read from page 14 of the hearings on this bill. Our distinguished chairman of the subcommittee [Mr. ANDERSON] asked this question of the Clerk of the House:

So the restaurant is running at a cost to the Government of approximately $35,000 a year, if it is operated all the time?

Mr. PAGE. Yes; $36,000 if it operates year in and year out.

So it shows that our restaurant, or that of the House of Representatives, above what it takes in is an actual loss and cost to the taxpayers of this Nation of $36,000 a year, if it is run regularly.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. Let me show you how the expenses run up. On the preceding page—page 13—is shown what they get. The main chef gets $200 a month; the baker gets $120 per month; the second cook gets $110 per month; the fry cook, $80; the assistant fry cook, $60; the butcher, $80; ice plant man, $90; helper, $40; another helper, $40; oyster man, $50; pot washer, $50; helper, $40; dishwasher, $40; another dishwasher, $40; fireman, $60; coffee boy, $60; steam table man, $80; sandwich man, $60; helper, $40; manager storeroom, $100; checker, $90; telautograph, $40; assistant manager, $150; manager, $150; second cook, $125; checker, $90; three waiters, one at $20, and two at $40 each.

I am reading from page 13 of the hearings.

Mr. ANDERSON. May I say to the gentleman that that has absolutely nothing to do with the item against which the gentleman has raised the point of order? That refers to the House restaurant and not the Senate restaurant.

Mr. BLANTON. The gentleman must have been asleep.

Mr. ANDERSON. The gentleman is never asleep.

Mr. BLANTON. I said I did not know what the Senate was costing, but I was showing what the House restaurant was costing.

Mr. ANDERSON. That has nothing to do with this point of order.

Mr. BLANTON. The loss in the House restaurant does have a bearing on what the Senate restaurant is costing the people of the Nation. The gentleman may not be able to see the relevancy of it, but possibly the chairman will, as he is quite noted for his manner of seeing things that are plain. [Applause and laughter.] I want to continue reading about the help in the House restaurant: Buss man, $35; silver man, $40; waiter, $40; half-time buss man, $24; waiter, $20; another buss man, $35; 17 waiters at amounts varying from $20 to $40; head waiter, $100; another waiter, $20; cashier, $80; 5 waitresses at from $20 to $50; checker, $75; another buss boy, $40; another waitress, $40; another silver man, $40; another waiter, $60; second cook, $60; dishwasher, $40; another chef, $100; runner, $40; another coffee boy, $40; head waiter, $75; head waiter, $40; with the names of each of these employeees in this restaurant given in the hearing.

Mr. Chairman, that ought to stop. I submit to our colleagues that it ought to stop. In all fairness we ought not to be spending this $36,000 a year for our restaurant, because if it is run all the time, that is what it will cost. We ought not to be spending the people's money in that way. I am sure that we are all able to pay every dollar of the expense of every bit of our meals.

Mr. ELLIOTT. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Indiana.

Mr. ELLIOTT. I just wish to say to the gentleman that I was talking yesterday to a Senator who is chairman of the subcommittee that has that Senate restaurant in charge, and he said that that institution was running at a profit.

Mr. BLANTON. Then we ought to change the management of our restaurant, because when the chairman of the subcommittee asked Mr. Page if this restaurant is run at a cost to the Government of approxmately $35,000 a year, Mr. Page said, "Yes; $36,000 if it is run all the time." When we inaugurated this restaurant downstairs, my friend from Illinois [Mr. IRELAND] said it was our purpose to have just as fine chefs, just as fine cooks, just as fine food, and just as fine service as they *had in* the Senate; no better, but just as fine; and I presume that the managers here in the House are just as able business men as those at the other end of the Capitol, and if it costs us a loss of $36,000 to the Government every year for the House restaurant, I do not believe the Senate can run its restaurant any cheaper; and I submit, Mr. Chairman, that it ought to stop. We ought to put these restaurants in charge of private managers on a commercial basis and let them charge us just whatever they have to in order to make a profit, and let us pay for it, and we will feel better. I submit the point of order.

Mr. ANDERSON. Of course, what the gentleman from Texas has said has nothing to do with the point of order. The whole question here is whether there is any authority for this provision. I must confess that the language "including personal and other services" may possibly be subject to a point of order. I do not know. I have not been able to confirm my impression, but my impression is that this is authorized by a resolution of the Senate; and if it is, it is authorized in this bill. Obviously, so far as the Senate expenses go, a Senate resolution has all the force of an authorization of law. I am sorry that I am not able to give the Chair the benefit of the direct citation.

Mr. BEGG. Mr. Chairman, if the Chair will notice, the language of this paragraph is for maintenance and improvement of the building and the service rendered. I maintain that it does not require a statute to authorize the appropriation. Congress can make any appropriation it wants to for the carrying on and the running of the House and the Senate. They can appropriate $100,000,000 if they want to, without any statute specially authorizing it, to operate any function of Congress. It does not take a law.

Mr. IRELAND. Mr. Chairman, I rise in opposition to the point of order made by the gentleman from Texas. I will speak as near the point of order as he did, though he worked himself up into such a red-faced frenzy that I could scarcely understand him.

The CHAIRMAN. The Chair has to decide this, and the Chair will ask the gentleman to address his remarks to the Chair.

Mr. IRELAND. That is my intention.

Mr. TILSON. The gentleman has frankly admitted that he is not going to talk any more to the point of order than the gentleman from Texas did, so I think he might as well turn this way.

The CHAIRMAN. It is entirely immaterial to the Chair. The Chair will try to listen.

Mr. IRELAND. With the permission of the Chair I would like to address my remarks to the House on points of information on the subject covered by the gentleman from Texas [Mr. BLANTON]. I think all the figures that he gave to you were accurate, much more accurate than the usual statements he makes.

Mr. BLANTON. Now, Mr. Chairman, I am not going to stand for any more of that monkey business. The gentleman from Illinois can not make that kind of a remark to me, and I am not going to stand for it any more.

Mr. IRELAND. What would you like?

Mr. BLANTON. Just simply not make that sort of remark; that is all.

Mr. IRELAND. To return to the original subject in hand, the necessity for the present method of managing the restaurant was apparent to all at the time we went under the present arrangement.

It came about in this way: The employees of the Senate restaurant were all put on the pay roll and this appropriation was made and has been made for some time. They took no account of the overhead expenses thus created for employees in operating the restaurant. They accumulated quite a surplus and then reduced the prices. Naturally the Members of the House drifted over to patronize the Senate restaurant with better food and lower prices. I think the Senate resented this, and correctly. No one likes to be crowded out of their own preserves. That was cutting into the House restaurant so that we were under the necessity of either adopting the same system or discontinuing the restaurant entirely. We adopted the former system, placed the employees of the restaurant on the pay roll. Now we both operate in about the same manner, both make about the same record.

I would like to call the attention of the committee to the fact that out of the profits of the restaurant—excluding the overhead charges for hiring employees, and they can not be secured at a less figure than the gentleman has mentioned—for instance, we pay a waiter $40, and the Senate pays $60—but out of the profits accumulated in every month save one—exclusive of the employees of the restaurant—and that was when the House was in session only part of the time, and without the full patronage when it is impossible to conduct it at a profit, they have made a profit. Out of the profits we might have made in the House management of the restaurant we have been compelled to make a great many purchases of materials, linen, china, glassware, and silverware that have been carried away by souvenir hunters or been borrowed in the House Office Building by clerks of Members and through carelessness not returned. A few items may interest the House. It has been necessary to purchase 150 dozen napkins. They cost $7 a dozen at least. They have disappeared, and it is impossible, without hiring a force of detectives, that would cost more than the restaurant, to stop it. Ten dozen table cloths, at least $50 a month for dishes, not entirely due to breakage, although some were destroyed in handling. Three hundred dollars goes for broken glassware. The repairs we have kept up out of the profits have been over $300 a year on items like repairing the oven, and so forth. The rent of the telautograph, which we can not get along without and give any sort of service to Members, requires the expenditure of approximately $300 a year. The laundry runs from $300 a month up.

Mr. GARNER. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GARNER. I did not quite catch the number of napkins the gentleman said it was necessary to replace.

Mr. IRELAND. One hundred and fifty dozen.

Mr. GARNER. Was that number of napkins worn out during the period of one year?

Mr. IRELAND. I do not think many of them were worn out.

Mr. GARNER. Who stole 150 dozen napkins?

Mr. IRELAND. Now, the gentleman is giving me too big a job. All we know is they disappeared or were worn out.

Mr. GARNER. It seems to me the management ought to have a better checking system than to let 150 dozen napkins get away in one year.

Mr. IRELAND. Does not the gentleman understand that the manager is in a menial capacity serving the House of Representatives, and it is impossible to question the employees of the Members of the House without creating a sensation or a situation that would be worse than losing the entire property?

Mr. GARNER. Does the gentleman mean to say that in case my clerk should take a dozen napkins and fail to return them that he would have sufficient timidity not to ask him to bring them back?

Mr. IRELAND. I do not imagine the gentleman's clerk would do that.

Mr. GARNER. Well, somebody's clerks have taken 150 dozen napkins.

Mr. IRELAND. Perhaps they have not taken them at all, but it was necessary to purchase that number. I stand squarely by the management of this restaurant. They are honest, they are square, they are frugal, and give the best service it is possible to render under the circumstances. Everything does not please me and it does not please all the Members, and it does not always meet with the approval of the manager. The same situation is in effect here in relation to food control that is in effect at the Senate restaurant, at the Washington Hotel, at the Wardman Park Hotel, and other places, and their experience is even worse than ours.

Mr. SISSON. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. SISSON. I must confess that I am greatly surprised at the idea that the clerks of Members or Members themselves in some mysterious way have disposed of 150 dozen napkins taken out of the restaurant and the waiters are held absolutely not

responsible. If the clerks are purloining napkins, or anybody connected with the House, it is due to the management to keep proper check on them. I do not think it is a proper excuse to say that it might make some Member's clerk mad. Why, gentlemen of the House of Representatives, that is an awful charge to make against the clerical force of Members of Congress.

Mr. IRELAND. I wish the gentleman would not misinterpret my remarks. It is largely due to carelessness; I do not think it is malicious in any respect. The same thing applies to the silverware, but in a lesser degree. Now, these napkins—I do not like to discuss these little foolish items——

Mr. SISSON. They are not foolish items; it is as wrong to steal a napkin as it is a silver plate.

Mr. IRELAND. I will not question the morality of it.

Mr. SISSON. The gentleman may make light of it, but if he puts morality on that low plane we ought to have somebody else have charge of the restaurant.

Mr. IRELAND. Oh, no; I am not even going to take offense at the gentleman's efforts.

Mr. SISSON. I took no offense except at the manner in which the gentleman addressed his remarks to me.

Mr. IRELAND. Oh, I humbly apologize to the gentleman, if he interpreted my manner or remarks as meaning to give offense. It is not a question of honesty or integrity so much as it is a question of carelessness, failure to return supplies, forgetfulness, laundry, wear and tear, and so forth.

Miss ROBERTSON. Mr. Chairman, will the gentleman yield?

Mr. IRELAND. Certainly.

Miss ROBERTSON. Mr. Chairman, I wonder if anyone knows the life of a restaurant napkin and the difference there is between a napkin in your own home and one that is laundered every day or every other day in a restaurant. They wear out amazingly. When I thought I was supplied for a year I have had to go out and buy 15 or 30, or even 100 dozen at a time. It is like the everlasting question to the wife that is being asked to-day all over the country: "What did you do with all that stuff I bought for you?" [Laughter.] Men do not understand how household equipment wears out.

To me as a practical housekeeper this annually recurring attack upon the restaurant seems as unreasonable as it is unwarranted. "Men must work," and just so surely men must eat wisely and well if they are to work effectively. You know what our daily life is in its ordinary routine—a hasty glance at newspapers with the morning meal, a rush to the office, then reading mail and dictation of most important replies, followed by departmental visits or hearings in overcrowded and consequently ill-ventilated committee rooms, interrupted by a peremptory quorum call and hasty adjournment of committees.

Legislation for which attention is so peremptorily demanded is often of vital importance, requiring earnest, continuous attention. Then, when Members suddenly realize a need of food, it is now close at hand and served under sanitary conditions. I have made several careful inspections of the entire restaurant plant, following minutely the routine of purchase, preparation, and serving. I have examined storage, refrigeration, and cooking. I have looked into the matter of handling trays coming back from the service of customers. A great source of danger is in the so-called "comebacks" of a cheap eating house, where fragmentary portions are returned to be served again, after possible contamination by germ-laden spoon or fork. The sanitary cleansing of all cooking and eating utensils is imperative. All such utensils must be clean, whole, and unbroken. The overhead cost of the restaurant service is greatly increased in observing these precautions. It is penny wise and pound foolish not to recognize the enormous loss of efficiency that must result from such insanitary conditions as formerly prevailed in the restaurant from worn-out plumbing and defective sewerage.

I would not for a moment seem to suggest that any of my colleagues are insincere in criticisms of "the Government running a restaurant" or strive to give a wrong impression in regard to the way in which it is conducted. When the gentleman from Texas [Mr. BLANTON] some months ago had inserted in the RECORD an entire House restaurant bill of fare, from which prices were omitted, he could not have intended to convey the impression that saloons in leaving Washington had left a free lunch at the Capitol. If for one moment I considered the restaurant—as he wants people to believe—a graft on the part of the Congress, I not only would not defend it, but I should never eat a mouthful in it. As it is, I am glad to avail myself of good food served so satisfactorily that only meticulous criticisms can be made.

I trust that my record as a member of the "weaker" and generally considered loquacious sex will be proof that I have tried not to waste the time of the House by talking unnecessarily—surely where speech costs so much, silence is golden—and I may be allowed to say, therefore, that if we would all follow the plan of trying to be faithful at meetings of committees to which we belong, if we would familiarize ourselves so far as possible with bills which we know are coming up for consideration, we could handle business with an intelligence now lacking, and by elimination of useless talk we would save expense in printing the RECORD that would pay the entire cost of the restaurant several times over.

We are privileged to sit in these legislative halls in the most wonderful Capitol in the world. There are other shrines of American liberty, but none to which so many people of the United States are drawn by eager and patriotic interest. Is there anyone on this floor who can say that he has acquainted himself with all the wonders of this majestic structure? Those who come linger under the compelling spell of their magnificent surroundings. To many on their honeymoon luncheon here seems all ambrosia and nectar. To ambitious students comes a thrill of future purpose as they actually eat in so wondrous a place.

Through a long vista of years from the time I first came here a happy college girl at Easter holiday, lunch with the surroundings of House or Senate restaurant stands out vividly among treasured memories. The daughter of a missionary to the Indians, to whom under the laws of the United States the sale of liquor was—as it still is—a crime, I was puzzled and perturbed to see liquor served as ordinarily as food; and I may add that in looking down from the gallery the bewilderment grew at seeing men the whole world called great, by whose laws Indians who had no vote, no part in government, were sedulously protected, did not protect themselves.

This was my first disillusionment. Indians got liquor in spite of law; Congressmen got liquor by law. Liquor seemed to have ill effects on Indian and statesman alike. And so, in my inner soul grew the feeling that for this, as for all the ills of humanity, we must ourselves obey law and at the same time try to live in the light of life coming from the example of the world's greatest humanitarian, who was the exemplar of love.

In the wilderness, where the pilgrims followed to hear the words of that Master, of whom it was said "Never man spake like this man," with the age-old spirit again incarnate in certain Members of this House there were those who came to the Master saying: "This is a desert place, and the time in now past; send the multitude away that they may go into the villages and buy themselves victuals." But Jesus was moved with compassion and said, "They need not depart; give ye them to eat."

So we for the moment having some small part, which should not be ignoble, in the life of our country may follow afar the Master. Where this Capitol stands in all its majesty, the visible expression of American ideals carved in lasting marble, through the velvet turf of its setting spring up fragile blossoms that gladden the hearts of little children.

It is not ignoble to minister to the hunger of the human body. This has been the happy ministration of woman, the expression of wifely or maternal solicitude since wisdom came to Eve, and she sought to regain Eden in the approbation of those she loved. Women are watching this House as never before. If necessary, others who follow me will be ready to make themselves heard.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. OLIVER. Does the gentleman think it very wise to continue the restaurant running during the recess of Congress, as often it does run, for a month or more after we leave here?

Mr. IRELAND. I only partially agree with the gentleman——

Mr. TILSON. Mr. Chairman, I rise to a point of order. I am in entire sympathy with the gentleman from Illinois in his task, which is a hard one and which he is doing well, but the gentleman is supposed to be discussing the point of order. It seems to me that we have gone into these petty details as long as we ought to under the point of order.

Mr. IRELAND. I quite agree with the gentleman in respect to that, but will he not just indulge me for a moment or two more?

Mr. TILSON. I do not think there is anyone in the House who has the slightest notion that the gentleman has not conducted his office of chairman of the Committee on Accounts in the most efficient manner. He has had a very hard problem and he is solving it satisfactorily. We are in complete sympathy with the gentleman, and I think there is no use of attempting to explain things that nobody finds any fault with him about. [Applause.]

Mr. IRELAND. I would just like to tell the House in a general way that in addition to the profits shown under these conditions $10,150.23 was paid out for such things during the last year. Also we have wiped out a deficit of $7,500 which occurred prior to the time the present arrangement went into effect. We turned over to the Clerk on the 1st of last June a matter of $800, and we have perhaps fifteen hundred or sixteen hundred dollars of merchandise on hand.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. KINCHELOE. I do not think the gentleman intends to leave the impression with the House that the 150 dozen napkins were stolen?

Mr. IRELAND. Oh, by no means, no; I tried not to give that impression. I tried to make that plain. That is what it took to run the restaurant in the single item of linen replacement.

Mr. KINCHELOE. As I understand the gentleman, it took that many to run the restaurant, to replace those that were misplaced or even stolen.

Mr. IRELAND. Yes; and worn out and wasted.

Mr. KINCHELOE. Is it not a fact that these napkins are laundered every day?

Mr. IRELAND. Yes.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. BLANTON. I have no criticism of the gentleman. I admire him as much as any other Member of the House. My whole point of order was made upon the foundation that this is an expense that we ought to bear through a commercial restaurant and not charge the taxpayers up with this money.

Mr. IRELAND. Very well. Let me answer the gentleman right upon that point. The statistics that the management keeps in the restaurant are very simple and very complete. The record shows that it is impossible to gain any sale on any single item on the bill of fare that costs more than 55 cents. It is also true that against my protests—or, at least, not at my suggestion—we paid $4,200 of the bills of the man who had the restaurant under private management just prior to this time. Serving one meal a day, it is impossible to operate the restaurant at a profit. I have been convinced of that against my will. This system is the only one that even approaches a satisfactory arrangement to Members, and you can follow this or discontinue all restaurant service entirely.

Mr. ANDERSON. Mr. Chairman, on the point of order, Rule IX of the Senate Rules provides:

The large private room of the restaurant shall be reserved exclusively for Senators and their guests.

The small private room shall be reserved exclusively for the use of Senators and Members of the House of Representatives, and such use of the private rooms of the restaurant shall not be interfered with.

The viands served in the restaurant shall be of the best quality, and the prices for the same shall not exceed those stated in the printed bills of fare, to be previously approved by the chairman of the Committee on Rules, and said prices shall be subject to modification from time to time as the chairman of the Committee on Rules may direct.

The restaurant shall be kept open during the session of the Senate and during such other parts of the year as the Committee on Rules may direct.

* * * The management of the restaurant and all matters connected therewith shall at all times be subject to such further directions as the Committee on Rules may give.

Obviously that rule contemplates that a restaurant shall be operated in the Senate under the direction of the Committee on Rules of the Senate. It might be operated under a concession, or it might be operated by the Committee on Rules, by the hiring of a caterer or some other way, as this rule obviously contemplates. You can not run a restaurant without repairs, improvements, equipments, supplies. You can not run it without personal and other services. It seems to me that this provision under the rules of the Senate is clearly in order.

The CHAIRMAN. It has been repeatedly held that a resolution passed by a preceding House of Representatives justifies an appropriation. The Senate rule, in the codified rules of the Senate, which may properly be described as the organic law for the operation of that body, would have an even more binding effect than a mere decision or resolution of the House. The paragraph contained in the lines 12 to 17, on page 9, in lines 15 and 16, has the following language:

to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules.

That would be held to be legislation if it were not for the fact that in the rule quoted by the gentleman from Minnesota [Mr. ANDERSON], Rule IX of the Senate, there is this provision:

The management of the restaurant, and all matters connected therewith, shall at all times be subject to such further directions as the Committee on Rules may give.

That is a provision for the operation of the Senate restaurant by the Committee on Rules, which clearly offsets any objections to the language in the paragraph just read.

It seems that the Senate has full authority under the rules for the operation of this restaurant, and the Chair therefore overrules the point of order made by the gentleman from Texas.

The Chair at this time will also dispose of the point of order to line 1, page 9, made by the gentleman from Texas, with reference to packing boxes. This matter was up before in the House and held out of order in the bill of last year by the gentleman from Iowa [Mr. DOWELL], who was then the occupant of the chair. His decision was appealed from and reversed by a vote of 23 to 1. The present occupant of the chair is of the opinion, in view of the argument of the gentleman from Illinois, Mr. Mann, and other gentlemen who took part in that debate, that the purchase of packing boxes is just as much in order under the rules of the Senate and money can be supplied out of the contingent fund with the same propriety as for the purchase of fuel or any one of one hundred other items provided for out of the contingent fund of the Senate. The Chair therefore overrules that point of order, and the Clerk will read.

The Clerk read as follows:

OFFICE OF THE CLERK.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $6,500; Chief Clerk, $4,500; journal clerk and two reading clerks, at $4,000 each; disbursing clerk, $3,400; tally clerk, $3,300; file clerk, $3,250; enrolling clerk, $3,000 and $1,000 additional so long as the position is held by the present incumbent; chief bill clerk, $3,000; assistant to Chief Clerk, and assistant enrolling clerk, at $2,500 each; assistant to disbursing clerk, $2,400; stationery clerk, $2,200; librarian, $2,100; assistant librarian, $2,000; assistant file clerk, $1,900; assistant librarian and assistant Journal clerk, at $1,800 each; clerks—1 $1,800, 3 at $1,680 each; bookkeeper, and assistant in disbursing office, at $1,600 each; 4 assistants to chief bill clerk, at $1,500 each; stenographer to Clerk, $1,400; locksmith and typewriter repairer, $1,300; messenger in Chief Clerk's office, and assistant in stationery room, at $1,200 each; 3 messengers, at $1,100 each; stenographer to Journal clerk, $1,000; 9 telephone operators, at $900 each; 3 session telephone operators, at $75 per month each from December 1, 1923, to June 30, 1924; substitute telephone operator when required, at $2.50 per day, $500; laborers—3 at $900 each, 9 at $720 each; allowance to Chief Clerk for stenographic and typewriter services, $1,000; purchase, exchange, operation, maintenance, and repair of motor vehicle, $1,200; in all, $106,145.

Mr. BLANTON. I reserve a point of order upon the paragraph in order to ask a question. In line 11, page 11, it authorizes the purchase of motor vehicles. The Clerk, as I understand it, now has a Ford chassis upon which he has had built a homemade truck body. It may not be a Ford; as to that I have forgotten, but it is now in use. Now, the question is of spending $1,200 more.

Mr. ANDERSON. Well, that was a machine, as I understand it, which was turned over to the House by the War Department, a 1917 model, a Dodge car, which has run a great many miles. If the gentleman has run an automobile himself he knows that it does not pay to run an automobile very much longer than five years.

Mr. BLANTON. I have had my old Studebaker car repainted for $50 and I am using it still.

Mr. ANDERSON. I will venture the assertion it is not five years old. The gentleman knows it does not pay to run a car over five years. This simply contemplates the purchase of a new chassis for——

Mr. BLANTON. The gentleman says it is a Dodge car. He can turn this chassis back to the Dodge people and get a new chassis. The Clerk said if he could buy a new chassis he would put this body on it. That is what the Clerk said in the hearings. He could exchange this present chassis back to the Dodge people for a new chassis at considerable less than $1,200.

Mr. ANDERSON. He has to operate it, maintain it. Even a Dodge car will not run without gasoline and oil.

Mr. BLANTON. Operation and maintenance—we are going wild on operation and maintenance. I use an automobile as much as any Member of Congress in going to the different departments every day almost, and I live 5 miles from the Capitol. I use my automobile in going back and forth, and the maintenance of a Studebaker car—that is, general repairs, for gasoline and oil—the bill will not average over $25 a month.

Mr. ANDERSON. The gentleman has a miracle car if that is the case.

Mr. BLANTON. My Studebaker car costs me about $25 a month, or an average of $300 a year, to maintain it.

Mr. BEGG. If the gentleman wants to make a contract to pay the expenses on my car at $300 a year, I will give it to him right away.

Mr. BLANTON. I do not want to pay for a car that might run into a ditch some time and get broken up. I do not drive my car that way. I know that our Clerk of the House is one of the finest men in the world. If he thinks it will cost this sum for maintenance and to pay the exchange price for a new chassis, I have no objection to the item; but unless he does

feel it is necessary, I do not think we ought to appropriate for it in this bill.

Mr. ANDERSON. I think it is necessary. I think it is economy to exchange this car for a new one.

Mr. BLANTON. That is, it will not be in addition to the present truck; we are only providing one motor car for the Clerk?

Mr. ANDERSON. That is my understanding.

Mr. BLANTON. I withdraw the point of order.

The Clerk read as follows:

COMMITTEE EMPLOYEES.

Clerks, messengers, and janitors to the following committees: Accounts—clerk $2,500, auditor $3,000, assistant clerk $1,800, janitor $1,000; Agriculture—clerk $2,500, assistant clerk $1,800, janitor $1,000; Appropriations—clerk $5,000 and $1,000 additional so long as the position is held by the present incumbent, assistant clerk $4,000, six assistant clerks at $3,000 each, assistant clerk $2,200, janitor $1,200; Banking and Currency—clerk $2,000, assistant clerk $1,200, janitor $720; Census—clerk $2,000, janitor $720; Claims—clerk $2,500, assistant clerk $1,200, janitor $720; Coinage, Weights, and Measures—clerk $2,000, janitor $720; Disposition of Useless Executive Papers—clerk $2,000; District of Columbia—clerk $2,500, assistant clerk $1,800, janitor $720; Education—clerk $2,000; Election of President, Vice President, and Representatives in Congress—clerk $2,000; Elections No. 1—clerk $2,000, janitor $1,000; Elections No. 2—clerk $2,000, janitor $720; Elections No. 3—clerk $2,000, janitor $720; Enrolled Bills—clerk $2,000, janitor $720; Flood Control—clerk $2,000, janitor $720; Foreign Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Immigration and Naturalization—clerk $2,000, janitor $720; Indian Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Industrial Arts and Expositions—clerk $2,000, janitor $720; Insular Affairs—clerk $2,000, janitor $720; Interstate and Foreign Commerce—clerk $2,500, additional clerk $2,000, assistant clerk $1,500, janitor $1,000; Irrigation of Arid Lands—clerk $2,000, janitor $720; Invalid Pensions—clerk $2,500, stenographer $2,190, assistant clerk $2,000, janitor $1,000; Judiciary—clerk $2,500, assistant clerk $1,600, janitor $1,000; Labor—clerk $2,000, janitor $720; Library—clerk $2,000, janitor $720; Merchant Marine and Fisheries—clerk $2,000, janitor $720; Military Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Mines and Mining—clerk $2,000, janitor $720; Naval Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Patents—clerk $2,000, janitor $720; Pensions—clerk $2,500, assistant clerk $1,600, janitor $720; Post Offices and Post Roads—clerk $2,500, assistant clerk $1,400, janitor $1,000; Printing—clerk $2,000, janitor $1,000; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,200, janitor $720; Public Lands—clerk $2,000, assistant clerk $1,200, janitor $720; Reform in the Civil Service—clerk $2,000, janitor $720; Revision of the Laws—clerk $3,000, janitor $720; Rivers and Harbors—clerk $2,500, assistant clerk $1,800, janitor $1,000; Roads—clerk $2,000, janitor $720; Rules—clerk $2,000, assistant clerk $1,500, janitor $720; Territories—clerk $2,000, janitor $720; War Claims—clerk $2,500, assistant clerk $1,200, janitor $720; Ways and Means—clerk $3,000, assistant clerk and stenographer $2,000, assistant clerk $1,900, janitors—one $1,000, one $720; in all, $203,490.

Mr. IRELAND. Mr. Chairman——

Mr. BLACK. Mr. Chairman, I reserve the point of order on the words "Auditor, $3,000," line 16, in order to ask the gentleman——

Mr. ANDERSON. That is authorized by law, and I understand the gentleman from Illinois [Mr. IRELAND] states that he does not need him any more and he is going to ask to strike out that item.

Mr. IRELAND. If the gentleman will allow me the privilege of looking after my own committee, I would like to strike out line 16, page 11——

Mr. BLACK. Will the gentleman from Illinois yield?

Mr. IRELAND. Who has the floor, may I inquire?

The CHAIRMAN. The gentleman from Illinois.

Mr. IRELAND. I move to strike out, in line 16, page 11, the words "Auditor at $3,000."

Mr. STAFFORD. Mr. Chairman, a question of order. Has the point of order been withdrawn or not?

The CHAIRMAN. The reservation of the point of order has not been withdrawn.

Mr. STAFFORD. Then no amendment can be offered. An amendment is not in order as long as there is a reservation of a point of order.

Mr. IRELAND. The Chair recognized me and did not recognize the gentleman from Texas. I do not think his point of order is in order.

Mr. BLACK. The point of order was reserved and I was asking a question of the gentleman from Minnesota [Mr. ANDERSON]. I usually try to be courteous to the Members of the House, and I do not appreciate the remarks of the gentleman from Illinois. I had not intended to make a point of order if it was authorized by law, or even if some good reason were shown by the chairman as to why we should have this new position. I take it the gentleman was rather premature in the remarks he made.

Mr. Chairman, that is all I want to say, and I withdraw the reservation of the point of order.

Mr. IRELAND. The emergency for the position will have passed by that time. Should it again occur, as it may, it can again be handled as it was before. But it is not a continuing necessity, and I move to strike out that item.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. IRELAND: Page 11, line 16, strike out "auditor, $3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MACGREGOR. Why would the committee want to change the system that existed before?

Mr. IRELAND. The system is in no way changed, but requires less clerical assistance, because we have caught up with our business. This arrangement was originally necessitated by the change in handling Western Union business in regard to keeping track of telegrams, and also as to the restaurant matter, but we now have our business brought up to date and the need will, I hope, no longer exist. Ordinarily the complement of clerks given to the Committee on Accounts is sufficient. Should the emergency again arise, I am sure the House will be as generous and reasonable in the matter as it was before. But to my mind it will not occur—I hope not, at least—and as a proof of that I have laid off one clerk from the committee now.

Mr. MACGREGOR. I will say to the gentleman that I was not consulted about it, although I am a member of the Committee on Accounts.

Mr. IRELAND. The gentleman would have been consulted if it had been known that he desired to be. No one was consulted. No one else was familiar with it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. BLACK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 12, lines 1 and 2, after the figures "720" in line 1, strike out the language "Disposition of Useless Executive Papers—clerk, $2,000."

Mr. BLACK. Mr. Chairman, I do not criticize the Committee on Appropriations for including this item in an appropriation bill, because it is authorized by law. It may be that this is a very important committee. Probably under the present administration there are a great many useless executive papers to be disposed of. But I have made this motion for the purpose of calling the attention of the House to the real need for reorganizing the clerkships of these different committees.

I have no doubt that some of the committees included in this paragraph need all the clerks that are provided for. I am making these remarks without having looked up to see who is the chairman of this Committee on Disposition of Useless Executive Papers. My remarks are wholly impersonal. I have selected this particular committee not because it is the only one in the paragraph which I think is unnecessary. There are others.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. TILSON. As I read this paragraph, it seems to me there are at least 15 committees in that list that would need a clerk less than the Committee on the Disposition of Useless Executive Papers. I am not the chairman of that committee, and I do not have in mind who is.

Mr. BLACK. I do not have him in mind, either.

Mr. TILSON. But evidently, if the work of that committee is to be done well, there ought to be a very good clerk; one who, when he goes over the papers, can know what is of value and what is not; and it seems to me that if this committee does its work well, it certainly ought to have a clerk, and a good one.

Mr. BLACK. The reason why I call attention to the fact that the House has too many clerks to committees is this: Congress is very free in criticizing the executive departments of the Government for having unnecessary employees sitting around their offices doing nothing, and I think it is time that the House should take this matter in hand and have a real businesslike reorganization of its committees. Let us keep the employees who are necessary to do the work and dispense with those who are not. [Applause.]

Mr. MOORES of Indiana. Mr. Chairman, I would like to oppose the amendment offered. I am a member and chairman of that committee. The other member is Mr. ROUSE, of Kentucky. There are two members. In 1889 Congress passed an act forbidding the destruction of any papers in any department of the Government without the consent of the Congress. That act was passed by a Republican Congress during Cleveland's administration, and was revised and stiffened a little by a Democratic Congress during Harrison's administration.

The act can be easily found. Nothing can be destroyed without the consent of Congress. There is an enormous number of papers which have to be examined by Congress, the consent of which is required before any paper may be destroyed. The clerk of the committee is a woman, who must go to the various departments and examine these papers in the greatest detail to determine whether there are any that ought to be saved. The list of papers is sent first to the Librarian of Congress, and he has to pass upon the question as to whether any of them are of sufficient historic interest to be preserved. Then the list comes to our committee, and this young woman examines the papers in the various departments and reports to the committee such as ought not to be destroyed. In the first year during which this committee worked since I became a member of it we realized from the sale as waste paper of papers whose destruction we authorized the sum of $40,000.

There had been no work done by my predecessor, Mr. Talbott, and his committee for about 18 months, and there was an immense accumulation. In subsequent years there has been a sale of these papers to the amount of about $10,000 a year, of papers for which there was no use. There is still an enormous accumulation of papers, particularly in Philadelphia, which will have to be examined, and if that law is to be obeyed it seems to me that during the recess of Congress the clerk of our committee ought to go to Philadelphia and go carefully over these papers and let them be disposed of. The law is very plain. Nothing can be destroyed without the consent of Congress. The departments are littered up with stubs and with everything under the sun. I think there was an accumulation of over $100 worth of waste paper, consisting of applications for furloughs in the Navy alone, all of which had to be examined before they could be destroyed. It would seem to me that if we are going to abide by the law we ought to have that work done and done right, and that we will have to have it done. I have nothing further to say.

Mr. ANDREW of Massachusetts. I should like to ask the gentleman where that value of $40,000 came from? Was it the value of the old paper or was it value as documents?

Mr. MOORES of Indiana. The $40,884 was realized from the sale of documents as waste paper, which had been examined by the clerk of our committee. In other words, the papers which had been examined by the clerk of our committee were sold as waste paper for that amount.

Mr. BLACK. Mr. Chairman, I ask leave to withdraw my amendment. The gentleman has made a very interesting statement. It seems that the real work needs to be done in preventing the printing of such a large amount of these worthless documents. We could save a great deal of money if we would more carefully look after the printing end of it. In view of what the gentleman has said about the work of the committee, of course, I will withdraw my amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

For police force, House Office Building, under the Sergeant at Arms: Lieutenant, $1,200; 19 privates, at $1,050 each; in all, $21,150.

Mr. ANDREWS of Nebraska. Mr. Chairman, I move to strike out the last word. I want to add a brief explanation in regard to these waste papers. The Senate is now considering an appropriation of $2,500,000 for the erection of an archives building. It is very important that these inspections be made of the papers that are retained and those that are destroyed. There should not be any authority on the part of anyone to destroy public papers without some knowledge on the part of Congress as to the kind of papers that are destroyed. The reason for that is this: If they have the authority to destroy papers at discretion, they may destroy some papers of vital importance; and if a person who may have done something wrong could have that kind of privilege, he might destroy the very paper that would be needed to locate the responsibility for the wrongdoing. Moreover, it is very important that in the progress of business in the departments papers that need to be retained permanently for future reference, such as important contracts, certificates of settlements, warrants, and so forth, should be segregated from the papers that ultimately may be destroyed wisely. They should be filed separately under the same number, so that you retain permanently the material papers and have the papers separated which in the course of two or three or four years may very readily be disposed of without any risk to the Government. We will save the filing space of perhaps four-fifths. I should judge that four-fifths of the volume of papers handled by the departments in the form of vouchers and papers that will be of little value in the course of four or five years can be disposed of. If you retain all of them you must, of course, necessarily increase your filing space and thus have a larger archives building to take care of what you retain. I think that this law, with a congressional committee to supervise it from time to time, will hold the authorities in the departments in check and prevent the loss of a great many very valuable papers.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Janitors under the foregoing shall be appointed by the chairmen, respectively, of said committees, and shall perform under the direction of the Doorkeeper all of the duties heretofore required of messengers detailed to said committees by the Doorkeeper, and shall be subject to removal by the Doorkeeper at any time after the termination of the Congress during which they were appointed.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. May I ask the gentleman in charge of the bill if he hopes to finish it this afternoon?

Mr. ANDERSON. I should like very much to do it, but I presume it will be impossible.

Mr. GARRETT of Tennessee. There are many pages yet to be read. I do not want to throw anything in the gentleman's way, but unless the gentleman would like to finish, I suggest that it is 5 o'clock.

Mr. ANDERSON. The gentleman knows that Monday is District day. It is a long time since we have had a District day, and it is desirable if possible that the District legislation should be taken up Monday. I should like very much to finish the bill if gentlemen are willing to stay here and do it.

Mr. CURRY. Mr. Chairman, I move to strike out the last two words. I have looked carefully over this bill and have failed to find any appropriation for the amplifier and broadcasting apparatus in the House of Representatives. As far as the amplifier is concerned it may be a good thing. I do not know whether it is or not, but I do not think it is a good thing to have a broadcasting machine in the House of Representatives where it can be hooked up with a wireless station and some very pleasant things, I suppose, broadcasted to the people who want to listen in on it. Things have occurred on the floor this afternoon that might be an entertainment at a vaudeville show, but certainly would not be very edifying to the public who might be listening. If there is no authority for this machine, I think it ought to be taken out until the authority is granted by law. I do not know of any law that authorizes the installing of the machine. I do not know how it can be paid for. I do not see anything in this bill to meet the expense of it, and I think those who are responsible for the installing of this amplifier in this House should take it out until they have the authority of law to install it.

Mr. ANDERSON. Mr. Chairman, there is nothing carried in this bill for the purchase or maintenance of the amplifier or the other apparatus that goes with it. I do not know under what authority the machinery was put in here. I assume, however, that consent was given for it by somebody. I understand that a resolution has been introduced and referred to the Rules Committee which involves an investigation into the desirability of providing such machinery permanently. So far as this bill is concerned there is nothing in it that authorizes or appropriates for the purchase or rental or other use of this machinery.

Mr. TREADWAY. Mr. Chairman, I agree with the remarks of the gentleman from California [Mr. CURRY]. I can see no reason why the Hall of the House of Representatives should be used for advertising purposes for any new kind of machinery. I know nothing about the value of these so-called amplifiers—the horns in the ceiling—but I do know from personal experience in watching the work of these little machines stuck around here in half a dozen different places about the room that they are a drawback rather than a benefit to the work of the House. You can stand in the rear of the room almost anywhere, if somebody is talking into one of these little frames, and every once in a while you can catch a brassy sound of the voice extremely disagreeable to the ear. It may help the gallery. I am not sure as to that, but I do not think we are here for that purpose. Since the machines have been put in, there has been a young man sitting permanently in one of the galleries, I understand, experimenting with the work here, seeing how these machines operate, for the benefit of some company by whom he is employed. Now, I do not think this is any place for that sort of experimental work, and for my part I am ready at this moment to vote to have the whole outfit taken out of here until such time as we may in an orderly way see fit to introduce them. What I am objecting to is this form of publicity of a very wonderful invention, evidently not yet perfected, but for which the House of Representatives is used for experience and experimenting.

They ought not to be here, Mr. Chairman, and I hope that the result of the remarks made by the gentleman from California will bring about their removal. If the amplifiers and these little

round machines on the desks and tables belong to separate business concerns, they should both be asked to remove their property at once.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I will state to the gentleman that I doubt very much, indeed, whether they could have been placed in here if it had not been by authority emanating from the gentleman's own State.

Mr. TREADWAY. I do not care to answer the gentleman's insinuation.

Mr. GARRETT of Tennessee. Mr. Chairman, as a matter of interest to members it might be well enough to state the fact that the gentleman from Massachusetts [Mr. GREENE] introduced a resolution a few days ago which was referred to the Committee on Rules authorizing the Committee on Rules to investigate the desirability of installing the amplyfying device. I do not understand that there has been any money expended by the Government on the installation. That resolution was acted upon favorably by the Committee on Rules, and I suppose in the proper time will be presented by the gentleman from Kansas to the House, and the House will then have an opportunity to determine whether it wants to authorize the committee to proceed with the investigation.

Mr. TREADWAY. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. TREADWAY. In other words, a resolution has been introduced to authorize the doing of something that has been done in some other way.

Mr. GARRETT of Tennessee. As I understand the matter, the amplifying device was installed at the expense of whatever company owns it. The Government has never paid anything for the installation. It is a question whether the House will accept it or not.

Mr. SISSON. Does the gentleman from Tennessee know who authorized the installation. I suppose it would not have been put in unless somebody authorized it.

Mr. TREADWAY. It appeared here at the beginning of this session.

Mr. ABERNETHY. Mr. Chairman, I rise to a point of order. There is no question before the House touching this matter.

The CHAIRMAN. The point of order is sustained and the Clerk will read.

Mr. WINGO. Mr. Chairman, it is impossible to complete the bill to-night as there are several items that will require some discussion, and I suggest that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point that no quorum is present. The Chair will count. [After counting.] Sixty-nine Members present; not a quorum. The Doorkeeper will close the doors, and the Clerk will call the roll.

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

| | | | |
|---|---|---|---|
| Ackerman | Copley | Huck | McLaughlin, Pa. |
| Ansorge | Cullen | Hukriede | McPherson |
| Anthony | Davis, Minn. | Hull | Martin |
| Aswell | Dempsey | Humphreys, Miss. | Mead |
| Bacharach | Drane | Husted | Merritt |
| Bankhead | Drewry | Jacoway | Michaelson |
| Beedy | Dunbar | Johnson, Ky. | Mills |
| Bell | Dupré | Johnson, Miss. | Montague |
| Benham | Dyer | Johnson, S. Dak. | Moore, Ill. |
| Bixler | Echols | Johnson, Wash. | Morin |
| Blakeney | Edmonds | Jones, Pa. | Mudd |
| Bland, Ind. | Fairchild | Kahn | Nelson, John M. |
| Bland, Va. | Fairfield | Keller | Newton, Minn. |
| Bond | Favrot | Kelley, Mich. | O'Bren |
| Bowers | Fenn | Kendall | O'Connor |
| Brand | Fish | Kennedy | Oldfield |
| Brennan | Focht | Kiess | Olpp |
| Brooks, Ill. | Fordney | King | Osborne |
| Brooks, Pa. | Frear | Kirkpatrick | Overstreet |
| Brown, Tenn. | French | Kitchin | Paige |
| Browne, Wis. | Frothingham | Kleczka | Park, Ga. |
| Buchanan | Funk | Kline, N. Y. | Parker, N. Y. |
| Burdick | Gahn | Kline, Pa. | Patterson, Mo. |
| Burke | Gallivan | Knight | Patterson, N. J. |
| Burroughs | Garrett, Tex. | Knutson | Paul |
| Burton | Gernerd | Kopp | Perlman |
| Butler | Glynn | Kreider | Petersen |
| Campbell, Kans. | Goldsborough | Kunz | Pou |
| Cantrill | Goodykoontz | Lampert | Purnell |
| Carew | Gould | Langley | Radcliffe |
| Carter | Graham, Pa. | Larson, Minn. | Rainey, Ala. |
| Chandler, N. Y. | Greene, Vt. | Layton | Rainey, Ill. |
| Chandler, Okla. | Griest | Lea, Calif. | Ramseyer |
| Clark, Fla. | Griffin | Lee, N. Y. | Ransley |
| Clarke, N. Y. | Hardy, Colo. | Lehlbach | Rayburn |
| Classon | Hardy, Tex. | Linthicum | Reber |
| Clouse | Haugen | Lowrey | Reece |
| Cockran | Hawes | Luce | Reed, N. Y. |
| Codd | Hayden | Luhring | Reed, W. Va. |
| Collins | Hays | Lyon | Riddick |
| Colton | Henry | McFadden | Riordan |
| Connally, Tex. | Hersey | McKenzie | Rodenberg |
| Connolly, Pa. | Hogan | McLaughlin, Nebr. | Rogers |
| Rose | Stedman | Thorpe | Weaver |
| Rosenbloom | Steenerson | Tincher | Webster |
| Rossdale | Stiness | Tinkham | Wheeler |
| Rucker | Stoll | Towner | White, Me. |
| Ryan | Strong, Pa. | Tucker | Williams, Tex. |
| Sabath | Sullivan | Tyson | Wilson |
| Sanders, N. Y. | Sumners, Tex. | Underhill | Winslow |
| Schall | Sweet | Upshaw | Wise |
| Scott, Mich. | Tague | Vaile | Wood, Ind. |
| Scott, Tenn. | Taylor, Ark. | Vestal | Woodruff |
| Sears | Taylor, Colo. | Vinson | Woods, Va. |
| Shelton | Taylor, N. J. | Voigt | Wright |
| Siegel | Taylor, Tenn. | Volk | Wurzbach |
| Slemp | Temple | Walters | Yates |
| Smith, Mich. | Ten Eyck | Ward, N. Y. | Young |
| Smithwick | Thomas | Ward, N. C. | |
| Snell | Thompson | Watson | |

The committee rose; and the Speaker having resumed the chair, Mr. MCARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13926, and finding itself without a quorum, he had directed the roll to be called, when 193 Members responded to their names, a quorum, and he handed in a list of the absentees for printing in the Journal.

The committee resumed its session.

Mr. ANDREW of Massachusetts. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting therein certain resolutions passed this week by the American Legion in Indianapolis. The gentleman from New York [Mr. LONDON] to-day expressed his opinion with regard to our relations to our allies and our enemies in the late war. I should like to insert in the RECORD, with the consent of the House, certain resolutions that were adopted this week by the national executive committee of the American Legion which express the point of view of the men who fought the war with regard to those countries.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, is that the resolution protesting against the refusal of the Republican organization to permit the consideration of a certain bill which some 250 Members asked the committee to report out?

Mr. ANDREW of Massachusetts. It has nothing to do with anything of that sort. It has to do with the point of view of the Legion with regard to the attitude of France to-day in the Ruhr and with regard to the outcome of the war.

Mr. WINGO. The only resolution that I know they adopted last week was one criticizing the House leaders because they would not permit a certain bill to come out of the Committee on Military Affairs.

Mr. STAFFORD. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection?

There was no objection.

The resolutions referred to are as follows:

Resolution passed by the national executive committee, American Legion, at Indianapolis, Ind., U. S. A., January 15–16, 1923.

Whereas the Peace Conference following the World War and participated in by representatives of the majority of the nations of the earth, including the United States, determined, among other things, that Germany should pay certain reparations; and

Whereas, on April 27, 1921, the Reparation Commission in execution of article 233 of the peace treaty fixed the total amount of reparations due from Germany to all the Allies at 132,000,000,000 gold marks, which Germany, on May 11, 1921, accepted unconditionally, and France by agreement of the Allies was to receive 52 per cent of all reparations awarded, including certain deliveries of coal, lumber, and other payment in kind; and

Whereas within a short time after the acceptance of the reparations award Germany fell in arrears in the payment of money and in the delivery of material as provided by the treaty, and the people of Germany began to send out of the country gold, securities, and other forms of wealth and to seriously impair if not wreck the whole German financial system for the purpose of avoiding payment, and by evasion, trickery, and sundry devices sought to deprive France of the awards made by the Peace Conference and accepted by Germany, was on January 10, 1923, in default in the delivery of coal and lumber; and

Whereas for the purpose of securing compliance with the terms of the peace treaty France has now occupied certain territory in the Ruhr Valley: Therefore be it

*Resolved by the National Executive Committee of the American Legion in session in the city of Indianapolis, United States of America, this 15th day of January, 1923,* That the action of France in so occupying said territory was and is justified; that she is endeavoring by the only effective means to collect a debt which the majority of the nations of the earth have decreed she is justly and properly entitled to; that we approve her course in the premises and wish her success to the end that the wrongs endured and the damages suffered by her may to some extent be compensated, the fruits of victory enjoyed, and the war stay won: Be it further

*Resolved,* That copies of this resolution be forwarded to the President of the United States, to the presiding officers of the Senate and House of Representatives, and to the French ambassador at Washington,

Whereas the youth of America in 1917 and 1918 offered all they had to bring peace, justice, and happiness to the world, and in that effort cooperated with their stricken allies; and

Whereas the lives and health of thousands of American boys were given to that holy cause; and

Whereas the peoples of the world are now torn and bleeding from the effects of the war and the consequent fears, distrusts, hates, and misunderstandings; and

Whereas the ex-service men of America still long to restore to the world peace, justice, and happiness, the things for which they fought and their comrades died; and

Whereas there remains in the heart of every ex-service man the memory of friendship and common service with our allies and also a desire to be generous to a defeated foe: Now, therefore, be it

*Resolved*, That the national executive committee of the American Legion assembled at Indianapolis, Ind., expresses its hope that the cause of justice and world tranquillity for which their comrades' lives were sacrificed may continue to the good of our great country, and we respectfully request our Government to lend its aid as its good judgment may dictate to abate the world's crisis and assist in the establishment of peace on earth and good will to men.

Mr. KINDRED. Mr. Chairman, I rise for the purpose of asking unanimous consent to extend my remarks in the RECORD upon the subject of autosuggestion and the workings of the subconscious mind as practiced by Emile Coue.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. STAFFORD. Mr. Chairman, I do not think the CONGRESSIONAL RECORD should be made a medical journal. I object.

Mr. KINDRED. Mr. Chairman, will the gentleman withhold his objection for one moment? I wish to do something useful——

Mr. STAFFORD. I reserve the objection.

Mr. ANDERSON. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. STAFFORD. Mr. Chairman, I object.

The Clerk read as follows:

SPECIAL AND MINORITY EMPLOYEES.

For the employment of Joel Grayson in the document room, $2,500.

Mr. BLANTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 15, line 23, strike out "$2,500" and insert in lieu thereof "$3,500."

Mr. ANDERSON. Mr. Chairman, I make the point of order on the amendment.

Mr. BLANTON. Mr. Chairman, will the gentleman reserve his point a minute?

Mr. ANDERSON. I reserve it for a minute.

Mr. BLANTON. Mr. Chairman, Mr. Joel Grayson has been in the employ of the Government in this Capitol 48 years. He began as a page boy in this House in 1875. For years he has been in charge of the House document room. During those 48 years he has placed all of his earnings into a home, worth $15,000. He had a very fine library, worth as much to him as any man's private library. His home and library are all gone. He is one of the most faithful employees of the Government. He knows more about the document room and the documents, I dare say, than any man in Washington. He can give you the history of any piece of legislation or any public document at any time, and if you go there and ask him he can help you find any old document. Now, after serving for 48 years he lost his home the other day by fire. He did not have a dollar's worth of insurance. I do not know how that situation appeals to you gentlemen. He has not asked me to offer this amendment. It does not come from him, but it has come from his friends here in the Capitol. He has no knowledge right now that I have offered it. I do not know why they picked me out to offer it, unless it is because I have been in favor of economy; but I do say that if there is any man on earth entitled to this little raise in salary under the circumstances it is the man who has served his Government faithfully here in this Capitol for 48 years and is now in straitened circumstances because of his late affliction. I hope the distinguished gentleman from Minnesota will let this go by. I hope he will not make the point of order against it. There have been other big raises in this bill. There are other men who do not need it who are receiving larger raises in this bill. I hope the gentleman will let this amendment go by. [Applause.]

Mr. ANDERSON. Mr. Chairman, I sympathize with what the gentleman says. I agree with what he says, but obviously this is not the place to do it. We have a Committee on Accounts to consider questions of this kind, and the question ought to be considered by this committee. There are a great many employees carried in this bill whose salaries, I think, are lower than they ought to be; but in fairness to the general policy that we have adopted it is my duty to make the point of order, and I do make the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

Mr. BLANTON. Mr. Chairman, why is it subject to the point of order? It is not a statutory provision.

The CHAIRMAN. The Chair will state for the benefit of the gentleman from Texas and others that this is fixed by resolution, and very much to the Chair's regret he is constrained to sustain the point of order, and the Clerk will read.

Mr. BLANTON. Mr. Chairman, I offer another amendment. On line 23, page 15, strike out "$2,500" and insert in lieu thereof "$3,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 23, strike out "$2,500" and insert "$3,000."

Mr. ANDERSON. Mr. Chairman, I make the point of order that it is not authorized by law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Office of majority floor leader: Legislative clerk, $3,600; clerk, $2,500; assistant clerk, $1,500; janitor, $1,000; in all, $8,600.

Mr. BLANTON. Mr. Chairman, I make the point of order. I make the point of order, page 16, line 11, against that part of the paragraph which embraces "legislative clerk, $3,600"; it is a new position, unauthorized by law.

Mr. ANDERSON. Mr. Chairman, if the committee will indulge me just a moment, I will say that on March 24, 1922, the House passed the following resolution:

*Resolved*, That there shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, for the services of a legislative clerk compensation at the rate of $3,600 per annum, the said clerk to be appointed by and under the direction and control of the majority floor leader.

That resolution clearly authorized the appointment of the employee until further provision is made by the House.

Mr. BLANTON. That is for the current fiscal year; it does not say "hereafter."

Mr. ANDERSON. It says, I will read again, "until otherwise provided by law."

Mr. BLANTON. I accept the gentleman's statement.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

COMMITTEE STENOGRAPHERS.

Salaries: Four stenographers to committees, at $6,000 each; janitor, $980; in all, $24,980.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word of the paragraph, and I do this simply to ask a question of the chairman. It seems to me there is a discrepancy in the salaries of our stenographers. We recognize the fact that the reporters of debates here are the most expert men in the business, and if $6,000 is ample compensation for them—I am not saying that it is, possibly it should be more—but if it is, what is the reason that the four stenographers to committees also receive the same salary that these very expert men do here on the floor? It can not be claimed that the reporting of testimony before committees requires any such stenographic ability as is exercised or shown by the men on this floor. I also am confident their duties are not nearly as laborious. I am not making that statement in the nature of a criticism, only in the way of an inquiry.

Mr. STAFFORD. Will the gentleman yield?

Mr. TREADWAY. I will yield the floor.

Mr. STAFFORD. Mr. Chairman, I ask for recognition so as to reply to the gentleman. During the war, when the cost of living mounted very high, a resolution was brought into the House increasing the salaries of the Official Reporters of debates from $5,000 to $6,000, and which was passed. It was only a short time afterwards when, under methods adopted by the stenographers to committees, through pressure brought to bear on the Committee on Accounts, a resolution was reported to raise their salaries from $5,000 to $6,000. I opposed the resolution, but without any avail. I believed then and believe now the salaries of the Official Reporters of the House should be more than the committee stenographers, but for the last 30 years the salaries have been the same.

Years back, as during the first term I served, when the average length of the two sessions was only four months, the reporters of the House were employed only a fraction of a year, but now their time, like Members of Congress, is employed virtually the year round, and all the time under a tremendous grind, whereas the committee stenographers are only employed while committees are in session. The reason why their salaries are the same is nothing more than pressure on the part of the committee stenographers. If we should increase the salaries of the reporters to debates to $7,000, as I think they should be raised, the committee stenographers would come in very shortly afterwards and ask that they be put on a parity with the reporters of debates.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. GREEN of Iowa. The gentleman was quite right in opposing this raise for committee stenographers. There is no question but what those salaries are more than what they ought to receive. It does not require the ability of a court reporter.

Mr. STAFFORD. Here is what I wish to call strongly to the attention of the House and to the country: That it is much more strenuous work and harder on the brain of the official reporters of debates to take down the speeches made here, with interruptions going on, than it is to take testimony in the quiet of a committee room. Men are wearing out. One of the official corps is quite ill because of the strain, and it is not to be wondered at when these official reporters of debates work for 11 months in the year under that tremendous strain from 12 o'clock until 5 or 6 and later six days in the week. I have enough of the milk of human kindness in me to prompt me to make that statement, although I have many times opposed increases of salary.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FESS. Has it ever been the policy that the Congress should make up an additional amount to be paid to the reporters here?

Mr. STAFFORD. Well, years back, when they did not have any permanent force to transcribe their reports, at the end of the session they were granted an additional amount for the expense they had incurred. As every Member knows, there is a relay of reporters, each one taking notes for five minutes and then taking them downstairs and immediately dictating them into a dictaphone. Years back they had an allowance only. Now their expert transcribers are allowed an annual salary.

Mr. FESS. My question is whether $6,000 covers all that the reporters get?

Mr. STAFFORD. It does.

Mr. FESS. I thought that an additional sum was made up.

Mr. STAFFORD. Oh, no. Years back they were voted an additional sum to pay for their assistants, but now we have put them on the permanent roll.

Mr. SISSON. They get an extra thousand dollars now, do they not?

Mr. STAFFORD. I beg the gentleman's pardon. I differ from my colleague on the committee as to their getting any extra pay.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CHINDBLOM. Is it not a fact that the committee stenographers do make extra money? Is it not a fact that they sell copies and make extra money, which the reporters here in the House are not able to make? I would like to ask the gentleman whether or not there is any kind of supervision or control over these men, whether they spend an equal amount of time on work which does not pay—that is, on work on which they can not sell extra copies?

Mr. STAFFORD. Well, the committee stenographers, at the time when their work is at its peak, are engaged all the time. Indeed, they can not do all the work, and they employ extra men, who are paid by the Government. If there are any perquisites added to their salaries from the sale of copy it does not interfere with the performance of their committee work. But take for example to-day, with the House reporters busily engaged all day, the committee reporters are not occupied and will not be much occupied during the balance of the session.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to return to lines 13 and 14 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to lines 13 and 14, on page 17, for the purpose of offering an amendment. Is there objection?

Mr. ANDERSON. I object.

The CHAIRMAN. The gentleman from Minnesota objects. The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES OF THE HOUSE.

For wrapping paper, pasteboard, paste, twine, newspaper wrappers, and other necessary materials for folding, for use of Members, the Clerk's office, and folding room, not including envelopes, writing paper, and other paper and materials to be printed and furnished by the Public Printer upon requisitions from the Clerk of the House, under provisions of the act approved January 12, 1895, $10,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last line there for the purpose of asking a question.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. TREADWAY. I would like to inquire whether it is under this paragraph that the manila envelopes are obtained that are furnished to the Members for use in sending out documents? It may not be this item that covers it; I may be in the wrong pew. But I wish to criticize the quality of the paper furnished for manila envelopes and for the legal-size envelopes that we are obliged to use from our stationery accounts. They will not hold together to get from here to Massachusetts. I have had numerous experiences with these envelopes coming apart. I do not know whether it is under this item or some other item that this criticism should be aimed, but wherever it is, it seems to me we could get along with fewer envelopes and better quality. Whoever draws up the specifications for both the manila envelopes and the legal-size envelopes ought to revise them. I live fairly near, but some of the Members who live on the Pacific coast could not, I suppose, find a document at all after it has started on its journey. I do not see how they do their business with this quality of stationery. I have to instruct my office force in sending out a particular-size envelope to encircle it with a string or rubber band so as to hold together the articles that are in the envelopes. I do not know whether other Members have had that same experience or not, but we certainly ought to revise the specifications under which these envelopes are secured for our service.

Mr. WINGO. Mr. Chairman, I make a point of order on this testimony as to general Republican inefficiency. [Laughter.]

The CHAIRMAN. The Clerk will read. [Laughter.]

The Clerk read as follows:

Wherever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the 211 days from December 3, 1923, to June 30, 1924, both inclusive.

Mr. BLANTON. Mr. Chairman, I make the point of order against the proposition, in line 12, for packing boxes, $4,500, that it is legislation, unauthorized by law, on an appropriation bill. There is no substantive law authorizing it. There is no rule of this House authorizing it.

The CHAIRMAN. The Chair overruled a similar point of order made by the gentleman with reference to packing boxes for the Senate. It was held in that instance that the item in question was properly chargeable against the contingent fund of the Senate, and the Chair can see no reason why a corresponding item is not properly chargeable against the contingent fund of the House. The Chair therefore overrules the point of order. The Clerk will read.

The Clerk read as follows:

For furniture and materials for repairs of the same, including not to exceed $15,000 for labor, tools, and machinery for furniture repair shop, $30,000.

For packing boxes, $4,500.

Mr. BLANTON. Mr. Chairman, I make a point of order against this paragraph, because in this item of $190,000 there is embraced the appropriation for paying the $36,000 loss that the House of Representatives restaurant is run under annually.

Mr. ANDERSON. Mr. Chairman——

Mr. BLANTON. Does the gentleman desire to interrupt me?

Mr. ANDERSON. No; I will ask for the floor when the gentleman has concluded.

Mr. BLANTON. There is no law that I know of authorizing it, other than a simple resolution that was passed here in the House. That is not the kind of law that should authorize the Government to go into the restaurant business. There is no rule of law that I know of that authorizes the Government to engage in the restaurant business in the Capitol, when the only evidence we have—the last evidence taken—is that it would cost the Government $36,000 a year in losses.

It should take a substantive law to permit the Government to engage in the restaurant business, whether it is run under the authority of the House of Representatives or by somebody else; and I submit, Mr. Chairman, that this paragraph embracing that project is unlawful on an appropriation bill.

Mr. ANDERSON. Mr. Chairman, of course there is nothing in the language of the item itself—which, after all, is controlling in the case—which is subject to a point of order. However, it is unnecessary to rely upon that fact to sustain the opposition to the point of order made against the item on account of expenditures made in the House restaurant. If my friend from Texas would apply his zeal in making these points of order to an examination of the statutes, it would save a lot of the time of the House. A resolution passed by the House on June 2, 1921, provides for the payment out of the contingent fund of the House of such sums as may be necessary to make alterations and improvements in the House restaurant, and then it ends up with this language—

That until otherwise ordered by the House the management of the House restaurant and all matters connected therewith shall be under the direction of the Committee on Accounts.

A resolution adopted during this session or the last session provides that pursuant to the authority of the resolution adopted by the House June 2, 1921, the resolution I have just read, placing the management of the House restaurant and all matters connected therewith under the direction of the Committee on Accounts, there shall be paid out of the contingent fund of the House, under regulations prescribed by said committee, such expenses as may be incurred in excess of those defrayed from the proceeds of same for the employment of absolutely necessary assistance in the conduct of such restaurant by such business methods as may produce the best results consistent with economic and modern management.

Clearly that resolution authorizes the payment out of the contingent fund of the House of such deficits as may be incurred in the operation of the restaurant of the House. Even if that item were specifically provided for here—and it is not—it would be clearly in order.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] has stated the case correctly. There is nothing in the paragraph specifically mentioning the restaurant or any deficit arising therefrom. The Chair therefore overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer an amendment to perfect the text.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 18, line 18, strike out "$190,000" and insert in lieu thereof "$154,000," and add the following proviso, to wit: "*Provided*, That no part of this sum shall be expended in conducting a restaurant for the House of Representatives."

Mr. ANDERSON. I make the point of order that this is a change of existing law, the resolution of the House now authorizing the conduct of the restaurant.

Mr. BLANTON. There can be a law authorizing the restaurant, and yet Congress can refuse to appropriate for it.

Mr. ANDERSON. The gentleman's resolution goes further than that.

Mr. BLANTON. We might have a law authorizing a restaurant, and yet we could provide that no part of this money should be expended for that purpose. The gentleman's point of order is not well taken.

The CHAIRMAN. The amendment of the gentleman from Texas is clearly a limitation within the purview of the rule, and the point of order made by the gentleman from Minnesota is overruled.

Mr. BLANTON. Mr. Chairman, I am not making any criticism. I am just trying to stop a practice that is growing, and one for which sooner or later our people are going to hold us responsible. I just put it up honestly and fairly to my colleagues whether or not they are willing to go home to their people and take that hearing and read them what occurred when the chairman of the subcommittee asked the Clerk of the House, Mr. Page: "So, then, this restaurant is costing the Government $35,000 a year above the income?" And Mr. Page said, "No; $36,000."

Are you willing to take that home to your people and tell them about it and tell them that you are conducting a restaurant here for our benefit in the House of Representatives at a cost of $36,000 a year to your taxpayers, who are staggering now under the expenses of the Government? Of course, if you are willing to do that, why, then, pass this provision. It is in the bill, and you can vote down my amendment; but if you feel that your people at home do not want you to do that, why not stop it now? That restaurant could be let to a practical restaurant keeper. I do not know whether this would be deemed discourteous or not, but because she has done it so successfully in the past, if we could prevail upon our good colleague to take charge of that restaurant in a commercial way, and show her every consideration that was possible, she could take it and run it on a business basis and stop this loss of $36,000 annually, and I would be willing to have that done; but we are now running it at an expense to the people of $36,000 a year. There is no question about the matter of cost to the people of the country. Are we going to continue to do that? If you vote my amendment down, I am not going to fall out with you. I shall take it that you are doing what you think is right. I shall bow to your vote, if you do that. I am just merely doing what I conscientiously believe to be my duty to the people of this country. They want to stop unnecessary expenditures. I believe every one of my colleagues is willing to pay for what he eats. You are not the kind of men who want the people to pay for your meals. Then why not let us stop this? I just leave it up to you.

Mr. TREADWAY. Mr. Chairman, I dislike to take the time of the House in discussing what has already been passed over. The gentleman from Texas [Mr. BLANTON] offered a similar amendment sometime ago and it was defeated, and now he tries to bring it in again. I do not question the gentleman's conscientious objection to the management of the restaurant downstairs. All I can say is that he is mistaken in his premises. If my business experience of a lifetime is of any value to the membership here, the restaurant downstairs can not be run and be patronized by Members of the House and by such of the public as come in here and show a profit in any way, shape, or manner. It is an impossible task. The moment you charged prices sufficient to pay your overhead and the various losses that have been referred to here this afternoon, together with the cost of the food, you would not get a customer, not one. The question is simply this: Is the time of the membership of the House worth anything? If it is, you ought to have a restaurant in this building where Members can go and get a decent meal. I have been a Member of Congress for some years, and the food in this restaurant until within the last six months or a year, until the time we authorized it to be watched and carefully guarded, the food has not been good. Since the Committee on Accounts, under the efficient chairmanship of the gentleman from Illinois [Mr. IRELAND], took over the unpleasant routine is the only time that we have had a good restaurant. He is entitled to our thanks, not criticism. There must be some expenditures charged against the Government. Here are 435 Members of the House who are entitled to a midday meal. Are you going to adjourn the session at half past 12 and take an hour off to go somewhere outside, patronize some hotel or restaurant, or are you going to have it convenient for Members to get their lunch right here and attend to their duties at the same time?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. CHINDBLOM. The RECORD ought to show that the Members of the House, as well as the public, pay for what they get, and all it is worth.

Mr. TREADWAY. I have no fault to find with the gentleman's statement in that particular; in fact, I entirely concur.

Mr. CHINDBLOM. But the statement of the gentleman from Texas might leave the impression that we are beneficiaries.

Mr. TREADWAY. We are not beneficiaries; we are being charged the going price for similar food elsewhere. The trouble is that you can not carry on a business of this kind with one meal a day, and perhaps sometimes not that meal. It is so uncertain that no experienced caterer would take the chances—some days one meal, some days perhaps two, and many days none. There is a loss in that respect. There is a tremendous overhead loss that you have to meet. There are innumerable things that I could show you, if I had the time, where there is a loss. I doubt if there is a hotel in Washington to-day that can break even on the restaurant. They do not expect to break even.

Mr. CHINDBLOM. Will the gentleman allow me to make a suggestion?

Mr. TREADWAY. Yes.

Mr. CHINDBLOM. We will be here until probably half past 7 to-night, to-morrow is Sunday, and to-morrow there will be no meals served at all, and they have to take care of emergencies of that kind.

Mr. TREADWAY. I will simply take the time to reiterate that the business of a restaurant conducted on one meal a day, and that very uncertain, for six days a week, can not break even at commercial prices. The present method of conducting the restaurant is the most satisfactory and in the long run the most economical for the Government.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and on a division there was 1 aye and 67 noes.

So the amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I notice, in lines 16, 17, and 18, page 18, reference is again made to the official stenographers of committees. We have discussed their salary, and if we had not passed over that item I am disposed to think that the salary of those stenographers would have been reduced. I would like to inquire what the item "including reimbursement to official stenographers to committees for the amounts actually and necessarily paid out by them for transcribing hearings," has reference to?

We are paying these men a salary of $6,000 a year. Are they not capable of transcribing their notes without outside employment of additional service? I do not know what the amount of the item is, as the various sums are not separated. The reports of hearings are not returned promptly, and frequently there are many inaccuracies. The leading Member on the Democratic side on the Ways and Means Committee was

finding fault the other day in regard to the return of reports of testimony. I have heard other gentlemen find fault. They are not the skilled and accurate stenographers that we have on the floor of the House, and we ought not to pay them as much salary as the official reporters of the House, and then pay them in addition to that. I do not see why we should pay them extra for transcribing their own work.

Miss ROBERTSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The lady from Oklahoma asks unanimous consent to revise and extend her remarks in the RECORD. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Chairman, I would like to answer the question of the gentleman from Massachusetts with reference to the necessity of providing in this item for the reimbursement to the official stenographers to committees for the amount paid out for transcribing hearings. These hearings are dictated to a dictaphone by the stenographer and transcribed, and this is to reimburse them for the amount paid out for the transcription. It saves time and money, and is economy for the Government.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For postage stamps: Postmaster, $250; Clerk, $450; Sergeant at Arms, $300; Doorkeeper, $150; in all, $1,150.

Mr. KINDRED. Mr. Chairman, I rise for the purpose of asking unanimous consent to extend my remarks in the RECORD on the general subject of autosuggestion and the working of the subconscious mind as practiced by Emile Coué, and also as practiced by the real scientists.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. STAFFORD. Reserving the right to object, are these the gentleman's own remarks and the result of his investigation in the art of autosuggestion?

Mr. KINDRED. I will say to the gentleman that the remarks will be confined to my own investigation, observation, and personal experience, which has been rather large.

Mr. STAFFORD. Of course, Mr. Chairman, if they are the gentleman's own remarks I have no objection.

Mr. WINGO. I would like to ask the gentleman to what school he belongs, the Nancy School or the Zurich?

Mr. KINDRED. I belong to the school of Bernheim, of Nancy, who first, 35 years ago, investigated this subject and laid the foundation for its scientific investigation.

Mr. WINGO. Does the gentleman in his remarks propose to discuss the difference between the Nancy school and the Zurich school?

Mr. KINDRED. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. KINDRED. Mr. Speaker, the much-advertised visit to the United States of M. Coué, the French pharmacist, and his methods have revived a great popular interest in an old subject, suggestion and autosuggestion, which have been known to and scientifically practiced by the medical profession even before the sixteenth century, when a physician by the name of Paracelsus popularized this means of curing disease.

No department of psychical research is at present exciting so widespread an interest as that which has been known under the name of hypnotism, suggestion, and autosuggestion, animal magnetism, mesmerism, and so forth, and inquiries are constantly made by those to whom the subject is new regarding its nature and effects, and also how, if at all, it differs from the mesmerism, animal magnetism, electrobiology, voodooism, witchcraft, and so forth, of centuries ago.

From the remotest periods of human history to the present time certain peculiar and unusual conditions of mind often associated with abnormal conditions of the body, have been observed, which have been cured by so-called mesmerism, hypnotism, suggestion, or autosuggestion.

The Egyptians and Assyrians had their magi, the Greeks and Romans their oracles, the Hebrews their seers and prophets, every great religion its inspired teachers, and every savage nation had, under some name, its seer or medicine man.

Socrates had his demon, Joan of Arc her voices and visions, the Highlanders their second sight, spiritualists their mediums and "controls."

Until a little more than a hundred years ago all persons who were supposed to be endowed with this sort of supernatural power were considered to be divine, and those under external and supernatural influence were considered as satanic.

About 1773 Mesmer, an educated German physician, philosopher, and mystic, commenced the practice of curing disease by means of magnets passed over the affected parts and over the body of the patient from head to foot. Afterwards, seeing Gassner, a Swabian priest, curing his patients by command and applying his hands to the affected parts, he discarded his magnets, concluding that the healing power or influence was not in them but in himself; and he called that influence animal magnetism.

Mesmer also found that a certain proportion of his patients went into a sleep more or less profound under his manipulations, during which a sort of somnambulism, or sleep walking, appeared. But Mesmer's chief personal interest lay in certain theories regarding the nature of the newly discovered power or agent and its therapeutic or curative effects.

He brought about the hypnotic sleep by means of passes, he and other practitioners of this form of suggestive therapeutics never for a moment doubting that the influence which produced such sleep-like states was a power of some sort proceeding from themselves and producing its effect upon the patient.

In addition to the condition of sleep or lethargy, the following conditions were well known to the "early mesmerists": Somnambulism, or sleep walking, catalepsy, anesthesia, and amnesia, or absence of all knowledge of what transpired during the sleep. Suggestion during sleep was also made use of, and was even then proposed as it has since been proposed, as an agent in education and in the cure of vice and disease, particularly in children.

This was the condition of the subject in 1842, when Braid, an English surgeon, made some new and interesting experiments. He showed that the so-called mesmeric sleep could be produced in some patients by other processes than those used by the early mesmerists; especially could this be accomplished by having the patient gaze steadily at a fixed brilliant object or point, without resorting to passes or manipulations of any kind.

He introduced the word hypnotism, which has since been generally adopted; he also proposed some new theories relating to the nature of the hypnotic sleep, regarding it as a "profound nervous change," and he still further developed the idea and use of suggestion. Otherwise no important changes were made by him in the status of the subject.

The period of twenty-five years from 1850 to 1875, was a sort of occultation of hypnotism.

In 1877 Professor Charcot, then one of the most scientific, most widely known, and most highly esteemed of living physicians and neurologists, not only in France but in all the world, was appointed, with two colleagues, to investigate the treatment of hysteria by means of metallic disks—a subject which was then attracting the attention of the medical profession in France.

Curiously enough, it happened that Charcot commenced exactly where Mesmer had commenced a hundred years before. He experimented upon hysterical patients in his wards at La Salpetriere, and, as a result, he rediscovered mesmerism under the name of hypnotism, just a century after it had been discovered by Mesmer and disowned by the French Academy.

But Charcot, after having satisfied himself by his experiments, did not hesitate to announce his full belief in the facts and phenomena of hypnotism, and that was sufficient to rehabilitate the long-neglected subject. The attention of the scientific world was at once turned toward it, and hypnotism at once became respectable and occupied the attention of many scientific physicians. From that time to the present it has formed one of the most conspicuous and interesting subjects of psychical study and research; it has become to psychology (the science of the normal mind and its functions) what determining the value of a single character is to reading an ancient inscription in a lost or unknown language; it is, in fact, a bit of the unknown expressed in terms of the known and helps to furnish clues to still greater discoveries, in the direction of unfolding the depths of both the conscious and the unconscious mind.

Soon after the experiments of Charcot and his associates in Paris were published, Professor Bernheim commenced a most thorough and important study of the subject in the wards of the hospital at Nancy, France. These studies were made, not upon persons who were already subjects of various forms of nervous disease, as was the case with Charcot's patients, but, on the contrary, upon those whose nervous condition was perfectly normal, and even upon those whose general health was perfect. Bernheim's work was associated with and preceded by that of Liebeault.

The result of Bernheim's experiments proved that a very large percentage of all persons, sick or well, could be put into the hypnotic condition—could be influenced by autosuggestion or suggestion. He claimed that suggestion was the great factor in bringing about the condition, and also in the mental phenomena observed, and in the cures which were accomplished.

He showed, moreover, that the hypnotic sleep did not differ from ordinary sleep, and that *no magnetism nor other personal element*, influence, or force entered in any way into the process—it was all the power and influence of suggestion on the unconscious or the subconscious mind.

To illustrate the method, a simple case would be as follows (Bernheim):

A patient comes into the physician's office complaining of continual headaches, general debility, nervousness, and unsatisfactory sleep. She is willing to be hypnotized, and is accompanied by a friend. The physician seats her comfortably in a chair, and, seating himself opposite her, he takes her thumbs lightly between his own thumbs and fingers, asks her to look steadily at some convenient object—perhaps a shirt stud or a specified button upon his coat. Presently her eyelids quiver and then droop slowly over her eyes; he gently closes them with the tips of his fingers, holds them lightly for a moment, and she is asleep.

He then makes several slow passes over her face and down the front of her body from head to foot, also some over her head and away from it, all without contact and without speaking to her. He lets her sleep 10 or 15 minutes—longer, if convenient—and then, making two or three upward passes over her face, he says rather quickly: "All right; wake up."

She slowly opens her eyes, probably smiles, and looks a little foolish at having slept. He inquires how she feels. She replies: "I feel remarkably well—so rested—as though I had slept a whole night." "How is your head?" (Looking surprised.) "It is quite well; the pain is all gone." "Very well," he says, "you will continue to feel better and stronger, and you will have a good sleep at night." And so it proves. Many diseases—functional—may be cured in this manner by autosuggestion.

This power is in the subconscious mind, or the subliminal self, and suggestion is the key to its action, yet a very large experience has taught that the reason suggestion is the key to the action of the subconscious is because through suggestion we create an expectancy upon the part of the subconscious. If we stop short of creating that expectancy, we fail to produce results. Many times mental and audible suggestions are given to no avail because they did not create the proper degree of expectancy.

Autosuggestion or hypnosis did not create the subconscious mind nor the power, therefore they are present whether one is hypnotized or not. The power to hypnotize or cause autosuggestion does not, therefore, exist in the operator except so far as he may employ the proper method to bring it about. The state brought about by autosuggestion is a state where the subconscious mind is in full possession and we obtain no phenomena without suggestions being given to the subconscious mind.

It is interesting to note that our own redoubtable Benjamin Franklin made an investigation of the subject of "animal magnetism" in the year 1837 and reported the findings of the investigating commission headed by himself in an interesting volume translated from the French, entitled "Animal Magnetism, etc." This report showed a profound investigation of the subject. It gives credit to Doctor Maxwell, an American physician and investigator of that period, for having written a most complete and copious treatise on the subject, in which he endeavored to support the doctrine of animal magnetism by calling in the assistance of the theory of the universal spirit which he had derived from the earliest philosophies of antiquity and which theory had already been presented by Mesmer about 1778.

Quoting from Maxwel's treatise, as bearing upon the power of animal magnetism or modern hypnotism to influence persons to improper actions: "Far be it from me," says Maxwel, "to lead you to improper actions. If from the perusal of my work you become acquainted with the means of such actions, you will do me the justice not to divulge them." "I have seen," added he, "the most incredible effects and greatest advantages from the right use of this method. I have also seen infinite evils occasioned by the use of it. Indeed, it is scarcely prudent to treat of these subjects on account of the dangers that may result from it. If we were to express ourselves in a manner universally intelligible, fathers could never be sure of their daughters nor husbands of their wives; women would be deprived of their self-government in spite of the most judicious and obstinate resistance."

These observations of Maxwel suggest a controversy that was waged between hypnotists a few years ago as to whether persons could be so influenced by hypnotic or other suggestion as to be unable to resist, even when they will to resist, sexual and other temptations.

In order better to understand the workings of the conscious and unconscious, or subconscious, mind as revealed in psychical researches, it is necessary to understand at least something of the material basis of mind.

It is exceedingly difficult to give a satisfactory definition or conception of an abstract mind or consciousness, but it is equally difficult to define or conceive of electricity. Yet we know the laws that govern electricity so well that we can trace its mechanism of connection with matter and use it in many practical ways. We may also trace the mechanism connecting mind and matter with as much accuracy.

Physiology teaches us that the connecting link between conscious mind and the material world is to be found in certain brain cells; that mind, in fact, is as much a creature of these brain cells as electricity is of the galvanic cell. Embryology shows how these brain cells precede the realization of conscious being, and produce as they mature step by step, first, muscular movements, then sensation of an automatic nature, and finally the higher faculties of conscious being, including normal and abnormal intellectuation.

This marvelous brain is composed of many groups of cells having different and more or less independent functions, and all these groups are closely connected by nerve fibers with all the organs of the body so as to form one harmonious whole. We know that most of these groups of cells at times go into an inactive or resting state, which we call sleep, and that this condition varies considerably in degree. Some of the causes of sleep and conditions of the cells during sleep are quite well understood. Physical changes that are well marked take place in the cell during its activity, and the normal condition is restored during sleep. It it also a well-established fact that some groups of cells may sleep while others do not, and that some groups or centers sleep more easily than others.

It is quite certain that the centers of consciousness to present surroundings are the first, as a rule, to fall asleep, and that some of the automatic centers, such as the heart and respiratory centers, are the most difficult to influence in this respect. Drugs, such as chloroform, opium, and alcohol, readily produce unconsciousness to present surroundings while memory is still awake and special senses and automatic centers still active. Pushed to a more advanced stage, these drugs finally overcome all the various centers, even those governing the heart and respiration.

The last centers to appear in the development of the brain are usually the first to sleep, whether this sleep be produced by natural or artificial means, as by hypnotism.

It is by putting to sleep various subcenters and leaving others active that the phenomena of hypnotism or hypnotic suggestion are produced, and it is due to the receptivity of these centers that the phenomena of suggestion are brought about.

Sir William Crookes has furnished a very plausible hypothesis for the explanation of telepathy or thought projection, often allied with the states already mentioned, by comparing it with wireless telegraphy. Nerve force is so much like electricity that we may readily believe brain activity capable of producing waves similar to the waves that make wireless telegraphy possible. And it seems within the bounds of reasonable probability to suppose that these waves of brain force may be appreciated by other properly tuned brains—however unusual—just as the wireless waves are appreciated by distant electrical apparatus properly tuned to receive them.

This hypothesis will explain the mind-reading stunts of Bishop, Cumberland, and other "sensitives" who are supposed to have developed an additional special sense. Liebault and Bernheim have shown that hypnotic subjects are at all times amenable to suggestion, and this does not in any sense imply weak-mindedness. Indeed, the weak minded and insane and those on the borderland of insanity are most difficult to hypnotize, because they have not the power of concentrating their attention, but it is a fact that most cases cured or benefited by autosuggestion and suggestion are essentially neuropaths.

Actual experiments and the history of therapeutic suggestions show that nearly all persons are more or less subject to the influence of suggestion, even while in their normal condition, and that the certainty with which suggestion acts will depend more upon the absolute faith with which it is received than upon any abnormal or artificial condition of the mind itself or power or characteristic of the operator or suggester. During hypnosis all forms of inhibition and rational objection are reduced to a minimum. The most absurd statements are received without question as facts, and for this reason produce

powerful and lasting and baneful impressions. *In fact auto-suggestion may cause as well as cure maladies*, and this constitutes its great danger to the public, if it is left in the hands of ignorant or unprincipled practitioners.

Suggestion has been used as a therapeutic measure, with or without the aid of actual hypnotism, from the earliest times, and its history, under its various shapes and guises, forms one of the most interesting side lights for the study of human nature and the human mind.

Pure suggestion, with more or less impressive ceremony and paraphernalia, used to increase the faith of the patient, was undoubtedly the active factor of the incantations of ancient priests, the enchantment of the negroes, the cures of Indian voodoo doctors, the magic formulæ of Æsculapius, the sympathetic powder of Paracelsus, the king's cure, the cures at Lourdes, and by numerous saintly relics and waters. Astonishing numbers of cures of all imaginable diseases and conditions have been reported from these sources.

The classes of patients most susceptible to hypnotism, suggestion, and auto-suggestion, are as follows:

I. Those having self-limited diseases that will get well under any treatment that does not interfere with nature.

II. Cases that receive, in addition to suggestion, some appropriate medical treatment.

III. Cases of imaginary disease, having no real existence.

IV. Cases suitable for suggestive treatment, that are really cured.

V. Failures. A large class of which we hear little.

The first class (self-limited diseases) comprise most acute, and some chronic maladies, and includes more than half of all the diseases known to man.

The second class is not uncommon in the practice of osteopathy, botanic medicine, divine healing, etc., as the followers of such sects have frequently some knowledge of medicine.

Imaginary diseases are much more common than is generally supposed, and are often of a very serious nature. Patients frequently imagine heart disease, Bright's disease, or cancer but seldom imagine mild or trivial affections. It is also easy to produce imaginary diseases by suggestion, when there is a basis of even some slight ailment or pain to work upon.

The skillful quack who gains the confidence of his patient may easily make him believe he has cancer of the liver, aneurism of the aorta, or in fact any disease from infantile convulsions to senile debility, and may then proceed leisurely to cure him. The cure is usually as long as the patient's pocketbook; but if he is needed for advertising purposes, it may be remarkably short. There are few healthy persons who do not occasionally get a pain in the chest, back, or abdomen, due to trivial causes. The sickly man would pay no attention to such a thing. He is used to pain. But to the healthy man it is unusual and alarming. The assurance of a quack doctor may easily turn this pain into a pleurisy, nephritis, or appendicitis.

How skillfully the quack disseminates his circulars and newspaper advertisements with the idea of impressing such people. How many men can read the advertisement of a genius in this line without getting at least an uncomfortable feeling and a suspicion of some insidious, lurking disease? The imaginary disease is common, easy to produce, and often hard to cure.

The fourth class, or cases suitable for suggestive treatment, will be considered later.

The fifth class—failures—is a large and silent one, of which little is heard by the public. Yet every physician knows of one or two, and the aggregate is very large. These cases stray off to other quacks after a time, and usually come to a physician at last. Sometimes they come in time to be cured and sometimes not. Usually they come when turned off for lack of funds, and the real physician does what he can for charity's sake.

Thus, from the earliest days, suggestion has been used indiscriminately, unscientifically, and in a manner that savored always so strongly of quackery as to bring it into very bad repute. That it has done good can not be denied. While its bad repute has prevented reputable physicians from using suggestion openly as a therapeutic means, yet under other names and often unconsciously it has been used by them with great advantage. Every physician has some time given a placebo with good effect, though he may not have thought of it as suggestive treatment. Every respectable physician knows that his reputation is a great aid to him in curing diseases and that his personal influence or so-called personal magnetism is of great value. He is often unconscious of the fact that these things are of value because they make his patients believe in him and believe his suggestions.

But the time has come when the true value of suggestion should be known and its use placed upon a scientific and honest basis. We must know what diseases it may cure, what diseases it may aid in curing or alleviating, and how to use it. There are few classes of diseases that suggestion alone can cure, but the number of cases in the aggregate is large. It may be said that only imaginary diseases and functional diseases are amenable to this treatment alone, but in nearly all diseases suggestion is a valuable aid to other treatment. As I have already said, imaginary diseases are very common and often have a real foundation in dyspepsia, anemia, rheumatism, or some less serious real disease.

We are all familiar with the classic experiment of pretending to bleed a condemned criminal to death and actually causing his death, though no blood was really shed. This experiment shows the remarkable power of suggestion in producing illness. I have seen a number of cases near death from imaginary disease but have not seen any actually die. Hysteria is a common disease in which imagination plays so large a part that it might almost be considered as imaginary; but there is often a real basis for the symptoms in this and other functional disorders and sometimes in organic disease, such as a nervous form of gastrointestinal catarrh. We so frequently do find atonic dyspepsia and gastrointestinal catarrh associated with neurasthenia and hysteria that many have been inclined to regard the latter diseases as symptoms of the former, and more especially so from the fact that treatment which improves the digestive tract always results in coincident improvement of the nervous phenomena.

As is stated by the late Dr. W. P. Carr, of Washington, in his splendid article on "Suggestion as used and misused in curing disease":

> The legitimate method of the true physician is to have the real power of knowledge and use it with scientific accuracy. This is the slow and laborious way; but even the successful quack, who has left it under the temptation for quicker returns, often wishes himself back in the legitimate track, knowing that his career will be short. The day of bluffing in medicine is fast approaching its end. The man of real ability and honesty will gain a reputation for these qualities sooner than he thinks, and this reputation, once established, will go far toward giving him the confidence of his patients. If he will then display to them a kindly and sympathetic interest, the thing is done.
>
> Personal appearance has something to do with success in this line, but much less than is generally supposed. Many insignificant-looking men have succeeded remarkably well, but they have been men of unusual knowledge and force of character. The physician must listen with interest to symptoms and make careful examinations to assure himself of the actual conditions, and, no less, to assure the patient that he has done so. Then, if he finds only an imaginary disease, a simple assurance to that effect will be all that is necessary, provided he can make his patient believe it. Often he must admit a functional disturbance and proceed, by the suggestion of medicine and assurance of speedy cure, to make the sufferer believe, or, deeply rooted in his conviction, he will leave in disgust and go to another physician and another, until he finds one who will agree with him and treat him as long as he will come and pay.

The same author, not only a learned physiologist and psychologist but a surgeon of note, also says in the same article that tumors, especially of the abdomen, are frequently diagnosed by competent physicians when they either do not exist or shortly disappear.

And that in all diseases not purely or largely imaginary, suggestion should be used as an adjunct to other appropriate treatment and should be directed chiefly to the relief of fright, worry, pain, and sleeplessness, all of which are serious obstacles to digestion and nutrition, and, consequently, to resistance to germs and to the repair of lesions. These practical views on the practical and honest practice of suggestion may contribute much to the comfort and cheerfulness of the patient, to the shortening of the illness, and to the saving of life. Most physicians appreciate this fact and, consciously or unconsciously, apply it; but some of the brightest and otherwise best equipped do not, and are consequently failures. A hypodermic injection of water will often cause as profound sleep as one of morphia, if the patient believes it to be morphia, or will be equally effective in relieving pain. Simple assurances that sleep will come or that pain will cease are equally effective if believed.

It is usually unnecessary to deceive patients. A cheerful manner, an emphasizing of every point of improvement, a statement that everything is going on in a satisfactory manner toward recovery, that improvement is beginning and will soon be felt, that recovery may confidently be expected, as early assurance as possible that danger is past, all do much to cheer and improve and may be easily within the bounds of truth.

Complications and disasters should never be suggested, and should be treated as lightly as is consistent with honesty when they occur. At times actual deception is not only justifiable but is necessary to the saving of life or to even moderate comfort. But in such cases the family should always be informed of the true condition. Even in hopeless cases cheerfulness and comfort may be maintained for weeks, months, or years by constant cheering suggestions and by withholding unfavorable facts. It

is indeed a cheerless condition that holds out no hope, and one that need seldom be encountered.

It is one thing, however, to assure a patient suffering from some dangerous disease that there is nothing the matter, and do nothing else to relieve him, and quite another thing to give him a somewhat similar assurance while doing everything possible to obviate the danger and bring about a cure. A clear distinction should be made between the medically ignorant person who would say to a typhoid-fever patient: "There is nothing the matter with you; there is no such thing as disease; you simply imagine you feel badly; you are well"; or who would pray for his recovery, expecting a miracle to be performed, and who, having no knowledge of medicine, does nothing for his relief—a clear distinction should be made between such a person and the educated physician, who would say: "You have fever; but if you will go to bed and take the diet and medicine or vaccine prescribed, you will recover; you will not be very ill; you will be better to-morrow; your headache will be better after a few hours' rest and a dose or two of medicine"; and who at the same time sees that these instructions are carried out by a good nurse, and that his patient has the best treatment known to science, and who intelligently watches every symptom as the case progresses, giving cheerful suggestions for all that are disagreeable, and never forgetting to use material means to remedy them or avoid them if possible.

DREAMS AND PSYCHOANALYSIS.

The significance from a psychic viewpoint of dreams and also certain psychoneroses have been in recent years studied by Janet, Freud, Brewer, and others abroad, and by Brill, of New York; Putnam, of Boston, and others in this country, by Freud's methods of psychoanalysis, meaning an analysis of the psychic make-up, in order to discover and successfully treat the hidden causes of certain mental and nervous diseases.

Freud's theory of psychoanalysis is summed up by the late Doctor Putnam as follows:

Whereas hitherto the most important cause of the functional psychoneuroses has usually been considered to be a constitutional and, in general, an inherited taint, and the influence of environment and education has been rated as of secondary significance, the facts point to a different conclusion. Our inheritance varies indeed within wide limits, but that which makes us sick or well—so far as the symptoms of these psychoneuroses are concerned—is the influences to which we are subjected after birth. This is not to depreciate the importance of what we bring with us to the world, but to exalt the significance of education taken in a wide sense. But if the influence of education, whether for good or ill, is to be exalted, it must be shown that these influences are to be given a broader meaning than that usually accorded to them; and, in so far as it is held that adult invalids are susceptible of cure through reeducation to a greater extent than others have believed, it must be proved that there are educational influences hitherto unrecognized or insufficiently recognized which can be called to aid in this work.

In support of both these propositions, Freud brings forward a remarkable array of evidence, based on the actual recitals of his patients. Some of these have been published by him or by his colleagues, while many others, for obvious reasons, have been withheld. These recitals are held to justify a number of subpropositions, such as those which follow, and as the result of my reading of the published communications, from personal conversations with Freud, and with his colleagues, and from my personal observations, I believe these claims to be well founded.

From birth onward our lives are builded on a double principle. We have ostensible personalities and concealed personalities, and though the two may harmonize fairly well they are never fully in accord. Society and our own choice and effort make us what ostensibly we are—artists, merchants, honorable citizens, persons following an aim. But in order to fit ourselves to molds of such a sort we must, of course, at every moment discard temptations and repress emotions out of harmony with this or that set purpose.

These emotions and temptations, in spite of being discarded and repressed, not only were but continue to be important portions of ourselves. They may never come to light again individually and in their own form, but at the least they contribute something, if only a note of seriousness, to our perceptions and our thoughts. When they do not help us to remember they may be forcing us to forget, and in reality these two results are often one. Even our discarded, repressed, forgotten childhood lives actively in our adult years, helping to form that variously named portion of our mental lives, of which we are not consciously aware, and can not make ourselves entirely aware except with special aid; never, perhaps, completely.

These repressed emotions and thoughts organize themselves more or less definitely into groups, and there is a constant interplay between them and the thoughts and emotions of our conscious lives. Thus, the repression of a desire gives rise to a vague sense of disquiet; and this feeling, attaching itself to a definite object, may be felt as a morbid impulse or a defined fear. The desire and repression may never, at best, have been more than half-conscious processes, and finally become wholly forgotten in the sense above described.

The vague distress is consciously felt as something unendurable, and is at once attached to a special object, as in obedience to an impulse which counts as "protective," although the relief afforded may be anything but complete. The fears of water, of the dark, of certain animals, of meeting people, of crowds, of church and theater, and so on through all their multitudinous forms, are made up in part, according to this view, of fears of ourselves, namely, fears engendered in the course of the effort to set aside a situation felt to be unbearable. Sometimes the whole process can be witnessed, as when a morbid fear of meeting people, or even a so-called misanthropy, arises out of the half-awareness that one has been living under conditions that were socially compromising. Often, however, the links of this chain pass wholly out of sight, and a person finds himself fearing or hating a person or set of persons without knowing why, when, in fact, it is because these persons stand as representing certain aspects of our past selves.

It is a little harder to explain the common fears of open windows, bridges, and the like, than fears of less external sorts, but there can be but little doubt that these also are at least partly due to a similar substitution. We would shine, we would be virtuous and recognized as such, consequently we fear to fall. "Natural" fear and symbolism do the rest.

M. Coué says, truly, that he has brought nothing new to the science of suggestion and autosuggestion, but he dwells on the importance of his method in applying autosuggestion.

His little book on autosuggestion, which has had an enormous sale in this country, having been bought by all classes, has eight chapters and subchapters, only one of which makes any pretense to the scientific discussion of the subject itself. All the remaining chapters are devoted to testimonials and praise of the author, very much in the form of testimonials and praise contained in patent medicine booklets and advertising. The only real feature of his first chapter is his suggestion, not new, that the imagination, rather than the will, controls our thoughts and actions, and that the imagination should therefore be chiefly invoked in making autosuggestion.

M. Coué, not a physician but a druggist, has pursued a sensational course, quite unlike the course of the real scientist and helpful physician just outlined; his methods, in fact, are much like those of the cheap showman, according to the newspaper and other accounts, making cheap, vulgar exhibitions of the misfortunes of the many neuropathic and susceptible persons who have been drawn to him because of his extensive newspaper notoriety and prestige.

In this connection the following public statement of Rev. Francis X. Doyle, S. J., professor of philosophy at Georgetown University, is very appropos:

In theory and in practice Doctor Coué's method of healing by autosuggestion is sound, but when he touches on the explanation of this theory he is absurd. You can practice Couéism with good results, but first go to the scientific medical man and let him dig for the trouble.

Since my object is to call attention to the decided limitations of all forms of suggestion and autosuggestion as well as to its possibilities in appropriate cases to be selected by the qualified physician only, I will refer in some detail to certain patients who have come within my own professional observation while I was a student at the medical department of the University of Edinburgh and a clinical assistant at the Royal Asylum there. A young man, 27 years of age, whose case I had the opportunity to study, came there to consult Dr. George M. Robertson, now the distinguished medical superintendent of that asylum, with a history of having been quite a normal young Scotsman, up to a few years previously. About four years previous to the time we saw him he quite accidentally went upon the platform "to be hypnotized," when a traveling hypnotist was giving an "exhibition" in the town where the young man lived. He soon came within the spell of this showman who commercialized hypnotic suggestion. The showman employed the young man as a "subject," who would easily do every stunt commanded, and the young fellow soon found that he was completely, at all times, under the hypnotic influence of his employer, who, finding the "show" business unprofitable, discharged his "subject." The two became separated and soon afterwards the young man found himself so slavishly obsessed by distant hypnotic suggestions of his former employer that he continued against his will and saner judgment, to do all kinds of things that he formerly did on the public stage while under the direct hypnotic spell, such as chasing imaginary pigeons, sweeping the floor with an imaginary broom, and so forth. His will power was gone and he actually did the most insane and grotesque acts in the midst of whatever work he might be doing, to such an extent that he became helpless and actually insane. There are many similar cases.

There are many other limitations of and contraindications to autosuggestion and suggestion, and such cases can be positively known only to a well-qualified physician, who knows that, for instance, if a hard lump on the breast of a woman at a certain age is temporized with under the soothing suggestion of M. Coué and other practitioners who are not even graduates in medicine that such a condition will soon become hopeless (the only hope being in a surgical operation before the cancer cells affect other parts of the body) and that the patient will surely die of cancer.

It is a fact that many avoidable deaths occur constantly in this country from diphtheria, typhoid fever, appendicitis, cancer, and other diseases because gullible and credulous though well-meaning patients and their friends and relatives do not call in reputable, licensed physicians *in the diagnosis* and scientific treatment of disease in the *earliest curable stages of these diseases*, but call in charlatans who pretend to cure all diseases by sug-

gesting to the subconscious mind of persons gravely ill that no real illness exists or chiropractors or osteopaths who undertake to diagnose and cure all diseases by rubbing or by manipulating the spine or other parts of the body.

The cure of a limited number of diseases by suggestion, autosuggestion, psychoanalysis, or by rubbing, massaging, or manipulating the body may be brought about without risk to the public and the individual patient only when a trained, *regularly licensed medical man* has had every opportunity to find out the real ailment of the patient, to make a scientific diagnosis, and to suggest a proper course of treatment called for by each individual case.

Certainly every sensible person will admit the possible danger in any case of illness of failing to ascertain the real nature of the illness, so that timely and active scientific measures may be taken, as in cancer, diphtheria, appendicitis, and so forth. It is only by the exercise of such common sense that the lives of thousands of helpless children and others who die each year through such criminal neglect and ignorance may be saved.

The Clerk read as follows:

For driving, maintenance, repair, and operation of an automobile for the Speaker, $3,000.

Mr. BLANTON. Mr. Chairman, I make the point of order to the language in lines 1 and 2, on page 19, as legislation unauthorized by law.

Mr. ANDERSON. Mr. Chairman, the House by specific resolution authorized the purchase of an automobile for the use of the Speaker. Having authorized the purchase of the automobile, it clearly is in order to maintain it.

The CHAIRMAN. The gentleman from Texas makes the same point of order against this that he did against the automobile provided for the Vice President, and the Chair will make the same ruling. The point of order is overruled.

The Clerk read as follows:

For assistance rendered during the calendar years 1922 and 1923 in compiling list of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing and indexing questions of order printed in the appendix to the Journal pursuant to House Rule III; and for recording and filing statements of political committees and candidates for nomination and election to the House of Representatives pursuant to the campaign contribution laws, $5,000, to be immediately available.

Mr. WINGO. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count.

Mr. WINGO. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Arkansas moves that the committee do now rise.

Mr. ANDERSON. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and Mr. ANDERSON and Mr. WINGO were appointed to act as tellers.

The committee divided; and there were—ayes 21, noes 68.

So the committee refused to rise.

Mr. WINGO. Mr. Chairman, this discloses the fact that there is no quorum present, and I make the point of order that there is no quorum present.

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

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

| | | | |
|---|---|---|---|
| Ackerman | Bulwinkle | Crago | Freeman |
| Ansorge | Burdick | Crowther | French |
| Anthony | Burke | Cullen | Frothingham |
| Aswell | Burroughs | Dallinger | Fuller |
| Atkeson | Burton | Davis, Minn. | Gahn |
| Bacharach | Butler | Deal | Gallivan |
| Bankhead | Byrnes, S. C. | Dempsey | Garrett, Tex. |
| Beedy | Campbell, Kans. | Dickinson | Gernerd |
| Begg | Campbell, Pa. | Doughton | Glynn |
| Benham | Cantrill | Drane | Goldsborough |
| Bixler | Carew | Drewry | Goodykoontz |
| Blakeney | Carter | Dunbar | Gorman |
| Bland, Ind. | Chandler, N. Y. | Dupré | Gould |
| Bland, Va. | Chandler, Okla. | Dyer | Graham, Pa. |
| Boies | Clark, Fla. | Echols | Green, Iowa |
| Bond | Clarke, N. Y. | Edmonds | Greene, Vt. |
| Bowers | Classon | Elliott | Griest |
| Bowling | Clouse | Ellis | Griffin |
| Brand | Cockran | Evans | Hadley |
| Brennan | Codd | Fairchild | Hammer |
| Briggs | Cole, Iowa | Fairfield | Hardy, Colo. |
| Britten | Cole, Ohio | Favrot | Hardy, Tex. |
| Brooks, Ill. | Collins | Fenn | Hawes |
| Brooks, Pa. | Colton | Fish | Hayden |
| Brown, Tenn. | Connally, Tex. | Focht | Hays |
| Browne, Wis. | Connolly, Pa. | Fordney | Henry |
| Buchanan | Copley | Frear | Herrick |
| Hersey | Lyon | Ramseyer | Taylor, N. J. |
| Hickey | McClintic | Rayburn | Taylor, Tenn. |
| Hicks | McCormick | Reber | Temple |
| Himes | McDuffie | Reece | Ten Eyck |
| Hogan | McFadden | Reed, N. Y. | Thomas |
| Huck | McKenzie | Reed, W. Va. | Thompson |
| Hudspeth | McLaughlin, Pa. | Rhodes | Thorpe |
| Hukriede | McPherson | Riddick | Tillman |
| Hull | Martin | Riordan | Timberlake |
| Humphreys, Miss. | Mead | Robertson | Tinkham |
| Husted | Merritt | Rodenberg | Towner |
| Jacoway | Michaelson | Rogers | Tucker |
| Johnson, Ky. | Mills | Rose | Tyson |
| Johnson, Miss. | Montague | Rosenbloom | Underhill |
| Johnson, S. Dak. | Moore, Ill. | Rossdale | Upshaw |
| Johnson, Wash. | Moore, Va. | Ryan | Vaile |
| Jones, Pa. | Morin | Sabath | Vinson |
| Jones, Tex. | Mott | Sanders, Ind. | Voigt |
| Kahn | Mudd | Sanders, N. Y. | Volk |
| Keller | Murphy | Schall | Volstead |
| Kelley, Mich. | Nelson, John M. | Scott, Mich. | Walters |
| Kelly, Pa. | Newton, Minn. | Scott, Tenn. | Ward, N. Y. |
| Kendall | Newton, Mo. | Shelton | Ward, N. C. |
| Kennedy | O'Brien | Siegel | Watson |
| Kiess | O'Connor | Sinclair | Weaver |
| Kincheloe | Oldfield | Sinnott | Webster |
| King | Oliver | Siemp | Wheeler |
| Kirkpatrick | Olpp | Smith, Mich. | White, Me. |
| Kitchin | Osborne | Snell | Williams, Ill. |
| Kleczka | Overstreet | Snyder | Williams, Tex. |
| Kline, N. Y. | Paige | Sproul | Williamson |
| Knight | Park, Ga. | Steagall | Wilson |
| Knutson | Parker, N. J. | Stedman | Winslow |
| Kopp | Parker, N. Y. | Steenerson | Wise |
| Kreider | Patterson, Mo. | Stevenson | Wood, Ind. |
| Kunz | Patterson, N. J. | Stiness | Woodruff |
| Lampert | Paul | Stoll | Woods, Va. |
| Langley | Perlman | Strong, Kans. | Woodyard |
| Larson, Minn. | Petersen | Strong, Pa. | Wright |
| Layton | Porter | Sullivan | Wurzbach |
| Lee, N. Y. | Pou | Summers, Wash. | Wyant |
| Lehlbach | Pringey | Sumners, Tex. | Yates |
| Linthicum | Purnell | Sweet | Young |
| Lowrey | Radcliffe | Tague | Zihlman |
| Luce | Rainey, Ala. | Taylor, Ark. | |
| Luhring | Rainey, Ill. | Taylor, Colo. | |

The committee rose; and the Speaker having resumed the chair, Mr. MCARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13926, and finding itself without a quorum he had directed the roll to be called, whereupon 136 Members answered to their names, a quorum, and he handed in a list of the absentees.

The committee resumed its session.

The Clerk read as follows:

LEGISLATIVE DRAFTING SERVICE.

For salaries and expenses of maintenance of the legislative drafting service, as authorized by section 1303 of the revenue act of 1918, $40,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Mr. SISSON. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SISSON: Page 20, line 22, strike out all of lines 22 to 25, inclusive, and on page 21, lines 1 and 2.

Mr. SISSON. Mr. Chairman, this is an activity which has never met with my approval. During the consideration of a tariff bill, Mr. KITCHIN being chairman of the committee, they got one or two of these gentlemen, and I think they wanted to keep them, but I never have been able to find any sort of justification for spending $40,000 for the purpose of having men draw bills for Members of Congress.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. SISSON. In a moment. My objection is this: I do not believe when people elect Members of Congress, whose legislative mind they send here, they expect them to employ other people to do their thinking. I can not tell where such a proposition might end. I have always thought it was a very radical departure. I am not criticizing the Republican side of the House, because it is a matter that was inserted when the Democrats were in power, so that there is no partisanship about it upon my part. I think it is a step in the wrong direction. I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, did it ever occur to the gentleman, active and industrious as he is, that his service in the House has been almost wholly in connection with appropriations; that he has not, as have Members who are on legislative committees, been charged with the responsibility of preparing and arranging general legislation. Let me give the gentleman an illustration of a service that I know of. I had in mind a general plan of legislation on a somewhat important subject, and I asked one of these gentlemen in. I outlined to him my thought, the line on which I thought the legislation should be drawn, and asked him if he would be good enough to prepare

something along those lines. He did. His first draft was not exactly what we wanted, and there were a number of drafts.

But, first and last, while these gentlemen do not originate, do not propose, they do aid very greatly in properly framing that particular piece of legislation. They have been very busy, I think, during this Congress working for the various committees, helping the Members, expressing their thought in clear, definite, and concrete language. There are in these days experts in everything. These men are experts in legislative drafting.

Mr. SISSON. I know my friend does not want to take up what little time I have, and I must get some more if I need it. I do not believe, gentlemen, we are quite ready to substitute the minds of other people. I am unwilling to make the admission that if I have a piece of legislation that I think ought to become the law that I am incapacitated, that people who are elected in other districts are incapacitated to do their own thinking and prepare their own bills. Now, let me tell you that every man who is a lawyer knows that if you let the other man write the opinions of the judge you had better let that man be the judge. I want to tell you another thing. The man who is doing the writing, doing the preparation for the Member of Congress, ought to be the Member of Congress. I am unwilling to make the admission that the House of Representatives must have an expert legislative bill drafter to whom to go to draft bills. Here is the Legislative Reference Bureau here in the Library, and these things are beginning to grow very vigorously, and what is the difference? Why let a Congressman do his work; why let a Congressman be taken in a nice gilded carriage and brought over and carried in a nice gilded elevator and lifted into a nice gilded seat—why let a Congressman in this day and generation——

Mr. MILLER. Will the gentleman yield?

Mr. SISSON. I will.

Mr. MILLER. I do not know where the gentleman gets the idea about a gilded carriage.

Mr. SISSON. That ought to come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I would like to have five minutes more, if I may.

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

Mr. MILLER. I call the attention of the gentleman to the fact that nearly every State in the Union has a legislative constitutional adviser. In the particular State I come from they have had him for 10 years.

Mr. SISSON. Does that account for the good or bad laws you have?

Mr. MILLER. The State averages up in intelligence to most of the States, and it is a very good thing. Nearly every legislative body has the same thing.

Mr. SISSON. I realize we are getting rapidly away from representative government. The old monarchial idea of having men to do this work is growing rapidly. I have not an idea of that kind. I still believe people are capable of electing Members of Congress who can do their own work. I know that the representatives of the people do good work.

I think Mr. Webster and Mr. Clay and Mr. Calhoun and Mr. Garfield and Mr. Hoar and men of that type did reasonably good work in their day, but I realize that our very puny, uneducated, unprepared Members of Congress in this day and generation have to have somebody to prepare their bills for them and to do their work for them. I do not know whether it is a fact or not that they can not do their own work, or whether it is simply indisposition on their part to do their work; but, in either event, I do not think it is an admission that we should be prepared to make.

Mr. GARNER. Mr. Charman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. GARNER. I think every Member of the House will agree that the gentleman from Mississippi has been a very valuable member on the Committee on Appropriations.

Mr. SISSON. Do not specialize simply on one committee. [Laughter.]

Mr. GARNER. That is the matter with the gentleman's criticism. He does not appreciate the fact that every other committee of the House has a great deal of business to do, and I venture to say you can not find a single one—Ways and Means, Interstate and Foreign Commerce, Judiciary, and so on—where all the members are ignorant men. I think the gentleman from Mississippi will agree that they are not ignorant men, men without capacity. But all of them agree that this legislative drafting service is a very valuable contribution to the work of Congress. [Applause.] Let me tell the gentleman from Mississippi one thing, and that is——

Mr. SISSON. Oh, I do not care to yield further to the gentleman. I yielded nearly all of my time to the gentleman from Wyoming, and he is capable of getting his own time. So is my friend from Texas [Mr. GARNER], the next chairman of the Committee on Ways and Means. I forgot for the time being that the gentleman from Texas is one of the reputed fathers of this legislative drafting service. I recall now that JACK GARNER and CLAUDE KITCHIN have had a controversy as to the fatherhood of that service. [Laughter.] But however that may be, I think it is either CLAUDE KITCHIN'S or JACK GARNER'S baby. [Laughter.]

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. TILSON. I think it is one of the few good things that the gentleman from Texas has done. Indeed, I think it is one of the very best things he has done.

Mr. GARNER. I hope the gentleman will leave out the word "few." [Laughter.]

Mr. SISSON. One of the objections I have to the civil service is that it is misleading so many of the official minds of the Government and getting us too far away from the people. I do not know whether the prophecy made by the English when we attempted to establish this form of government is going to be true or not, but I do know that in one sense we are getting farther and farther away from the people, and in other matters we are dangerously near to getting into a bad situation by being influenced by people who persuade us to do wrong. But whether I get Members of Congress to agree with me or not, I will avail of this last opportunity to try to get out of this bill a piece of legislation that is in such a wrong direction. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. PARKS of Arkansas. Division, Mr. Chairman.

The CHAIRMAN. The gentleman from Arkansas asks for a division.

The committee divided; and there were—ayes 6, noes 38.

The CHAIRMAN. On this vote the ayes are 6 and the noes are 38, and the amendment is rejected.

Mr. PARKS of Arkansas. Mr. Chairman, I object to the vote on the ground that there is no quorum present. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point that there is no quorum present. The Chair will count.

Mr. GARRETT of Tennessee. Mr. Chairman, I move that the committee do now rise.

Mr. ANDERSON. On that motion, Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Minnesota asks for tellers. Those in favor of taking this vote by tellers will rise and be counted. [After counting.] A sufficient number have arisen.

Tellers were ordered, and the Chairman appointed Mr. GARRETT of Tennessee and Mr. ANDERSON to act as tellers.

The CHAIRMAN. Those favoring the motion that the committee do now rise will pass between the tellers and be counted.

The committee divided; and the tellers reported—ayes 23, noes 57.

Mr. PARKS of Arkansas. Mr. Chairman, I did not hear just what that vote was. I understood it was not a quorum. I object to it, and I made the point of order before, because a quorum was never declared. I make the point of order now that there is no quorum present. I insist that a quorum shall be present with such important business on hand.

The CHAIRMAN. The proposition is in order to take the vote by tellers when no quorum has developed. The Clerk will call the roll.

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

| | | | |
|---|---|---|---|
| Ackerman | Bland, Va. | Burke | Clarke, N. Y. |
| Andrew, Mass. | Boies | Burroughs | Classon |
| Ansorge | Bond | Burtness | Clouse |
| Anthony | Bowers | Burton | Cockran |
| Aswell | Bowling | Butler | Codd |
| Atkeson | Box | Byrnes, S. C. | Cole, Iowa |
| Bacharach | Brand | Campbell, Kans. | Cole, Ohio |
| Bankhead | Brennan | Campbell, Pa. | Collier |
| Barkley | Briggs | Cantrill | Collins |
| Beck | Britten | Carew | Colton |
| Beedy | Brooks, Ill. | Carter | Connolly, Pa. |
| Benham | Brooks, Pa. | Chalmers | Copley |
| Bird | Brown, Tenn. | Chandler, N. Y. | Crago |
| Bixler | Browne, Wis. | Chandler, Okla. | Crowther |
| Blakeney | Buchanan | Christopherson | Cullen |
| Bland, Ind. | Burdick | Clark, Fla. | Dallinger |

Davis, Minn.
Deal
Dempsey
Denison
Dickinson
Doughton
Drane
Drewry
Dunbar
Dunn
Dupré
Dyer
Echols
Edmonds
Ellis
Evans
Fairchild
Fairfield
Favrot
Fenn
Fish
Fisher
Focht
Fordney
Foster
Frear
French
Frothingham
Fuller
Funk
Gahn
Gallivan
Garrett, Tex.
Gernerd
Glynn
Goldsborough
Goodykoontz
Gorman
Gould
Graham, Pa.
Green, Iowa
Greene, Vt.
Griest
Griffin
Hardy, Colo.
Hardy, Tex.
Hawes
Hayden
Hays
Henry
Hersey
Hickey
Hicks
Himes
Hogan
Huck
Huddleston
Hudspeth
Hukriede
Hull
Humphreys, Miss.
Husted
Hutchinson
Ireland
Jacoway
Jefferis, Nebr.
Johnson, Ky.
Johnson, Miss.
Johnson, S. Dak.
Johnson, Wash.
Jones, Pa.
Kahn
Keller
Kelley, Mich.
Kelly, Pa.
Kendall
Kennedy
Kiess
Kincheloe
King
Kirkpatrick
Kitchin
Kleczka
Kline, N. Y.
Knight
Knutson
Kopp
Kraus
Kreider
Kunz
Lampert
Langley
Lanham
Larson, Minn.
Layton
Lee, N. Y.
Lehlbach
Linthicum
Little
Lowrey
Luce
Luhring
Lyon
McClintic
McCormick
McDuffie
McFadden
McKenzie
McLaughlin, Mich.
McLaughlin, Pa.
McPherson
MacGregor
MacLafferty
Mansfield
Martin
Mead
Merritt
Michaelson
Mills
Montague
Moore, Ill.
Moore, Va.
Morin
Mott
Mudd
Nelson, A. P.
Newton, Minn.
Newton, Mo.
O'Brien
O'Connor
Ogden
Oldfield
Oliver
Olpp
Osborne
Overstreet
Paige
Park, Ga.
Parker, N. J.
Parker, N. Y.
Patterson, Mo.
Patterson, N. J.
Paul
Perlman
Petersen
Porter
Pou
Pringey
Purnell
Radcliffe
Rainey, Ala.
Rainey, Ill.
Ramseyer
Ransley
Rayburn
Reber
Reece
Reed, W. Va.
Rhodes
Riddick
Riordan
Robertson
Rodenberg
Rogers
Rose
Rosenbloom
Rossdale
Rucker
Ryan
Sabath
Sanders, Ind.
Sanders, N. Y.
Schall
Scott, Mich.
Scott, Tenn.
Shelton
Siegel
Sinclair
Sinnott
Slemp
Smith, Idaho
Smith, Mich.
Smithwick
Snell
Sproul
Stafford
Steagall
Stedman
Steenerson
Stevenson
Stiness
Stoll
Strong, Kans.
Strong, Pa.
Sullivan
Sumners, Tex.
Sweet
Swing
Tague
Taylor, Ark.
Taylor, Colo.
Taylor, N. J.
Taylor, Tenn.
Temple
Ten Eyck
Thomas
Thompson
Thorpe
Tillman
Timberlake
Tinkham
Towner
Treadway
Tucker
Tyson
Upshaw
Vaile
Vinson
Voigt
Volk
Volstead
Walters
Ward, N. Y.
Ward, N. C.
Watson
Weaver
Webster
Wheeler
White, Me.
Williams, Ill.
Williams, Tex.
Williamson
Wilson
Wingo
Winslow
Wise
Wood, Ind.
Woodruff
Woods, Va.
Woodyard
Wurzbach
Wyant
Yates
Young
Zihlman

The committee rose; and the Speaker having resumed the chair, Mr. McARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 13926) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes, found itself without a quorum; whereupon he caused the roll to be called, when 113 Members answered to their names, a quorum; and he reported the names of the absentees for printing in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. McARTHUR in the chair.

The Clerk read as follows:

For continuing the work of restoring the decoration on the walls of the first-floor corridors in the Senate wing of the Capitol, to be expended under the direction of the Architect of the Capitol, $5,000.

Mr. WINGO. Mr. Chairman, I move to strike out the paragraph which provides for finishing the decorations in the basement of the Senate. I will ask the chairman of the subcommittee what is the necessity for going on further with this work in the basement?

Mr. ANDERSON. It is not in the basement. It is on the first floor.

Mr. WINGO. That really constitutes the basement.

Mr. ANDERSON. I am told that there are some very fine works of art over there that are rather going to pieces, that need to be retouched and repaired. This work will be finished within another year.

Mr. WINGO. How long have they been retouching these works of art?

Mr. ANDERSON. I think this item has been carried in the bill twice before.

Mr. WINGO. It has been carried in the bill about four times, I think.

Mr. ANDERSON. Twice before, I think.

Mr. WINGO. I do not think you are getting any value received out of this work. I think it is more what might be called a sinecure for somebody. I do not see any necessity for continuing work of that kind at the present time.

Mr. ANDERSON. I think there is very great necessity for it.

Mr. WINGO. What particular work of art have they touched up during the past year?

Mr. ANDERSON. I can not tell the gentleman. I have not gone into it in detail.

Mr. WINGO. Did the committee have hearings on it?

Mr. ANDERSON. It is a Senate item. The House committee does not go into Senate items.

Mr. WINGO. They just let the Senate have their way about it, do they?

Mr. ANDERSON. The Senate ordinarily appropriates for its own items; yes. That has been the practice in the House since I have known anything about it.

Mr. WINGO. The gentleman is correct about that. That has been the practice. I think really we ought to call a halt on that kind of expenditure of the public funds. I do not think there is any use of continuing that work. I do not know what they have done with the money they have gotten heretofore for this purpose.

The CHAIRMAN. The question is on the amendment of the gentleman from Arkansas [Mr. WINGO] to strike out the paragraph.

The question being taken, on a division (demanded by Mr. PARKS of Arkansas and Mr. WINGO) there were—ayes 11, nays 54.

Mr. PARKS of Arkansas. Mr. Chairman, I object to the vote because a quorum is not present, and I make the point that no quorum is present.

The Chairman. The gentleman from Arkansas makes the point that there is no quorum present. The Chair will count. [After counting.] Seventy-six Members present. The clerk will call the roll.

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

Ackerman
Andrew, Mass.
Ansorge
Anthony
Aswell
Atkeson
Bacharach
Bankhead
Barkley
Beck
Beedy
Begg
Benham
Bird
Bixler
Blakeney
Bland, Ind.
Bland, Va.
Bond
Bowers
Bowling
Brand
Brennan
Briggs
Britten
Brooks, Ill.
Brooks, Pa.
Brown, Tenn.
Browne, Wis.
Buchanan
Burdick
Burke
Burroughs
Burton
Butler
Byrnes, S. C.
Campbell, Kans.
Campbell, Pa.
Cantrill
Carew
Carter
Chalmers
Chandler, N. Y.
Chandler, Okla.
Christopherson
Clark, Fla.
Clarke, N. Y.
Classon
Clouse
Cockran
Codd
Cole, Iowa
Collier
Collins
Colton
Connally, Tex.
Connolly, Pa.
Copley
Crago
Crowther
Cullen
Dallinger
Davis, Minn.
Deal
Dempsey
Denison
Dickinson
Doughton
Drewry
Dunbar
Dunn
Dupré
Dyer
Echols
Edmonds
Ellis
Evans
Fairchild
Fairfield
Favrot
Fenn
Fish
Fisher
Focht
Fordney
Foster
Frear
French
Frothingham
Fuller
Fulmer
Funk
Gahn
Gallivan
Garrett, Tex.
Gilbert
Glynn
Goldsborough
Goodykoontz
Gorman
Gould
Graham, Pa.
Green, Iowa
Greene, Vt.
Griest
Griffin
Hardy, Col.
Hardy, Tex.
Hawes
Hayden
Hays
Henry
Hersey
Hickey
Hicks
Himes
Huck
Huddleston
Hudspeth
Hukriede
Hull
Humphreys, Miss.
Husted
Hutchinson
Jacoway
Johnson, Ky.
Johnson, Miss.
Johnson, S. Dak.
Johnson, Wash.
Jones, Pa.
Jones, Tex.
Kahn
Keller
Kelley, Mich.
Kelly, Pa.
Kendall
Kennedy
Kiess
Kincheloe
Kindred
King
Kirkpatrick
Kitchin
Kleczka
Kline, N. Y.
Knight
Knutson
Kopp
Kraus
Kreider
Kunz
Lampert
Langley
Lanham
Larson, Minn.
Layton
Leatherwood
Lee, N. Y.
Lehlbach
Linthicum
Little
London
Lowrey
Luce
Luhring
Lyon
McClintic
McCormick
McDuffie
McFadden
McKenzie
McLaughlin, Mich.
McLaughlin, Nebr.
McLaughlin, Pa.
McPherson
MacLafferty
Mansfield
Martin
Mead
Merritt
Michaelson
Mills
Montague
Moore, Ill.
Moore, Va.
Morin
Mott
Mudd
Murphy
Nelson, John M.
Newton, Minn.
Newton, Mo.
O'Brien
Oldfield
Oliver
Olpp
Osborne
Overstreet
Paige
Park, Ga.
Parker, N. J.
Parker, N. Y.
Patterson, Mo.
Patterson, N. J.
Paul
Perlman
Petersen
Porter
Pou
Purnell
Radcliffe
Rainey, Ala.
Rainey, Ill.
Ramseyer
Ransley
Rayburn
Reber
Reece
Reed, W. Va.
Rhodes
Riddick
Riordan
Robertson
Rodenberg
Rogers
Rose
Rosenbloom
Rossdale
Ryan
Sabath
Sanders, Ind.
Sanders, N. Y.
Schall
Scott, Mich.
Scott, Tenn.
Shelton
Siegel
Sinclair
Sinnott
Sisson
Slemp
Smith, Idaho
Smith, Mich.
Smithwick
Snell
Snyder
Sproul
Stafford
Steagall
Stedman
Steenerson
Stevenson
Stiness
Stoll
Strong, Kans.
Strong, Pa.

| | | | |
|---|---|---|---|
| Sullivan | Tillman | Volstead | Winslow |
| Sumners, Tex. | Timberlake | Walters | Wise |
| Sweet | Tinkham | Ward, N. Y. | Wood, Ind. |
| Tague | Towner | Ward, N. C. | Woodruff |
| Taylor, Ark. | Treadway | Watson | Woods, Va. |
| Taylor, Colo. | Tucker | Weaver | Woodyard |
| Taylor, N. J. | Tyson | Webster | Wurzbach |
| Taylor, Tenn. | Underhill | Wheeler | Wyant |
| Temple | Upshaw | White, Me. | Yates |
| Ten Eyck | Vaile | Williams, Ill. | Young |
| Thomas | Vinson | Williams, Tex. | Zihlman |
| Thompson | Volgt | Williamson | |
| Thorpe | Volk | Wilson | |

The committee rose; and the Speaker having resumed the chair, Mr. MCARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 13926) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes, found itself without a quorum; whereupon he caused the roll to be called, when 121 Members answered to their names, a quorum; and he reported the names of the absentees for printing in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. MCARTHUR in the chair.

Mr. JAMES. Mr. Chairman, I ask unanimous consent to extend my remarks on the Army appropriation bill.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks on the Army appropriation bill. Without objection, it will be so ordered.

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. JAMES. Mr. Speaker, the country has been waiting for nearly five years to see what water-power policy and what policy for operating the nitrate plant the House will adopt at Muscle Shoals.

On June 24, 1922, when the military appropriation bill was under consideration in the House, I introduced the following amendment, which was passed:

For the continuation of the work on Dam No. 2 on the Tennessee River at Muscle Shoals, Ala., but not to become available until the 1st day of October, 1922, $7,500,000.

The Members of the House who voted for this resolution—and it passed by a majority of 37—had no intention of obstructing the completion and the full development of water power at Dam 2, but we who supported the amendment desired to settle on some policy before making further large appropriations for the work on the dam. The appropriation proposed in the military appropriation bill passed by Congress last June for continuing the work on the dam was $7,500,000; and now in the Army bill just passed there is an additional appropriation of $6,998,000, with an authorization in addition of $10,501,000.

Now that it is clear that the House, by the decree of the Rules Committee, shall have no opportunity to vote on the Ford offer, we find that with $7,500,000 appropriated in the military appropriation bill passed last June and with $6,998,000 in the present Army bill and an additional authorization of $10,501,000 we have a total of $24,999,000—and still no policy for disposing of the water power to be developed nor for the operation of the nitrate plants.

What useful purpose, Mr. Speaker, what constructive service does the Committee on Rules, in refusing to give the House the opportunity to vote on the Ford offer, render to the country? None whatever. But the committee's refusal to permit the House to vote on the Ford offer exactly squares with the determination and activities of those who oppose the acceptance of the Ford offer and who will not themselves propose to produce fertilizers for the farmers of the country at Muscle Shoals, but obstruct a vote in the House on the Ford offer with the definite purpose of preventing Mr. Ford from furnishing the farmers fertilizers at Muscle Shoals.

In January, 1919, Mr. A. G. Glasgow was appointed fixed-nitrogen administrator by the Secretary of War and instructed to find a means for securing the production of fertilizers at Muscle Shoals. Mr. Glasgow spent months of time in an unsuccessful effort to interest, among others, the very same private interests who are here in Washington undertaking to prevent action by this Congress in accepting the offer of Henry Ford, and up to date, Mr. Speaker, their efforts have been successful.

When these interests were offered 9 per cent on whatever investment they might require to operate these plants and half of all that they could make over that percentage in addition, they told Mr. Glasgow that they were not interested. Nobody heard anything in those days about the fabulous millions and billions of dollars that the man was going to make who operated Muscle Shoals. This wonderful bonanza—this enterprise which has since been described as "the greatest gift ever bestowed upon mortal man since salvation was made free to the human race" was offered on much more favorable terms than Mr. Ford has asked, and no one would have it; and, Mr. Speaker, let this House keep in mind the undeniable fact that there was not a single offer; nobody wanted this billion-dollar bargain!

These interests knew then as they know to-day that there was some risk connected with the operation—they knew that there would have to be a big investment made before high-grade fertilizers at low cost could be produced. They did not propose to risk their money in this undertaking, but these interests opposed the acceptance of the Ford offer as well as Government operation. And these same interests opposed and aided in the defeat of the appropriation of $10,000,000 in March, 1921, for the continuation of the work on the dam for operating the nitrate plant. And the same opposition now fighting the acceptance by Congress of the Ford offer opposed the passage of the Wadsworth-Kahn bill in 1921 for the Government operation of this plant.

In March, 1921, Secretary of War Weeks announced that if he received an offer representing a fair return on the investment necessary to complete the Muscle Shoals project he would send the offer to Congress, and he instructed the Chief of Engineers, General Lansing H. Beach, to ask for bids.

On July 8, 1921, the proposal of Henry Ford was signed and sent to the Secretary of War, and its terms were made public.

Seven months afterwards, on February 1, 1922, Secretary Weeks finally transmitted the Ford offer to Congress, and on February 10 our committee began hearings on it. Five days later the proposal of the Alabama Power Co. was sent to the Secretary of War, and six days afterwards he transmitted it to Congress.

On June 24, 1922, Congress voted $7,500,000, to become effective October 1, for continuing the work on Dam No. 2, and the present Army bill authorizes approximately $17,000,000 more to complete the dam, together with 8 out of the 18 generating units. When this appropriation has been expended, Mr. Speaker, we shall have invested in this dam approximately $41,000,000, yet we have not determined on any policy as to what we are going to do with the power—with no policy as to what amount of this power, if any, shall be used in operating nitrate plant No. 2 in the production of fertilizers!

But, Mr. Speaker, when we have spent this $41,000,000 Congress will not be through appropriating money for the power development at Dam 2. The necessary facilities for transmitting this power will still have to be appropriated for. No appropriation has been made yet to provide facilities for carrying the power from the power house to the shore transformers, and none for the transformers themselves. It is now settled that the House will be given no opportunity to settle on a water-power policy or a fertilizer policy at Muscle Shoals until the Sixty-eighth Congress meets next December.

We are told that within about a year from next December power from the present proposed installations will be ready to serve. To whom will we serve it? Not to the nitrate plant, unless a policy is settled for operating that plant, by private operation or Government operation. And when we get the power ready—say about January 1, 1925—where are our transmission lines? Either the Government or private interests must build transmission lines to Nashville and Memphis and to other towns in order to distribute and sell the power. So, if the Government is to distribute this power, we must be prepared to appropriate more millions at Muscle Shoals—how many millions I do not know and I do not think anybody else does. And so, by the decree of the Rules Committee of the House, we are going it blind!

Out of all this five years of arguments and contentions, of assertions and denials, there has come one tangible thing, one definite, responsible offer to spend private money to work out this fertilizer problem. It will soon be two years since that offer was made, and, in spite of the fact that the risk at Muscle Shoals is so great that there is only one man in the United States who has both the courage to undertake the job and the money with which to carry it out, that man is held up to the country as a grasping autocrat, seeking to get $100,000,000 worth of property for $5,000,000, as though the $100,000,000 were lying down there on the bank and all he had to do was to pay $5,000,000 and go and get it. If that were so, Mr. Speaker, every man in this House well knows that there would have been a rush to secure this project, and many people would have been willing to put large capital into it, and the fact that we have but one solitary bidder, to my mind, clearly stamps as

false the extravagant claims that have been made about the value of what Mr. Ford would get.

What is the cost of these five years of delay? First, there are the items of direct outlay, consisting of maintenance and guarding the nitrate plants to June 30, 1922, $827,410; the research laboratory, $833,558; and the maintenance due to stopping the work on Dam No. 2, $277,577—a total of $1,938,545. But of far greater importance are the expenditures which have been made by our farmers, and which could have been saved if the plants had been operating.

During this five-year period the British nitrogen monopoly pushed the price of nitrates to the highest price ever known in the industry; it was nearly $100 per ton at the Chilean port. Our by-product ammonium sulphate producers merely adjusted their prices accordingly and took advantage of the rise; there was no real competition in the United States and never has been. What is more, if these British monopolists have their way there never will be any real competition permitted here.

Expert evidence has been cited in the testimony to show that nitrates can be produced at Muscle Shoals and delivered direct to the farmers at about one-half of what they have been paying for them. If the production of this large quantity of nitrates at Muscle Shoals had merely had the effect of reducing the prices of fertilizer in the United States by $5 per ton, the saving to the farmers during the past five years would have amounted to more than $160,000,000—enough to have paid for the nitrate plants twice over.

But our farmers do not alone suffer the humiliation of paying a tribute to British price fixing of the Chilean nitrates our farmers buy, since every sentiment of our national pride is humiliated when we contrast the power development in Canada, at Queenston, on the Niagara River—the power installation being about the same at this Queenston development as our installation of power is at Dam No. 2, Muscle Shoals, something over 500,000 horsepower—when we compare this development with what we are doing at Muscle Shoals. Our engineers tell us that not until 1925 will we have any power to serve at Muscle Shoals, but at Queenston there has been installed and already in operation 150,000 horsepower.

When we make these contrasts, which wound our national pride, we can not escape the fact that these mistakes and the waste at Muscle Shoals since the armistice was signed have been due to a failure by Congress to decide definite policies at Muscle Shoals; and the longer the House delays in deciding upon a definite policy at Muscle Shoals, the longer will the waste of public funds continue there.

We must admit, Mr. Speaker, that with all our boasted superiority as a Nation, in some things, at least, we are no match for the British, and in the case I contrast to the House we are no match for the Canadians. And why, I ask, Mr. Speaker? It is all because of our delay, our dodging, our evasion, and failing to settle upon a policy at Muscle Shoals.

The delay imposed upon the House by the Rules Committee, the defeat by the Rules Committee of any definite policy at Muscle Shoals, the right and desire of the House to vote on a policy being denied to the House, and the Sixty-seventh Congress to adjourn without settling a policy at Muscle Shoals—all this only adds another year of tribute which the American farmer pays to the British and Chilean price control of Chilean nitrates consumed by the farmers of this country.

As to the amendment I offered on June 24, 1922, that the House might decide upon a definite policy at Muscle Shoals, none of the Members of the House who voted for the amendment are called upon to make explanations or excuses. The Members of the House who participated in this nonpartisan vote for the amendment I offered—77 Democrats and 67 Republicans voting in favor of the amendment—voted in favor of a definite water-power and fertilizer policy at Muscle Shoals; but the opportunity they sought, the chance to vote on a definite policy, was denied them. And while those who voted for my amendment have earnestly and diligently sought the opportunity since December 5, 1922, to vote on the Ford offer as the policy that should be adopted by Congress at Muscle Shoals, the Committee on Rules has refused to give them the opportunity.

The failure of Congress to adopt a water-power and fertilizer policy at Muscle Shoals, the inexcusable delay in not giving Henry Ford an answer to his offer by either its acceptance or rejection by Congress, will stand as one of the wonders of Government as well as one of its dangers.

The CHAIRMAN. At the time the point of no quorum was made there was a motion pending, offered by the gentleman from Arkansas, to strike out lines 11 to 14, inclusive, on page 22. The vote on that developed the absence of a quorum. The question recurs on the amendment offered by the gentleman from Arkansas [Mr. WINGO] to strike out the paragraph.

The question being taken, on a division (demanded by Mr. WINGO) there were—ayes 13, noes 90.

Accordingly the amendment was rejected.

The Clerk read as follows:

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings, pay of one clerk, mechanics, gardeners, care of trees, plantings, fertilizers, repairs to pavements, walks, and roadways, $52,250.

Mr. CANNON. Mr. Speaker, I move to strike out the last word. This is Saturday. Monday is for District day. Tuesday is for the consideration of the joint resolution submitting an amendment to the Constitution. Wednesday is Calendar Wednesday under the rules of the House. The House could dispense with that. We have barely a quorum here, and I want to suggest that in 20 minutes' time or 25 minutes at the outside this bill could be finished and passed. Now, I think on many of us the hair has been rubbed the wrong way. The point of no quorum is made. What is gained by it, unless it makes quite a number of people whom I see in front of me sick? The session is soon to close. There are many things to be accomplished before it does close. If certain things are not done before it closes it will mean the necessity for an extra session.

In my forty-odd years of service in the House I have had a good deal of experience. Sometimes one side of the House will be stubborn and sometimes the other. But in the end we have to get together and do something if it is possible to do it. I have seen first one side of the House and then the other go into a filibuster. You do not have a monopoly of a filibuster on that side nor do we on this side. I think many of us are hungry; why not go to work and finish this bill? This bill has got to be passed and the other bills which I have mentioned have got to be considered. How long those other bills will take I do not know, but they must be passed upon by the Senate and go to conference.

Now, I want to suggest in the best of hummor, do you not think it is better to take the time that it takes to call the roll and devote it to this bill? It is easy to break a quorum by some of us stepping out; and, while some of us have been disappointed with the day's proceedings and in yesterday's proceedings, we can not have our own way in all things. That matter is behind us. It was carried by a decisive majority, and I have no criticism to make. When a decided majority in this House has made its decision touching appropriations or any other matter I have always, in the many years that I have been here, found the best way is to accept it. You can not change it. I suggest that we take the time that it takes to call the roll and devote it to finishing this bill. The bill can be concluded and passed in 25 minutes' time. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For repairs and improvements to Senate and House stables and Maltby Building, including personal services, $1,500.

Mr. WINGO. Mr. Chairman, I offer the following amendment, to go in between lines 22 and 23, on page 22.

The Clerk read as follows:

Page 22, after line 22, insert a new paragraph, to read as follows: "No part of the sums herein appropriated shall be used for the purpose of purchasing by or through the stationery rooms other articles than stationery and office supplies essential and necessary for the conduct of public business, nor shall such funds be expended for the maintenance, storage, or care of private vehicles."

Mr. ANDERSON. Mr. Chairman, I make the point of order that that is not germane.

Mr. WINGO. I am offering it as a separate section coming in between the paragraph which relates to repairs of the Senate and House stables and the Senate Office Building. If it does not come in between the Senate Office Building and the House stables, I do not know where it would come in. I offer it as a separate paragraph to the bill.

Mr. ANDERSON. Mr. Chairman, I withdraw the point of order.

Mr. WINGO. Mr. Chairman, the language is very clear. It provides that they can not use the public funds for the purchase or procuring through the stationery room of articles other than stationery and offices supplies. In every campaign you have to go through the nauseating experience of having a detailed statement of the ridiculous things that are procured through the stationery rooms of the respective Houses. It is not necessary for Members, and I think we ought to stop

the practice. Another thing, we are being criticized for maintaining garages for private use. If that is being done, it ought to be stopped. That is all the amendment does.

Now, we have got to have night sessions from now on; because if it is necessary to have one to-night, it will be necessary to have them next week, notwithstanding you are further along with the legislation than ever before, notwithstanding we have put into the Senate hopper more than they can digest, notwithstanding some of the matters that are to be considered next week you never expect to become law. There are other items in the bill I would like to raise a question about if there were enough Members here. Here is a great party, and you have to have a night session, and you can not muster 25 per cent of the party on the floor at a roll call.

Mr. PARKS of Arkansas. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. PARKS of Arkansas. Does not the gentleman think that if we cut out 95 per cent of the useless talk we can transact the public business and get out of here without being held here until 8 o'clock at night?

Mr. WINGO. I doubt it very seriously, because my experience here is that some gentlemen clothed with a little brief authority which carries with it a public duty punish everybody in order to carry out their own petty idea of how long the House shall sit.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. PARKS of Arkansas) there were—ayes 42, noes 60.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, this is an important matter, and I think we ought to have tellers. I ask for tellers.

The CHAIRMAN. The gentleman from Texas demands tellers. Those in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Ten Members have risen, not a sufficient number, and the Clerk will read.

The Clerk read as follows:

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, $74,614.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Does the chairman of the subcommittee think it wise, under a short provision of this kind, to expend $74,614? What does it cover? Should it not be itemized?

Mr. ANDERSON. I do not think so. It covers the maintenance of the House Office Building—the charwomen, the scrub women——

Mr. BLANTON. Who spends the money?

Mr. ANDERSON. It is under the direction of the House Office Building Commission and the Architect of the Capitol.

Mr. BLANTON. There is no particular person in charge of it.

Mr. ANDERSON. It is directly under the Architect of the Capitol and the superintendent of the building. It embraces all of the employees connected with the House Office Building, except the elevator service.

Mr. BLANTON. I think it ought to be itemized.

Mr. TILSON. Does the gentleman from Texas notice that there has been a reduction in this item from last year of about 33 per cent? It is $24,000 less than it was last year.

Mr. BLANTON. Yes; but I think that an item of $74,000 for a proposition with which we ourselves are concerned ought to be itemized. I hope that the committee next year will itemize it.

Mr. ANDERSON. The gentleman will find a list of the employees under this item in the hearings and a statement of all of the items that it covers.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The foregoing appropriations under the Architect of the Capitol may be expended without reference to section 4 of the act approved June 17, 1910, concerning purchases for executive departments.

Mr. PARKS of Arkansas. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the paragraph. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. PARKS of Arkansas) there were—ayes 1, noes 100.

So the amendment was rejected.

The Clerk read as follows:

The sum of $25 may be expended at any one time by the Botanic Garden for the purchase of plants, trees, shrubs, and other nursery stock, without reference to section 4 of the act approved June 17, 1910, concerning purchases for executive departments and other governmental establishments in Washington.

Mr. PARKS of Arkansas. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the paragraph. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. PARKS of Arkansas) there were—ayes 3, noes 82.

Mr. PARKS of Arkansas. Mr. Chairman, I object to the vote because no quorum is present, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eight Members present, a quorum.

So the amendment was rejected.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE.

OFFICE OF PUBLIC PRINTER.

Salaries: Public Printer, $6,000; Deputy Public Printer, $4,500; purchasing agent, $3,600; chief clerk, $2,750; assistant purchasing agent, $2,500; cashier and paymaster, $2,500; clerk in charge of CONGRESSIONAL RECORD at Capitol, $3,000; private secretary, $2,500; paying teller, $2,000; clerks—3 at $2,000 each, 2 at $1,800 each, 6 at $1,600 each, 5 at $1,400 each, 4 at $1,200 each, 7 at $1,000 each, one $840; captain of guards, $1,400; 4 lieutenants of guards, at $1,200 each; 48 guards, at $840 each; 3 messengers, at $840 each; delivery men—chief $1,200, 5 at $950 each; telephone switchboard operator, $840; 3 assistant telephone switchboard operators, at $720 each; 4 messenger boys, at $420 each; in all, $127,860.

Mr. BLANTON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 34, line 20, after the word "chief," strike out "$1,200" and insert in lieu thereof "$1,400," and after the word "at," strike out "$950" and insert in lieu thereof "$1,100."

Mr. BLANTON. Mr. Chairman, we all of us know the efficient service rendered by Andy Smith, the CONGRESSIONAL RECORD clerk. He is here on the job all of the time, and he has served this Government for over 40 years. This relief offered in this amendment is for the six men who are his helpers. I have Mr. Smith's word for it that they can not live on their present salaries. No man can support a family on $950 a year. They render good service. I do not believe that my colleagues can keep from having this appeal to them. I work as hard as any man to reduce expenses and cut down big salaries, but I have never yet opposed bringing up a salary that is inadequate. I want to see a man get enough money to support his wife and children, if he has any, and if he has not a wife, so that he may get one.

Mr. TINCHER. Does the gentleman know whether Sam Robinson's salary is in that section?

Mr. BLANTON. I wish it were. But he will be cared for in the deficiency bill.

Mr. TINCHER. I would like to vote to increase his salary.

Mr. BLANTON. Five of these are the men who deliver things back and forth for Mr. Smith. The first man provided for in my amendment is the man who sits in that little railed-off place at Andy's desk all day long, waiting on you gentlemen when you go there to see about the RECORD. He is Andy Smith's assistant. He is there all of the time. He is a very efficient employee of this Government.

Mr. TINCHER. Where is Sam Robinson's salary provided for?

Mr. BLANTON. In the deficiency bill; otherwise I would have included a raise for him.

Mr. GARRETT of Tennessee. I do not know that I understand the gentleman's amendment, but the CONGRESSIONAL RECORD messengers, whom we know, have an allowance in addition to this which is carried in the deficiency bill.

Mr. BLANTON. The messengers are not embraced in this amendment. I have been advised that this is the total salary of these men. They have no other recourse except this salary.

Mr. CHALMERS. And the bonus.

Mr. BLANTON. This is their basic salaries. This amendment does not embrace the RECORD messengers at all. I submit the matter, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent that the Clerk may be authorized to correct the totals in accordance with the action of the committee.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the Clerk be authorized to correct the totals in accordance with the action of the committee. Is there ob-

jection. [After a pause.] The Chair hears none, and it is so ordered.

Mr. ANDERSON. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. McARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13926) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. ANDERSON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time; was read the third time.

Mr. ANDERSON. Mr. Speaker, I move that the House do now adjourn.

Mr. WINGO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Will the gentleman suspend?

Mr. WINGO. Certainly.

LEAVE OF ABSENCE.

By unanimous consent,

Mr. TUCKER was granted leave of absence for two days on account of sickness in family.

ENROLLED BILLS SIGNED.

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

H. J. Res. 16. Joint resolution providing for pay to clerks to Members of Congress and Delegates.

H. R. 12777. An act granting the consent of Congress to the cities of Grand Forks, N. Dak., and East Grand Forks, Minn., or either of them, to construct, maintain, and operate a dam across the Red River of the North.

H. R. 13474. An act granting the consent of Congress to the county of Winnebago, the town of Rockford, and the city of Rockford, in said county, in the State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Rock River.

H. R. 13195. An act granting the consent of Congress to the State Highway Commission of Missouri, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River in the State of Missouri.

H. R. 13139. An act granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania doing business in the State of Mississippi, to construct a railroad bridge across Pearl River at approximately 1½ miles north of Georgetown, in the State of Mississippi.

H. R. 13493. An act to authorize the State road department of the State of Florida to construct, maintain, and operate a bridge across the Escambia River, near Ferry Pass, Fla.

H. R. 13511. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 43. Joint resolution to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.

CONFERENCE REPORT, AGRICULTURAL APPROPRIATION BILL.

Mr. ANDERSON. Pending the motion to adjourn, I desire to present a conference report on the Agricultural appropriation bill for printing under the rule.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. I thought I was recognized to offer a motion to recommit, but if I do not lose that right——

The SPEAKER. Oh, no; that right will be pending, if the House adjourns, on Monday. The gentleman from Minnesota offers a conference report on the Agricultural appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13481) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes.

The SPEAKER. Ordered printed under the rule.

Mr. GARRETT of Tennessee. May I ask the gentleman if it is his intention to call up the conference report on Monday?

Mr. ANDERSON. The Senate acts upon the conference report first, and I think it has not acted yet. And the probabilities are it will not be called up on Monday.

Mr. GARRETT of Tennessee. How does it happen the Senate acts first?

Mr. ANDERSON. They agreed to the conference. I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p. m.) the House adjourned to meet, under its previous order, to-morrow, Sunday, January 21, 1923, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

918. Under clause 2 of Rule XXIV, a letter from the vice chairman of the American Legion, transmitting a financial statement of the American Legion for the 12 months ending December 31, 1922, as supplemental to a report filed prior to January 1, 1923, was taken from the Speaker's table and referred to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ZIHLMAN: Committee on the District of Columbia. S. 3136. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, and for other purposes; with amendments (Rept. No. 1441). Referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BOX: Committee on Claims. H. R. 370. A bill for the relief of Charles W. Mugler; without amendment (Rept. No. 1440). Referred to the Committee of the Whole House.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROUSE: A bill (H. R. 13948) to make the provisions of paragraph 1 of section 1559 of the Postal Laws and Regulations, as amended July 14, 1920, as promulgated under the provisions of section 6593 of the Revised Statutes of the United States, applicable to substitute post-office clerks and substitute letter carriers who have served one year or more; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 13949) to make the provisions of paragraph 1 of section 1559 of the Postal Laws and Regulations, as amended July 14, 1920, as promulgated under the provisions of section 6593 of the Revised Statutes of the United States, applicable to substitute railway mail clerks who have served one year or more, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. FAIRCHILD: A bill (H. R. 13950) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved by the President July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. STEENERSON: A resolution (H. Res. 485) for the immediate consideration of H. R. 8334, amending the postal-saving system; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Nebraska calling upon Congress to direct their best efforts toward securing national legislation that will more equitably adjust freight and express rates as between the producer and the consumer; to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Ohio: A bill (H. R. 13951) granting a pension to Charles O. Rider; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 13952) granting a pension to Henry T. Sprinkle; to the Committee on Invalid Pensions.

By Mr. LARSON of Minnesota: A bill (H. R. 13953) authorizing, for the relief of the distress of the Chippewa Indians of Minnesota, the withdrawal of moneys from the tribal funds of said Indians; to the Committee on Indian Affairs.

By Mr. MOORE of Illinois: A bill (H. R. 13954) granting a pension to John M. Barrick; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 13955) for the relief of Claude Chandler; to the Commitee on Claims.

Also, a bill (H. R. 13956) for the relief of Henry J. Corcoran; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 13957) granting a pension to John J. Mahoney; to the Commitee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 13958) granting a pension to William F. Graham; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

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

6951. By Mr. BARBOUR: Petition of residents of Valley Home, Calif., urging support of joint resolution providing for the extension of aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6952. By Mr. COLE of Ohio: Petition of citizens of Findlay, Ohio, asking that the section in the internal revenue law referring to ammunition and firearms be repealed; to the Committee on Ways and Means.

6953. By Mr. CRAMTON: Petition of Alfred Bach and other citizens of Sebewaing, Mich., urging passage of the resolution to extend aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6954. Also, petition of Charles G. Cookingham and other rural carriers at Caro, Mich., urging passage of the Ketcham bill providing for higher equipment allowance for carriers, etc.; to the Committee on the Post Office and Post Roads.

6955. Also, petition of Herbert W. McKay and other rural carriers at Croswell, Mich., urging passage of the Ketcham bill, H. R. 13297; to the Committee on the Post Office and Post Roads.

6956. Also, petition of Otto Rathje and other residents of Pigeon, Mich., urging passage of the resolution to extend aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6957. Also, petition of F. A. Roese and other residents of Mount Clemens, Mich., urging the adoption of the resolution introduced to give aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6958. Also, petition of S. S. Wood and other residents of Silverwood, Mich., urging the abolishment of the discriminatory tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6959. By Mr. KAHN: Resolution of the California Academy of Sciences, urging favorable action on the New-Anthony public shooting ground game refuge bill; to the Committee on Agriculture.

6960. By Mr. KELLY of Pennsylvania: Resolution of Chamber of Commerce of Pittsburgh, Pa., urging increased appropriation for rivers and harbors; to the Committee on Appropriations.

6961. Also, petition of citizens of McKeesport, Pa., praying for passage of resolution providing relief for people of Germany and Austria; to the Committee on Foreign Affairs.

6962. Also, petition of citizens of Pittsburgh, Pa., praying for relief of Near East peoples; to the Committee on Foreign Affairs.

6963. By Mr. KISSEL: Petition of New York State Federation of Women's Clubs, Plattsburg, N. Y., urging Congress to the further support of the national defense act by making appropriations as recommended by the President, the Secretary of War, and the General of the Armies; to the Committee on Military Affairs.

6964. By Mr. MACGREGOR: Petition of 29 citizens of New York, favoring a joint resolution purporting to extend immediate aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6965. By Mr. NEWTON of Minnesota: Petition of Mr. Arthur Schaub and other residents of Minnesota, petitioning the Congress to support and urge early adoption of joint resolution to aid the starving people of the German and Austrian Republics; to the Committee on Foreign Affairs.

6966. By Mr. SMITH of Michigan: Petition of Mr. G. L. Granger and 15 other residents of Grand Ledge, Mich., protesting against discriminatory tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6967. By Mr. SNYDER: Petition of Joseph Dormayer and other residents of Frankfort, N. Y., favoring the enactment of House Joint Resolution 412, for the relief of the distress and famine conditions in Germany and Austria; to the Committee on Foreign Affairs.

6968. By Mr. WYANT: Petition of Margaret Coulter and 42 others, citizens of Pennsylvania, opposing the tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6969. Also, petition of members of the Derry (Pa.) Gun Club, opposing the tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6970. Also, petition of 21 citizens of Pennsylvania, opposing the tax on small arms and ammunition; to the Committee on Ways and Means.

6971. Also, petition of 42 citizens of Pennsylvania, favoring the abolition of tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6972. Also, petition of 43 citizens of Pennsylvania, urging the abolishment of the tax on small arms, ammunition, and firearms; to the Committee on Ways and Means.

6973. Also, petition of 59 citizens of Pennsylvania, favoring immediate aid being extended to the people of the Austrian and German Republics; to the Committee on Foreign Affairs.

6974. Also, petition of 62 citizens of Pennsylvania, urging Congress to extend immediate aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

# SENATE.

SUNDAY, *January 21, 1923.*

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

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

Our Father and our God, the number of our days is with Thee. Thou dost determine the bounds of our habitation. Help us, we beseech Thee, to understand that while life is so uncertain and there come aching hearts bowed with grief, we ask Thee to enable us to realize for ourselves that Thou art the refuge and the strength of every troubled life. And as we engage in the services this morning we pray that such lessons may be presented and such inspiration had that we may understand better the dignity, the opportunity, and the high incentive to live nobly and to serve our generation by Thy will.

We thank Thee for him whose life is to be remembered this morning, and in whose varied condition and experiences were recognized dependence upon Thy grace. And, O, grant unto the widow and to others connected with his life the sweetest ministries of Thy richest consolation, so that it may be understood that the Maker of us all is her husband and that He is also the father of the fatherless. Be with us when we cry out "for the touch of a vanish'd hand, and the sound of a voice that is still," and in the loneliness of the passing days be the companion, the consolation, the abiding strength of each life.

And may this chamber be filled with men devoted to the highest interests of the country and to the glory of Thy great name.

Hear us, help us, so when the shadows quicken and become thicker to us we may have a vision of the life beyond, and that absence from the body may be unto each of us presence with the Lord. We ask in the name of Jesus Christ, our Saviour and Lord. Amen.

### NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., January 21, 1923.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. WILLIAM J. HARRIS, a Senator from the State of Georgia, to perform the duties of the Chair to-day, Sunday, January 21, 1923, on the occasion of memorial services for Hon. THOMAS E. WATSON, late a Senator from the State of Georgia.

ALBERT B. CUMMINS,
*President Pro Tempore.*