struggle between the Northern and Southern States, and how far we of the South were justified in the course pursued by us in that unhappy strife, he cheerfully left to the judgment of future ages.

Mr. OSBORNE's spirit of enterprise carried him to Bodie, Calif., in 1878, and from that year until 1884 he was editor and publisher of the Bodie Daily Free Press, when he removed to Los Angeles and became one of the pioneers in the organization of the commercial activities of that beautiful and wonderful city. He contributed very largely toward molding the sentiment upon which was founded the character of the people of that section of our country, which, within itself, is a mighty empire—a land of health, of industry and of freedom, of ardent zeal, dauntless energy, and great aspirations. Nature has marked it out for an exalted destiny.

He possessed to an unlimited degree the confidence and esteem of the people amongst whom he dwelt. He was elected to the Sixty-fifth, Sixty-sixth, and Sixty-seventh Congresses by unprecedented majorities. As a Member of the House of Representatives he enjoyed the friendship of all who had the good fortune of his acquaintance and association.

On the 8th day of February, 1923, surrounded by friends, he died at his home in that beautiful land he loved so well, leaving a name unsullied and without reproach, respected, and honored throughout our common country.

Mr. HAWLEY. Mr. Speaker, Representative HENRY Z. OSBORNE was a valuable Member of this House. He was worthy of the high esteem in which he was held. In personal character genial, courteous, lovable, and above reproach; in the public service diligent, capable, and a soldier of the common good.

He was a public-spirited citizen and entered actively into the community life in the various places of his residence. He was responsible in a notable degree for the remarkable growth and development of the city of Los Angeles. In his trade as printer and his business as editor and publisher he exerted a beneficial influence from New York to California.

Imbued with a youthful patriotic fervor, he enlisted in the Civil War at the age of 16 years and served until its close. The sense of a call to the public service for the good of his country never left him, and his activities were untiring for the common good in local and general political matters.

He held many offices of honor, profit, and trust with honor to himself and benefit to the public.

His long life was one of unusual distinction. He was a man the people delighted to honor. He was a public servant in the most exalted sense in which that term is used in the Republic—he served the people well.

We all were glad when we knew that he had been elected a Member of the Sixty-eighth Congress and sincerely lamented his departure from our membership.

He will be cherished in memory by a grateful Republic for what he was and did as citizen, soldier, patriot, and statesman.

He has fought his good fight; he has finished his useful course; he has kept faith with the public; henceforth there is laid up for him a right reward by the Lord, the just Judge.

Mr. CURRY. Mr. Speaker, I have here several letters, one from Senator JOHNSON and one from Senator SHORTRIDGE, of California. With the permission of the House, I will print them with my remarks in 8-point type.

The SPEAKER pro tempore. Without objection, the permission is granted.

There was no objection.

Mr. CURRY. I have also been requested, Mr. Speaker, to get permission of the House for the gentleman from Illinois [Mr. MADDEN], chairman of the Committee on Appropriations, of which Mr. OSBORNE was a member; Mr. DEMPSEY, chairman of the Committee on Rivers and Harbors, of which Mr. OSBORNE was formerly a member; Mr. BYRNS of Tennessee, ranking member of the Committee on Appropriations; the gentleman from California [Mr. RAKER], who is detained at home by sickness; and the gentleman from Oregon [Mr. MCARTHUR] to extend their remarks in the RECORD on the life, character, and services of Captain OSBORNE.

The SPEAKER pro tempore. Without objection, that permission is granted.

There was no objection.

Mr. CURRY resumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. In accordance with the resolution heretofore adopted, the House will stand adjourned.

Accordingly the House (at 5 o'clock and 50 minutes p. m.) adjourned until to-morrow, Monday, February 26, 1923, at 12 o'clock noon.

SENATE.

MONDAY, *February 26, 1923.*

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

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

Our Father, we come to Thee this morning, grateful for Thy goodness and seeking help according to the duties that may demand our attention. Enable us always to feel that Thou art ready and accessible to us in every hour of need and when emergency confronts us. So guide us along the pathway of duty that Thy will may be fulfilled. Through Christ, our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

BALTIMORE & OHIO RAILROAD SIDING IN THE DISTRICT.

Mr. BALL. On last Thursday I gave notice of a motion to reconsider the vote by which the Senate concurred in the amendment of the House to the bill (S. 3083) authorizing the Baltimore & Ohio Railroad Co. to construct an elevated railroad siding adjacent to its tracks in the city of Washington. I now ask leave to withdraw that motion.

Mr. ROBINSON. What is the request of the Senator from Delaware?

The VICE PRESIDENT. To withdraw the motion to reconsider the action of the Senate in concurring in the amendment of the House to Senate bill 3083.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Ernst	La Follette	Ransdell
Ball	Fernald	Lenroot	Reed, Pa.
Bayard	Fletcher	Lodge	Robinson
Borah	France	McCormick	Sheppard
Brandegee	Frelinghuysen	McCumber	Shields
Brookhart	George	McKellar	Shortridge
Broussard	Gerry	McKinley	Smith
Bursum	Glass	McLean	Smoot
Calder	Hale	McNary	Sterling
Cameron	Harreld	Moses	Sutherland
Capper	Harris	New	Swanson
Caraway	Harrison	Norbeck	Townsend
Colt	Heflin	Norris	Trammell
Couzens	Johnson	Oddie	Wadsworth
Culberson	Jones, N. Mex.	Overman	Walsh, Mass.
Cummins	Jones, Wash.	Page	Walsh, Mont.
Curtis	Kendrick	Pepper	Warren
Dial	Keyes	Phipps	Watson
Dillingham	King	Pittman	Weller
Edge	Ladd	Pomerene	Willis

Mr. PHIPPS. I wish to announce that my colleague [Mr. NICHOLSON] is absent on account of illness.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

Mr. ROBINSON. Mr. President, I suggest to the Senator from Delaware that he withhold his request for the present and let the Senate proceed with the regular order of business in order that some of us may have an opportunity to investigate the subject matter of the motion to reconsider.

It will be recalled that a few days ago the Senator from Delaware entered a motion to reconsider the action of the Senate on the amendment of the House to Senate bill 3083, stating that a serious error had been made in concurring therein. Now the claim is made by some persons who are interested in the measure that the construction of the railroad tracks contemplated would operate to annoy patients in the hospital adjacent. I do not know whether that is true or not. They claim that they have been denied a hearing. In view of all these circumstances I ask the Senator to withhold his request for the present, and I demand the regular order.

Mr. BALL. Mr. President, I would like to make a statement relative to the matter. I made the motion to reconsider when an appeal was made to me that the tracks constructed on the square involved, as authorized by the bill, would materially affect the comfort of patients in the Methodist hospital. I did not have the time to go down and inspect the physical conditions there and still allow myself sufficient time to make the motion within the rule. So I made the motion to reconsider before going to inspect the place.

On Saturday I inspected the conditions surrounding the hospital and the square involved and all other matters connected therewith. I find that there are 25 railroad tracks nearer the hospital than would be any of the tracks constructed on this

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square. When the hospital was built the Baltimore & Ohio Railroad had its tracks covering this square. The hospital was built in 1896. The Baltimore & Ohio changed its tracks, I think, in 1903. The square is at least one-third of a mile away from the hospital. Two squares filled by tracks lie between the square and the hospital. It is impossible for anybody inspecting conditions there to conceive that the tracks proposed to be constructed in this square merely for switching will affect the hospital in the least.

Mr. KENDRICK. Mr. President——

Mr. BALL. Some of the Baltimore & Ohio tracks are less than half the distance from the hospital than would be the tracks to be constructed on this square. I yield to the Senator from Wyoming.

Mr. KENDRICK. I want to ask the Senator from Delaware if it is not true that to deny the right of trackage to the railroad would be to increase a sort of monopoly of property that now has the trackage——

Mr. BALL. It would be.

Mr. KENDRICK. And to make it more difficult for the people who require railroad conveniences and facilities of that kind to secure at a reasonable cost property which could be used for that purpose.

Mr. BALL. That is true. The tracks are to be used for the purpose of increasing facilities for the distribution to the city of coal and other materials. I can not conceive of any person having any objection to the construction of the track if he would make an inspection of the surroundings.

Mr. JONES of Washington. Mr. President, may I ask the Senator if it is the Lucy Webb Hayes Hospital?

Mr. BALL. It is.

Mr. JONES of Washington. I received a protest from that institution this morning——

Mr. BALL. Every Senator has received one.

Mr. JONES of Washington. I have not had time to examine it. I think the matter should be very carefully looked into. From what the Senator has said, he has looked into it carefully; but I have not had the time to do so.

Mr. ASHURST. Mr. President, I call for the regular order.

The VICE PRESIDENT. Petitions and memorials are in order.

Mr. ROBINSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. ROBINSON. The Senator from Delaware announced his purpose to withdraw the motion to reconsider. Having entered the motion to reconsider, that motion can not be withdrawn except by unanimous consent.

The VICE PRESIDENT. The Senator is correct.

Mr. ROBINSON. I object to the withdrawal of the motion for the present.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

Mr. BALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. BALL. Objection is made to the withdrawal of my motion to reconsider. Unless the motion is withdrawn, of course the bill is killed. I made the motion with the understanding that there was some possible objection by the hospital authorities to the construction of the tracks. I find upon inspection that there can be no real objection. I do not wish my motion to hold up the bill. After having thoroughly considered the conditions there, I am convinced the motion should be withdrawn. It is unfair to place me in the position of killing the bill. I would like to withdraw my motion to reconsider, and then if the Senator from Arkansas wishes to make such a motion, well and good.

Mr. ROBINSON. No; that is the difficulty. By making the motion himself the Senator precluded other Senators from exercising that privilege, and now, after the expiration of the two days within which such a motion could be made, if his motion be withdrawn it would be too late for any other Senator to make the motion. There is no disposition to defeat the bill if upon further investigation it appears that the bill ought to pass. But the Senator himself, after having reported the bill and caused its passage through the Senate, requested the Senate to reconsider its action on the ground, as he expressly stated at the time, that a mistake had been made. Now, every Senator has received a communication——

Mr. McNARY. Mr. President, I call for the regular order.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

EUROPEAN CONDITIONS—ARTICLE BY SENATOR M'CORMICK.

Mr. JOHNSON. I ask unanimous consent that there be printed in the RECORD, in the regular RECORD type, an article by the senior Senator from Illinois [Mr. McCORMICK] which appeared in the Saturday Evening Post of February 17, 1923, entitled "Political panaceas or economic remedies for Europe."

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

[From the Saturday Evening Post.]

POLITICAL PANACEAS OR ECONOMIC REMEDIES FOR EUROPE.

(By Medill McCormick, Senator from Illinois.)

"Europe is sick. We all know that. But what is the matter with her? In five years I have been to Europe three times—in 1917, when I visited England, France, and Italy; in the winter of 1919–20 again, when I visited Hungary, Austria, Czechoslovakia, Serbia, Poland, Germany, Italy, France, Belgium, and England; a third time this winter, when I visited France, Germany, Belgium, and England. On each of these visits, of course, I talked with responsible leaders of opinion in the world of politics, business, and journalism. Many of them were old friends. From all of them I know I heard the absolute truth as they saw it and believed it. It is from these visits and from these contacts that I derived the impressions that I venture to set forth here as representing the present posture of affairs on the Continent of Europe.

"Europe is sick with a variety of ills, due to many causes, none of them curable by anything which the American people or their Government might do, unless and until the peoples and the Governments of Europe have first decided to put aside political panaceas in favor of less palatable but more effective economic remedies. It would be fruitless to cancel the debts due our Government from other governments; it would be fruitless to add to the $8,000,000,000 or $10,000,000,000 that we have advanced them from public or private credits since the armistice, so long as there obtain on the Continent the policies which have actuated the majority of the financially embarrassed Governments since the signing of the armistice. It has been hard for the vanquished to acknowledge their defeat and its consequences, as it has been hard for the victors to realize that in a great war victors and vanquished, wrongdoers and wronged, all must pay, even as the people of the United States, remote from the war center, not even party to the political and commercial rivalry that preceded the war, have paid and are paying.

"In western Europe, and more especially upon the Continent, there is very generally an attitude toward the United States that is not easy for us to understand. There are in Europe sensible and presumably informed people who think and talk as if we had been saved by the allied effort, forgetting their perilous position in the winter of 1917–18; there are people who seem to believe that because we have suffered less than the European peoples who were involved in the European war we have suffered none at all, and have even waxed rich as a result of the war. Throughout Europe there is a certain articulate element, encouraged by the outgivings of certain New York bankers, who would make it appear that America has played the rôle of a Shylock. Consequently, not only among the peoples of western Europe and the Central Empires but among those of the neutral States there has been engendered against America a real though unreasoning irritation because she does not open her purse strings, because she does not incontinently lend more—without security—to those who are now unable to pay, and who are still unwilling to reform their finances and to curtail their expenditures, civil as well as military.

HISTORIC RIVALRIES AND PRESENT POLICIES.

"I do not mean to compare the feeling toward America with that which old allies, as well as old enemies, bear toward one another. There are European peoples who fought side by side who are animated by a hateful jealousy of one another as bitter as the rancor which they still treasure against their enemies in the Great War. Their historic rivalries—like that between France and England—the wars, the feuds, the alliances, which for 500 years have marked the flux of their fortunes, all contribute to present policy. During the last three or four generations Germany, Italy, and probably Poland, have been added to the number of great powers. France has suffered a relative decline in population. Italy is a more populous State than France. To-day they are jockeying for to-morrow.

"A traveler would be very cocksure to set down absolutely and in sequence the relative stability of the various European States, but looking back to 1919 and 1917, the British are farthest on the road to recovery. Conditions—political, social, and economic, all considered together—are more nearly normal in England than in any other European country that took part in the war. Belgium follows second, France third, and Italy fourth. Germany is in a grave, perhaps desperate condition, and until she begins to advance it is useless to attempt to ap-

praise the present as a basis for the future in any of the States to the east and to the south of her.

"The recovery of Europe depends upon a definitive and reasonable settlement of the relations between Germany and France, and the beginning of their economic and financial recovery. If that is not accomplished this year, no man dare predict how serious the future may be or how far the processes of disintegration may go or how far the mark, the lira, and the franc may fall. The Austrian crown, which to-day sells for 70,000 to the dollar after the heroic efforts of the allied governments to stabilize it, once was worth 20 cents; the mark, which was worth a fraction less than a quarter, at this writing is selling at 10,000 to a dollar; the franc, which was worth 20 cents, is now worth 7 cents. Unless a settlement be reached there is no more reason why it should sell for 7 cents than for 5 cents or for 3.

"The chronic deficit in the French budget is met not by printing francs but by printing issues of bonds. What must happen when bond buying ceases? The disorder in the finances of the Governments, the collapse of their credit and the depreciation of their currencies increasingly paralyze industry and trade, because they drive the producers of Europe to wasteful, primitive barter for the exchange of goods. It is a miracle that Europe has been able to buy from us as much as she has since the war. She could not have done it but for the billions in credits which we risked abroad while there was some security available, hundreds of millions of which doubtless we have lost.

"It was presumed by some of the European and by practically all the American supporters of the treaty of Versailles that the Reparation Commission, created under the treaty, would be an independent body, its members free from the domination of political cabinets, at liberty wisely to discharge their functions. They were to have been, so it seemed, a commission of receivers in bankruptcy. If they had been that, discharging their duty conformably with established practice in business, they would have regarded Germany as a great enterprise, her capital impaired, her railways and her factories out of repair, her soil depleted for want of its accustomed annual fertilization, but none the less a great enterprise which, once rehabilitated, could pay large sums by way of reparations.

"We know perfectly well that the commission has not been free; that its members have been mere mouthpieces for the several prime ministers who guided their every act and dictated the terms of their every statement; we know that it has not been guided by a consistent policy, by prudence, or by economic wisdom; that it has not had the confidence of the several allies; it has not made a plan and has not been permitted to make a plan that would inspire the German people to pay and thus win their ultimate economic and political freedom, and so induce them to labor, to produce, and to save.

"Now that England has parted from her continental allies upon the issue of reparations it is worth taking note of the fate of the reparations clauses under the other treaties, those of Sevres, St.-Germain, Neuilly, and the Trianon. The Turks have torn up the treaty of Sevres; according to the press dispatches Bulgaria and Hungary, in view of their territorial losses, have refused to pay reparations in cash, credits, or kind; Austria is not merely unable to pay any reparations whatever, but, saved from starvation by America, to-day is seeking to reestablish her finances with credits granted her by the allies.

"If four States, each of them with less than 10,000,000 population, can successfully resist the collection of reparations, what effort must the three Latin powers, now drawn away from Great Britain, put forth to coerce the Germans to attempt payments beyond the resources of Germany to pay? It seems only the other day that supine Egypt, by persistent passive resistance to the British administration of the country, compelled the British to abandon their protectorate established by the treaties of peace and to withdraw British garrisons and British administrators from the valley of the Nile.

"It is only yesterday that the military, political, and economic forces of 40,000,000 British were unable to continue the 700-year-old British Government of 4,000,000 Irish. If Italy, France, and Belgium, in collaboration with Great Britain, could not enforce uneconomic terms as against German bankruptcy or German passive resistance, how can the three continental States do so when they not only have lost British support but when British opinion is against them? Here we are, three years after the signing of the treaty of Versailles, and for the first time the allied prime ministers have fixed as an amount within the capacity of Germany to pay the sum of 50,000,000,000 gold marks, a sum a little in excess of the amount established three years ago by J. M. Keynes, and something less than the amount proposed by B. M. Baruch and the other American advisers to President Wilson during the Paris conference. Note the sum was fixed by the prime ministers, not by the Reparation Commission. Whenever any important thing is done—at Spa, London, Paris, anywhere—the prime ministers agree or disagree. The Reparation Commission has become a rubber stamp.

"Of course, a great deal more than time has been lost during these three sad years. If the German railways and some of the German plants have been restored, the fertility of her soil has not increased, her currency and credit have terribly depreciated, capital has taken flight from her borders, and the whole German people have lost confidence in the solvency and efficiency of their own Government. At the same time, French finances have gone from bad to worse, and worse. Economists and bankers who have studied the French revenues, and the ability of the country to support increased taxation as against the annual national interest charge, and the costs of the civil and military establishments, are unable to find any way in which France can balance her budget unless she writes the franc down to a permanent value of 5 cents gold. This would permit a very considerable increase of taxation in terms of francs without any increase of goods produced. It would be a form of capital levy upon the holders of Government bonds.

THE FRENCHMAN AND HIS SAVINGS.

"France suffers directly and indirectly from most of the ills that affect the other European States. She suffers mentally, not only because she consciously fears the renascence of German power, and therefore the prospect of another German invasion, but because unconsciously the mass of the people are beginning to be alarmed by the ominous financial outlook. This is not apparent at first, partly because it does not jump to the eye, and partly because the newly arrived traveler at first is not capable of appreciating the evidence. When I landed at Cherbourg last November, the franc bore about the same relation to the dollar that it bore two years ago. Therefore it made no impression on me when for a second time in three years I bought three times as many francs for a dollar as I could have bought before the war or even in 1917. I had no understanding that the French for three long years had anxiously hoped that the franc would steadily rise toward its pre-war value.

"When I came to my hotel in Paris and was made welcome by the old manager, whom I knew and who eagerly and hospitably sought to arrange my quarters conveniently, he asked me at once if I did not feel that the franc was very weak and pretty bad. It had dropped during 48 hours, I discovered, from 7 cents to 6 cents in value. If he thought upon the franc, he was thinking of the mark and wondering if the franc would start in precipitous pursuit of the diminished currencies of central and eastern Europe.

"The depreciation of the franc for the time being has wiped out a large part of the savings of the French people, all of whom practically are investors in bonds of the French Government or of a multitude of municipalities, prefectures, and public utilities of France, in which great numbers of Frenchmen and Frenchwomen invest to the exclusion of securities of any other sort. But more than that, the French are a proud and sensitive people. They may be individually indifferent to instance of public corruption and political inefficiency; they may individually criticize their Government bitterly and cynically, but none the less they can not bring themselves to accept the idea that although the pound sterling during two years has risen from 60 to over 90 per cent of par of the dollar, the franc remains at 33 per cent of its gold value, and may forever remain at that ratio unless German reparations are paid in an amount which Frenchmen begin to realize never can be paid.

"Two years ago, as compared with the capitals of central Europe, Paris had made an astonishing recovery. The city of light, which in 1917 had been dark and cold, with unheated houses and ill-swept streets, in the winter of 1919–20 was as clean and brilliantly lighted as before, while Vienna, Warsaw, and Berlin were still dark, cold, shivering, and shattered. Paris, visibly then, is no more brilliant to-day than it was two years ago, except that there are not so many people in mourning on the streets, in the shops, or other public places. I am not an experienced and accurate judge of the displays in shop windows, but this year my wife noticed with renewed surprise each day that nowhere on the Rue de la Paix or the Avenue de l'Opéra were the window displays so varied or so rich as those, for example, which she had seen in New York before sailing for Europe, or as those which she saw again in London before returning home. Plainly, the well-to-do shopping public in Paris, not only French but foreign, has less collective purchasing power than the shopping public in London or in New York. Whatever

may be said of the burden of taxation and the wealth per capita in France, I know from what I saw and heard that many, many French people, no matter what their fortunes and incomes may be, no matter how the foreigners who crowd their watering places may live, are living more frugally, more modestly than ever before, thinking all the while upon the present and ultimate value of their investments in French securities.

"We were interested in the other shops, but we were concerned about the toy shops, where we wished to gather a little Christmas bundle to carry to our young people at home. I remembered the times which as a boy I had spent in Paris, when with the little French boys we launched exquisite little ships, steam driven and sailing, upon the ponds in the Tuileries Gardens, and the windows of the toy shops in the Rue de Rivoli were crowded with ingenious mechanical toys. We were disappointed in the shops that we discovered. We went, upon the advice of French friends, to the best toy shop in Paris, but could find no toy engine—stationary, locomotive, or marine—which would match the realities of my youth and meet my promises to my small son. The toys, like the other displays in the shop windows, made it evident that even here the French, who are devoted and generous parents, are not buying toys as they did before.

FRENCH FRUGALITY.

"We dined, my wife and I, with an old friend of mine and his wife. As French fortunes go, theirs is large. They are serious, active, public-spirited people. During the war Madame ——— acquitted herself with great credit as a volunteer nurse, and her husband with equal credit as an officer. They feared a second invasion; they believed that in the Rhine there should be set up either an independent Rhenish State or at least a Rhenish Province, as independent of Prussia as is Bavaria. They were concerned by the failure of the reparations policy; like very many others, they recognized the apparent insolubility of the problem of the French debt, but none the less were resolutely, courageously, magnificently confident in the ultimate solution of the problem and the restoration of the franc to par. My friend held up a piece of paper as if it were a French bank note, the better to emphasize his assertion to my wife, and insisted that if his bank note were locked up to-day, in 50 years it would have a better value than a note for the same sum in pounds sterling. He saw France restored and in the future drawing great wealth from her prosperous and loyal colonies in Northern Africa, while he looked forward with equal confidence to the dissolution of the British Empire, the establishment of the Dominions as independent States, and to the ultimate disintegration of British rule in India. But his great town house, which had been open three years ago, was closed.

"It is very easy for the foreigner and casual traveler to fail to appreciate the domestic and frugal character of the average Frenchman. Deauville and Dinard, Paris, Cannes, and Monte Carlo no more represent to the traveler a true picture of France than Atlantic City and Newport represent America. It might also be said that the Frenchman lives to save a competence and dies to bequeath it to his one or two children. There are French publicists who believe that the equality of succession—that is, the absolute requirement of the law that an inheritance must be equally divided among children—is the cause of the low French birth rate, for no French farmer who has inherited or acquired land can bear to see that land so divided that it no longer constitutes a sufficient and efficient farm. If he inherits a farm he must save enough aside, assuming that he has two children, so that he may leave the farm intact to one and his rentes or Government bonds to the other. Now, manifestly, the depreciation of the franc has not affected the prosperity of the farm. The vegetables, the poultry, the cattle or the crops are as rich as before, and are sold for three times as many francs as before. But that part of his property which was invested in Government securities when francs were at par or over par brings him no more francs in interest than before.

"The small bourgeois, too, has seen the great part of his savings wiped out. It is not merely that his comfort in his old age is threatened; that his prospect for retiring with his wife from Lyon or Marseille or Paris to a villa just beyond the suburbs is gone, but his self-esteem, his position, and the position which he had thought to assure his children—all may be jeopardized.

"It is difficult for the rest of the world to understand France; so it is difficult for France to understand the rest of the world. The French, who have an old and a great civilization, are intellectually, geographically, physically, and personally, shall I say, the most self-contained people in the western world. They do not emigrate; they travel very little; their newspapers carry but meager dispatches from abroad; they feel that they do not need to know any language but their own, the old language of diplomatic intercourse. If they do not leave France they seldom leave the neighborhood in which they are born and reared. Their foreign investments have not been commercial or varied, and a very large part of them in Mexico, Turkey, Bulgaria, and Russia have proved bad. Thus they live almost unto themselves alone, and feel that the civilization and security of France constitute the quintessence of all civilized peoples. France has been a great power, and they are resolute to maintain her position as a great power despite her crippled finances and her stationary population. There are many reasons for the French determination to maintain a great army, but among them certainly is its weight as a diplomatic counterpoise against the British fleet. Hence their decision to levy legions in Asia and Africa—those in Africa including not only shock troops from Madagascar and the Senegal, but some Semitic and Berber battalions from Tunis, Algeria, and Morocco. Hence, also, their failure to appreciate the feeling engendered in other countries, and especially in England and America, against the garrisoning of German villages by Mohammedan troops. This intellectual and economic isolation of France in the heart of Europe not only explains her indifference to American and British opinion but explains in part also her attitude toward reparations.

"There are no new business enterprises launched every day in France, as with us. Real estate does not change so frequently as in the United States. The bonds of the treasury or the bonds of the State or municipal rentes afford to the average Frenchman his chief opportunity for investment. It was precisely because he had this habit of investment in public securities that it was so easy during the 10 years before the outbreak of the war to sell him the bonds of the Government of the emperor and autocrat of all the Russians. Here, of course, is the reason for French bitterness against the Bolshevik Government, which has repudiated the bonds held by hundreds of thousands of small French investors.

DEBTS AND DEBTORS.

"I remember an evening spent in a small company of diplomats, politicians, and bankers, one of whom was all three. He is important enough as a politician to be a statesman, and as a banker had had not a little to do with investment in Russia before the war. He said that he considered that recognition of Russia was of no present economic importance. He told me, to my surprise, that before the war the average annual export of Russian wheat was little more than twice the average annual consumption by little Belgium. I asked him with what Russia paid for her large imports which the British were anxious to reestablish—with her raw hides and raw flax which she sold in central and western Europe? He said no; that Russia had bought abroad with the earnings of the French people, constantly lent to Russia through Russian bonds sold in France.

"Here, then, the French people are confronted with the hitherto insoluble reparations problem. They charge that the Germans have sought to evade payment; they have insisted that Germany was not devastated during the war; they have proved that with the currencies of the two countries reduced to a common basis, Germany has paid far, far less in taxes than France. But they have not been willing to receive, except to a limited extent, German labor in France or German deliveries in kind. Certainly it is intelligible to us Americans that French tile manufacturers, or French brick manufacturers, or French cement manufacturers, who since early in 1919 have been producing on a prodigious scale for the reconstruction of the devastated region, should resist the influx of a great quantity of German tile, brick, or cement, with the consequent effect upon the French market for those goods. It has been the official opinion of the French Government—now strongly denied by some individual Frenchmen—that the population of the restricted region would never tolerate in their midst the presence of German workmen, laboring to rebuild the ruin that the German general staff wrought. I have heard, of course, from countrymen and countrywomen, who have spent the summer in French watering places or traveling leisurely through France, that many French people were no longer friendly to Americans. Certainly the bitterness toward Wilson, although not comparable with that toward Lloyd George, is general. The French feel that both have let them down. But I can not remember any American who told me that he had been discourteously used. Certainly old friends whom I saw, and who disapproved and absolutely condemned the opinions I held upon the treaties and upon the reparations question, were generous and hospitable. None the less, one only has to remark the note on the French budget that the debt of the French Government to the American Government is regarded as political; one only has to recall the allusions of Clemenceau and Longuet to cancellation; one only has to remem-

ber the references of Clemenceau and others to an economic imperialism as dangerous as any military imperialism, to realize that the French contemplate as inevitable the cancellation of the French debt to America and wish us to agree to it. It was the theory of some of the most distinguished Frenchmen in 1917 that all the allied debts should be pooled and prorated to the several countries in proportion to their natural wealth and natural resources. Under this French plan we would have assumed the greater part of all the international war debt, and thus what cancellation contemplates now would have been accomplished. In 1919 there were responsible Frenchmen who hoped for another loan of a billion dollars from our Government.

FRANCE'S INTERNAL DEBT.

"I think that to-day there is no French financial expert—I speak now of professional economists and financiers—who will say that he can sit down with a pencil and paper and find a solution of the problem of the French debt. The debt is growing. Practically all the revenue of the country is now absorbed in the service of the debt, while the annual deficit, now amounting roughly to $500,000,000 gold a year, is equal to the annual outlay upon the French military and civil establishment, exclusive of all reparations charges. There is no impartial judge who believes that Germany can pay more than $10,000,000,000, and that over a period of 20 years, with little or nothing annually to begin with, and the greater part of it during the second decade. What then, your French financier may ask, can France do in the matter of her debt to America, if she can not balance her own budget except by the permanent depreciation of the franc, which in itself is an indirect repudiation of, say, a third or a half of that internal debt which is in the hands of the small French investors in every community in France?

PARIS TO THE RHINE.

"The road from Paris to the Rhine cities carries the motorist through Belleau Wood and Verdun, past villages and farmsteads in course of reconstruction to Metz, past Treves, where are quartered the Moroccan troops. Verdun in winter is still a waste, like Gustave Doré's picture of the Frozen Hell, but in the summer, the commandant told me, the scrub brush and other verdure which has sprung up have filled the shell holes and covered the once blasted hillsides. Verdun, the Morte Homme, Souville, still stand as witnesses to the ruin and waste of war. The countryside presents less evidence of the damage done by the Germans. You may, of course, notice new tile roofs among the old and know that they cover rebuilt cottages and houses. You will at intervals find frame dwellings—temporary shelters certainly beside the stone cottages in which the French peasant has been accustomed to dwell—but as weatherproof and as comfortable as many a settler's shack which not so many years ago we saw in western Kansas and Nebraska or upon hilly clearings in the canyons of the Rockies or the Sierras. You will see fewer ruined or unfinished warehouses and factories than you will see unfinished or ruined cottages, for a great number of factories have been rebuilt, as many proportionately as there are proportionately few cottages reconstructed. I do not pretend to know whether influence secured the reconstruction of the buildings of the large manufacturer rather than those of the small peasant, or whether France was unwise in rebuilding factories beyond present needs, or whether in the long run it will prove to have been sound policy. Whatever the truth may be, there is very considerable discontent on the part of the peasants, who have seen the factories rebuilt while they still are living in temporary cottages, and on the part of very many more who sympathize with them. This discontent, as you may hear public men say in France, requires the Government to secure reparations or to take other steps to make good to the peasants what already has been made good to the manufacturers.

"The countryside in the autumn is plowed and prosperous. You may see grazing in the farmyards dairy cattle of German breeds. The names of the villages and those over the shops on the narrow streets slowly change as you pass through Alsace until they become absolutely all German. When your passport has been examined, your automobile number registered, and your baggage ignored, you find yourself across the border and under the government of the International Commission of the Saar. The economic assimilation of the Saar to France continues. The franc is driving out the mark, and a steadily increasing portion of the trade is with France; the whole population is infinitely busy mining coal for France, and enjoying a prosperity that the French hope will lead them to vote themselves French in a few years, as the treaty requires that they may have an opportunity to do. They are busy and prosperous, and I am certain that their numbers are increasing, for at frequent intervals and on both sides of the road there were new buildings and buildings in the course of construction which could only have been put up to house an increasingly prosperous and growing population.

"At first after we left the frontier there was little evidence of French occupation. As we were driven gingerly over the snow-covered hills about the valleys tributary to the Rhine, the great numbers of children—children everywhere, in the streets, in the school yards, and on the doorsteps—forced themselves on our attention. In France there are less than 40,000,000 people; in Europe, within and without the new frontiers of Germany, there are between eighty and ninety million Germans, and the disparity is still growing.

A FANTASTIC CURRENCY.

"The German countryside looks prosperous, better tilled, and better kept than it was three years ago, but, in western Germany, noticeably bereft of cattle. The people in the villages, as in the cities, have been, I will not say well nourished, but better nourished than when I visited in 1919, at which time they had not recovered from the long period of semistarvation. Then the American relief mission was still feeding thousands upon thousands of children in the larger cities. If you stop, as we did, to break your fast and spend the night, you have the first arresting proof of the change. The mark was still worth a couple of cents when I was in Germany three years ago. Your pocketbook was not inconveniently bulky. The currency amused you or gave you reason to think, according to your temperament. Now it is fantastic and tragic. The penciled prices on the printed bill of fare are changed sometimes daily and always weekly. You pay several hundred marks for a piece of fried carp or for a quart of mineral water. You pay an unimaginable sum, in marks, for your room, which you are formally advised includes the municipal tax and the national tax and the stranger's tax and the tip. You are likely to have been told by the manager or a friend that things are greatly changed and that whereas when he last had the pleasure of seeing you, before the war, you could leave your room unlocked with the certainty that nothing would be touched, now he would beg you to lock bags and room day and night. As a matter of fact, at Treves some one—I do not know whether it was a policeman, a traveler, or a sneak thief—softly tried our bedroom door twice during the night and found it bolted.

"The atmosphere in the restaurants at Treves was depressing. The tables were equally occupied by German business men and by French officers of the Moroccan and Algerian regiments in their brilliant uniforms. The conversation was hushed. There was no merrymaking or even a semblance of gayety at the tables occupied either by the Germans or by the French officers and their families.

"We stopped at Coblenz only long enough to lunch, for we had been delayed by engine trouble. I had been there before and we expected to see General Allen later. The doughboys, since ordered home, were few, not so many as French soldiers. I noticed that the principal hotel, which before had borne the common French name of the Grand Hotel Bellevue, was now the Coblenzer Hof. At lunch we were joined by some American officers, who in the course of the conversation told us of the never-ending friction between the French military and the German civilian authorities. We hurried from Coblenz to Mainz, the French bridgehead, where we saw General Degoutte, whom I had last met when I spent the day with him at the bombardment of La Malmaison. He was not so young as he had been, but as calm, painstaking, and patient as ever, rather more harassed, I thought, by the responsibilities of his command on the Rhine than he had been by those of his command in front of the Chemin des Dames during the war.

TRAVELING IN GERMANY.

"I have said that for many months the German population had been relatively well fed. It was about Christmas that considerable numbers of the industrial population began again to feel the pinch of hunger. In German cities like Cologne and Dresden there have been riots because of high prices. When we were in the Rhine country the French military authorities had made ready to serve to a hungry civilian population as many as 250,000 military soups a day. Although Germany's exports now amount to less than 40 per cent of her pre-war exports, she has 90 per cent as many mouths to feed as she had before the war, and so must have between New Year and August 15, 1923, when the harvest is in, $100,000,000 worth of American breadstuffs.

"You could travel in November from Frankfort to Berlin, sleeping compartment included, for about $3. We had missed our train and put up at the familiar Frankfurter Hof, where we found first that the staff of the hotel was less attentive and obliging than in the old days, and second, that there were a good many French business men in the hotel. Frankfort

was and ought to be one of the most prosperous cities in Germany. Now, although the pedestrians were numerous, the vehicles were few, and those which were motor driven hardly to be mentioned at all. During the course of a two-hour stroll my wife and I saw, I think, four or five privately owned automobiles and something less than a dozen noisy, noisome old taxicabs. By way of contrast to the empty streets and the bundles of lithographed currency the shops made a rather brave show, but the purchasers going in or out of them were few.

"At train time the railway station was crowded, but on the train the third or second class compartments outnumbered the first class by 20 or 30 to 1. We shared a compartment with two German gentlemen, one in the forties, a business man returning from a journey to Zurich, and the other a man of 65, who was soon immersed in the study of a folio full of papers. There was a little confusion about the reservations. Some other people came with the train guard to lay claim to our seats, and the two German gentlemen, who had a little more English than I did German, very considerately and effectively interested themselves to see that we should not be disturbed.

"At one of the stations we heard an American voice say good-by to some Mr. McCormick who left the train there, and I spoke to my wife of the coincidence in our names. Thereupon the elder of the two gentlemen asked me if I were the American political man, and we all in a moment and in a mixture of languages began to discuss the state of Germany and of the world. 'The mark,' I said, 'had some buying power when I was here two years ago.'

"When the present American ambassador arrived in Berlin in the spring it was still worth a cent, but it had fallen so far during the six months prior to my second visit that a thousand marks were then worth about a dime. What this meant in human terms the elder of the two men brought out.

"'What do you think is the prospect of a man who in the sixties has retired from business with a snug fortune of a million or two marks, enough to keep him and his old wife and to stake his sons in the continuance of the old business or the establishment of a new one, and who now finds himself in his old age, with his family, in possession of an income rather smaller than that of a young stenographer? He must go back to work.'

"With that he resumed the study of his folio of papers. He had given us an authentic autobiographical note.

EFFECTS OF THE DEPRECIATED MARK.

"At first I was less depressed by Berlin than was my wife. It is true that two years ago, coming from Vienna to Warsaw, the sounder currency, the greater commercial capacity and commercial experience of the business men in Berlin, the smaller number of children proportionately dependent upon American relief—all made one feel that in arriving in Berlin one was leaving the morass for miry but firmer ground. But after all, at that time, those who had known Berlin before the war could never shake off the feeling that before them was the spectacle of a great, highly organized, and highly energized political and industrial machine wrecked. That has become familiar now, but there are other and depressing changes.

"We could criticize and complain two years ago that while America, through the Quakers, was feeding the poor the profiteers made the cafés, the restaurants, the theaters, and the shops gay with high living. They did, and they gave a superficial brilliancy to Berlin, of which I saw no trace this year. It is all dark now, and to-day, as in Vienna two years ago, the men and women whom you meet in the professional, commercial, and political world seem helpless and hopeless. That is very striking, for bad as things were in 1919–20, dependent as the hungry children were upon American aid, bewildered as was the commercial world of Germany by the unmeasured and immeasurable indemnity, by the ineptitude of their new government—none the less they were moved by a real will to do, to find at home, in Russia, or in southeastern Europe the means to reestablish their economic independence and to win their economic and political freedom.

"Now the property of thousands of small business men has been Bolshevized, confiscated indirectly by the depreciation of the mark and by the growing uncertainty of the value of anything. If 200 marks bought a dollar a little while ago, and it takes 10,000 to buy one now, you can understand how a business man or any other investor has lost faith in anything but land and brick and mortar. If a man had a few railway or Government bonds or a mortgage which paid him so many marks a year at a fixed rate, what was once a tidy income will not keep him a month to-day; a mortgage or a few bonds, which were negotiable security and which assured capital for a new enterprise, are now of no value whatever to a business man.

"We were told that there are a dozen or fifteen great captains of industry, of whom Stinnes is the most conspicuous, who stand to profit greatly by what has happened in Germany. But the smaller business men, the small investors, the great bulk of the professional people, have had their savings very nearly wiped out. If I say that the German workman is better off than they because his wages have more nearly kept pace with the depreciation of the mark and the consequent increase in prices, do not imagine that he is well off. The counselor of the American Embassy told me that he paid his chauffeur a dollar a week and the cook and the maid in proportion; that he could not do otherwise on account of the many German families living in the same apartment building, and that his wife was therefore put to it to recompense them in some proportion to what they did for her by giving them presents of clothing and food.

"As I was once a newspaper publisher, I was interested to learn that a German linotype operator was paid about $1 a week and the editor of a large daily from $15 to $20 a month. If the German economic organization is weakened, the political organization is very far from strong. The world, I think, has never appreciated the task which the Germans, and, indeed, all the newly enfranchised peoples, face in organizing governments, representative and efficient, strong and responsible to public opinion. Rumania, Poland, Yugoslavia share the problem that confronts the Germans of Austria and the Reich. It takes time to train experienced democratic statesmen, to organize administrative departments anew, to develop parliamentary practice and parliamentary habits. Consider the government of these States under the Articles of Confederation and prior to the adoption of the Constitution.

"Certainly travel in Europe east of the Rhine is not comfortable, measured by the standard of American express trains; but the experienced wayfarer can go by wagonette from Berlin to Brussels without any great discomfort. It is agreeable in Brussels to emerge on the station platform in a realm of physically manageable bank notes and manageable nickel coins. Two years ago, when I had come from Vienna and Warsaw to Berlin, from the capitals of starved children and from countries where good coins had given way to rotten paper, it was as if one had climbed up out of a morass onto a higher and drier level, from which, in turn, one was to climb farther in going to France or to Belgium. Now that Germany has slipped down into the economic swamp, among all the continental States touched by the war Belgium gives the greatest impression of progress, the greatest promise of recovery and solvency. The Belgians have been industrious, where some others have not; they have been more prudent than others are. In Theunis, the prime minister and minister of finance, they are blessed with a public servant whose talent rises to the level of true statesmanship. Among the prime ministers of the northern States chiefly concerned with reparations—for I do not speak of the Italian prime minister, Mussolini, whom I have not met—M. Theunis is indubitably the ablest. This is not only my humble opinion but that of very nearly all the persons with whom I have talked who know Poincaré, Law, Cuno, and Theunis.

BELGIUM'S DIFFICULT POSITION.

"If Belgium gives the greatest promise of economic recovery among the continental States which engaged in the war, her political situation is none the less difficult. It is not merely that she sorely needs reparations, as does France; it is not merely that her frontiers on the east march with those of Germany, but that geographically, strategically, economically, politically she is in a situation made difficult by the growing differences between her two great allies, the French Republic and the British Empire. If her prudence, her practical commercial instinct, would lead her to vote with the British as against the French in the matter of reparations, her geographic and military situation compel her to vote and even to march with the French into the Ruhr.

"Look at the map. If French troops in considerable numbers occupy the territory from Mainz to Essen, Belgium would have the French Army to the east of her in Germany and to the west of her in France. Thus, despite the industrial activity general throughout Belgium, there are added to the anxieties about the Belgian budget and about reparations due perplexities about their relations with their former allies as well as with their former enemies.

"The night boat to England was a hospitable craft. There was something cheerful and hopeful in the busy efficiency of the stewards, the kindly attentiveness of the stewardess, to say nothing of the generous fare, which beckoned and welcomed

one to the European country that has traveled farthest along the road to economic recovery. I have visited England three times since the outbreak of the Great War. The English point of view and the problems of the English are more complex now than they were during the terrible days when aircraft above darkened the streets of London and U-boats below made perilous the watery lanes to the English ports. Things seemed simpler even three years ago, because men were still uncertain, expectant, and sanguine about the near future.

"Now, here we were in London, where we saw streets crowded with taxis, with well-dressed people, and yet we were told that the army of the idle had dispersed only the day before and that the unemployed in the Kingdom probably numbered 1,500,000 among a population of 40,000,000. It is as if we had had for years the millions of unemployed who sought jobs in the great cities of the country during the crisis of depression in 1920–21.

"Here we found the pound almost as good as gold, and every day read in the newspapers accounts of the appalling Irish civil war just across the channel; here the shops were rich with costly and varied stores, were thronged by Christmas shoppers, while we read in the newspapers grave accounts or heard from statesmen's lips still more ominous reports of civil disorder and resistance or fiscal disarray in India.

"The British, like ourselves, almost from the moment of their entry into the war, levied great taxes and have continued them, so that to-day they bear at least a little more heavily upon all incomes than do the corresponding income taxes of the United States. The English bear the great burden of taxation, on the whole, very cheerfully. Their financial men and economists are not so certain that they have been wholly wise in restoring the par value of the pound. Across the channel they behold the picture of countries with large and continuing deficits, increasing debts, and unchecked inflation of the currency, busy, with no problem of the unemployed. How can it be otherwise than that the whole British Nation should be troubled about the idle thousands?

THE PROBLEM OF UNEMPLOYMENT.

"Two authorities told me that before the outbreak of the Great War the annual exodus from the British Isles, in round numbers, amounted to half a million souls a year—to the four Dominions, to the United States, and a fraction to other parts of the world. That is to say, since 1914, 4,000,000 who might have gone overseas have stayed at home. Two and a half millions were killed or maimed in the Great War, and there are 1,500,000 unemployed. That is, the number of unemployed is exactly equal to those who have stayed home and who were neither killed nor maimed. The Dominions, whose total population of European stock is approximately equal to that of New York and Pennsylvania combined, are not able to absorb very many, and yet in a section of the British press there is carried on a continuing agitation about conditions at Ellis Island, calculated to discourage emigration to the United States.

"This attitude toward emigration illustrates the perplexing and conflicting feelings which the British bear America to-day. They are cordially hospitable to their American friends; the utterances of their public men and the opinions of most of their great newspapers give every evidence of good will; sentiment and self-interest unite in seeking the most cordial relations with the United States; but, none the less, they can not but envy our financial and military security, contrasted with the financial difficulties that beset them at home and the military difficulties that beset them abroad.

"I think that three-quarters of the English men and women with whom we talked, including bankers, manufacturers, politicians, and journalists, asked if we believed that in the long run they would pull through. Secondly, they were eager to know if the ship subsidy bill would succeed or fail. When Germany was crushed the British at one and the same time closed the most important continental market for their goods and eliminated their most important commercial rival, only to find raised up across the Atlantic a more formidable rival, whose market was largely closed to them by a protective tariff. More than this, the tremendous merchant tonnage built by the American Government for the prosecution of the war has made us, in point of the number of floating keels and their tonnage, a far, far more serious rival as a merchant carrier than Germany ever was if we keep our merchantmen at sea.

"Thus they see that America has taken the place of Britain as the principal money market in the world; that it has outstripped Germany as Britain's competitor as a manufacturer of exports and the potential carrier of ocean freights; and that finally America's wealth and geographic security are such that it promises in a short time to become more formidable still. This condition is aggravated by the collapse of the markets of continental Europe, and English bankers, traders, and politicians, who move with a unity of purpose which has not been achieved in America, are eagerly seeking markets outside of Europe—in South America and in Asia—and look forward with some apprehension to an era of bitter competition with the United States.

"They have not wholly appreciated, I think, that the promised commercial rivalry between the two countries wears no military aspect like that which characterized the competition between the British and German Empires before the Great War. Our commercial aims abroad are not dominated and directed by the Government; nor are they carried forward for the purposes of governmental aggrandizement. The Washington conference made certain that we are not going to enter into a naval competition like that between the fleets of Britain and Germany in the crowded waters that wash their shores. There will be no Agadir as a prelude to a Serajevo. They have not understood, I think, that it is incredible that our Government should seek any military-commercial concession like that of the Anatolian Railway secured by the Germans, or that of the Anglo-Persian Oil Co. which Winston Churchill secured in the Basra oil fields. None the less, I do not want to give the impression that the fear of impending friction may not itself engender friction. I remember that after spending some hours at the House of Commons one evening with some friends one of them told me that he feared that our tariff policy, our competition with them as carriers at sea and sellers of goods from Buenos Aires to Bombay and Shanghai would become so acute as to put a severe strain upon the political friendship between the two countries. It is not always easy immediately to recognize the other man's point of view.

"The present state of Europe, then, so depressed as to touch our prosperity, after all is due to no single cause, economic or political. Plainly it is attributable in great part to the waste of war, which can be made good only by years of toil and frugal living on the part of millions; it is attributable in part to the ruin of Russia, where more millions have died since the peace of Brest-Litovsk than ever were killed while Russia fought Germany; it is attributable in part to the Balkanization of Europe by the peace treaties, which added new boundaries, new governments, new armies, new customs borders, new traffic tariffs to the many which threatened peace and thwarted trade in Europe before the war; it is attributable in part to the ambitions and aborted policies of short-lived cabinets throughout Europe; to the planless purposes of inexperienced parliaments seeking to govern talented and dauntless peoples long denied self-government.

"The world seeks a remedy for its ills. Remedy by the league? Remedy by conference?

"The members of the league have met in conference in Geneva. The governments of Europe met in conference at Genoa. The prime ministers have met in conference, political and economic, at San Remo, Cannes, Paris, Spa, Brussels, London, and Boulogne. Sometimes they have accomplished nothing; sometimes they have accomplished a little. They have not been willing to seek the realizable. They seek the impossible. As I heard a prime minister remark the other day, "One of the great powers has assiduously fished behind the net." Time and again they have been willing to do to-day that which to-day was no longer realizable, although it could have been done six months before.

"If the governments can not agree upon a sound and realizable program for the definite and final settlement of the total sum of reparations that Germany shall pay and can pay, if they can not agree among themselves and with bankers and investors upon a plan that will stabilize German currency, we may expect the franc and the lira to start down the declivity in pursuit of the mark, the crown, and the ruble.

"The terms of the new reparations settlement manifestly ought to include priority of payments for the reconstruction of the ruins of northern France and a moratorium to Germany for several years, conditional upon an adequately secured bankers' loan to stabilize the mark, to balance the current German budget, and to contribute to French reconstruction this year; a plan devised upon these general bases is indispensable to the solvency and credit of the State in France and Germany, to the rehabilitation of industry in Germany, and so to the recovery of reparations by France. More important to the rehabilitation of Europe than any conference, than any agreement between statesmen and financiers can be, is the exorcism of the spirit of hate which animates goverenments and peoples. Unless the peoples are moved by a Christian will to peace and by Christian comity there can be no real peace in Europe."

REGENT OF THE SMITHSONIAN INSTITUTION.

The VICE PRESIDENT appointed Mr. LODGE a member of the Board of Regents of the Smithsonian Institution, in accordance with the provisions of section 5581 of the Revised Statutes, to fill the vacancy occasioned by the expiration of his term.

DIRECTOR OF COLUMBIA INSTITUTION FOR THE DEAF.

The VICE PRESIDENT appointed Mr. COUZENS a member of the board of directors of the Columbia Institution for the Deaf, pursuant to law, to fill the vacancy occasioned by the resignation of Mr. POMERENE, to take effect March 1, 1923.

PETITIONS AND MEMORIALS.

Mr. WALSH of Massachusetts. Mr. President, I have a communication from Rev. Stanley Manning, director of young people's work of the Young People's Christian Union, protesting against the use of the franking privilege by Senators for circulating matter not directly part of the Senate's proceedings. For the information of Senators, I should like to have the letter printed in the RECORD and referred to the Committee on Printing.

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

THE UNIVERSALIST CHURCH,
EXECUTIVE OFFICES,
Boston, Mass., February 15, 1923.

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

MY DEAR SIR: There has just come to my desk, under the frank of a Senator, a copy of an article reprinted in the CONGRESSIONAL RECORD of January 8 regarding the report of the Inter-Church World Movement Committee which investigated the steel strike and the recent book by Marshall Olds attempting to offset its influence.

Leaving aside entirely the truth or falsity of the report, or of Mr. Olds's book, or of this article, I wish to register a very emphatic protest against the use of Government funds in printing and distributing such articles, which form no integral part of the deliberations of Congress. It is, to my mind, distinctly unethical to print and distribute at public expense reprints of this sort which give only one side of controverted questions, unless at the same time equal publicity is given to a presentation of the other side. I know that it is a matter of "senatorial courtesy" to allow such printing by unanimous consent, but in that kind of courtesy there is too little regard for the rights, intellectual and financial, of the public. It is unfair to use public funds for the distribution of partisan pamphlets, as is done during political campaigns and as has been done in the present instance.

I trust you will use your influence to bring about a discontinuance of this custom, which is both intellectually unfair and financially a waste of public funds.

Very truly yours, STANLEY MANNING.

Mr. McNARY presented the following joint memorial of the Legislature of Oregon, which was referred to the Committee on Agriculture and Forestry:

Senate Joint Memorial No. 4.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Senate of the State of Oregon, the House of Representatives concurring, respectfully represent that—

Whereas United States Senator GOODING, of Idaho, has introduced a bill in the Senate of the United States guaranteeing the price of wheat and providing a fund to handle the same; and

Whereas the State of Oregon is largely engaged in the raising and marketing of wheat, and we deem it to the best interests of the citizens of the State of Oregon that legislation of that character be enacted: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Congress of the United States be, and it is hereby, memorialized to enact said bill or legislation of similar character; and be it further

Resolved, That the secretary of state be directed to transmit by mail a copy of this memorial to the President of the United States Senate and to the Speaker of the House of Representatives and to each of the Senators and Representatives from the State of Oregon.

Concurred in by the house February 10, 1923.

K. K. KUBLI,
Speaker of the House.

Adopted by the senate February 9, 1923.

JAY UPTON,
President of the Senate.

[Indorsed: Senate Joint Memorial No. 4. Introduced by Senators Taylor and Ritner. John P. Hunt, chief clerk. Filed February 17, 1923, Sam A. Kozer, secretary of state.]

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of Senate Joint Memorial No. 4 with the original thereof adopted by the Thirty-second Legislative Assembly of the State of Oregon and filed in the office of the secretary of state of the State of Oregon February 17, 1923, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 19th day of February, A. D. 1923.

[SEAL.] SAM A. KOZER,
Secretary of State.

Mr. McNARY presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Finance, as follows:

THIRTY-SECOND LEGISLATIVE ASSEMBLY,
Regular session.

House Joint Memorial No. 8.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the joint assembly of the Legislature of the State of Oregon, respectfully represent that—

Whereas the United States Spruce Production Corporation is a corporation organized and existing under the laws of the State of Washington;

Whereas the United States Spruce Production Corporation acquired and purchased from the Blodgett Timber Co. in Lincoln County, Oreg., more than 13,000 acres of timberland prior to November 11, 1918, the title thereof passing to the Government in connection with its program for the production of airplane material during the late World War, thereby taking from the tax rolls of Lincoln County, Oreg., one-tenth of all of the assessable property in said county; and

Whereas the said United States Spruce Production Corporation built and constructed a railroad from Yaquina Bay, Lincoln County, Oreg., south for a distance of 26 miles connecting said timberland, and at a cost of approximately $2,500,000; the title of said property being in the United States Spruce Production Corporation was not taxable by Lincoln County in the State of Oregon; and

Whereas said United States Spruce Production Corporation during 1918 built and constructed 15 miles of railroad commencing on the north shore of Yaquina Bay, running north 15 miles into the great spruce belts situated in the Siletz country in Lincoln County, Oreg., at a cost of approximately $1,500,000, which property is nontaxable; and

Whereas the United States Spruce Production Corporation purchased and acquired a large amount of real estate at Toledo, Oreg., and has constructed thereon one of the largest sawmills in Oregon, and has spent vast sums of money thereon; and

Whereas on December 17, 1920, the United States Spruce Production Corporation entered into a contract with the Pacific Spruce Corporation, a Delaware corporation, under which all of the interests of the United States Government were sold to the Pacific Spruce Corporation; under the terms of said contract of December 17, 1920, the title to said property is to remain fixed in the United States Spruce Production Corporation until complete performance and full payment of the purchase price has been made by the purchaser, the Pacific Spruce Corporation;

By virtue of the above transaction a vast amount of property has been removed from the tax rolls of Lincoln County, the effect of which has been the placing of an unjust and unreasonable tax levy against the said property in said county remaining subject to taxation; and

Whereas it was reported that certain payments are being made by the Pacific Spruce Corporation under said contract of December 17, 1920, of the small annual payment of $50,000 per year; that said corporation has proceeded since the date of the contract purchased to sever the timber from the said lands and to market the lumber therefrom;

That the transfer of the title from the Government under the above contract is contingent upon the full compliance with the terms thereof, which is said to be 10 years, sufficient time will be allowed for said completion and in which time the timber will all be removed and forever exempt from taxation, and Lincoln County will have lost thousands of dollars; and

Whereas it is inequitable, unfair, and unjust that said county and its municipality should suffer such depreciation in their tax value and consequent loss; and

Whereas Lincoln County has bonded itself in the sum of $1,000,000 for building and construction of the harbor on Yaquina Bay in order that the timberlands aforesaid and other timberlands in the county may be placed upon the markets of the world, her tax burdens are almost unbearable and the county is facing bankruptcy: Now, therefore, be it

Resolved by the joint assembly of the senate and house of representatives, That the Congress of the United States of America be, and the same is hereby, memorialized in order that any doubt of the right of the State of Oregon, Lincoln County, and its several municipalities to tax such property be removed; grant the consent of the United States to tax as other property all property which is owned by the United States Spruce Corporation, and also all other property which may have been sold by the United States Spruce Production Corporation under contract or otherwise, including improvements placed thereon, or that in lieu thereof Congress, in the event that the tax upon said property be determined to be illegal, appropriate funds from the National Treasury in a sum equivalent to the amount of such taxes from year to year.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Banking and Currency:

A concurrent resolution memorializing Congress to give immediate and careful consideration to Senate bill No. 4130.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring):

Whereas a bill raising the limit on Federal farm loans from $10,000 to $25,000 has been introduced in Congress, and which is now in the Committee on Banking and Currency:

Therefore we urge our delegation in Congress to do their utmost to secure speedy and favorable action by the committee, and thereafter its prompt passage by Congress, so that it may become the law before March 1, 1923, at which time there are many Federal farm loans to be closed exceeding $10,000 in amount.

That the passage of this bill will not in any manner impair the operation nor the credit of the Federal land bank, but will result in extending its scope of usefulness so that a larger number of borrowers can be reached.

That all loans are made on the basis of the security offered, and borrowers of large amounts often offer the best security, owing to their executive ability and industry in the management of farm operation.

That the Federal land bank is seriously hampered in its operation owing to the $10,000 limit; be it further

Resolved, That engrossed copies of this resolution be prepared by the secretary of state, signed by the presiding officers of the senate and house of representatives, and forwarded one copy each to Senators NORBECK and STERLING and Congressmen CHRISTOPHERSON, JOHNSON, and WILLIAMSON, to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the United States, and to His Excellency the President of the United States, Warren G. Harding.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House of Representatives.
WRIGHT TARBELL,
Chief Clerk of the House of Representatives.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Agriculture and Forestry:

A concurrent resolution requesting and demanding modification and revision of the present Federal standards for grading grain.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Bureau of Markets of the United States Department of Agriculture, in the spring of 1917, promulgated certain standards for grading wheat which revolutionized the system of grain inspection to such an extent that the markets were seriously disturbed and confused, and the Federal rules were found unsatisfactory in commercial transactions; and as subsequent attempts by the said Bureau of Markets to amend the original standards and inspection rules have not removed the features objectionable to the wheat producers of South Dakota and the rural shippers of grain, with the result that the present standards are regarded by the farmers of the Northwest as unfair and unreasonable; and

Whereas the grades so established do not meet with the approval of the grain growers and shippers of this State and are believed to confer an undue advantage to the buyers, with a consequent discrimination against the farmers, thereby causing heavy losses every year; and

Whereas the States of Minnesota, South Dakota, North Dakota, Montana, Idaho, and Washington, at a meeting held in Helena, Mont., March 16, 1918, by formal resolution proposed standards for grading spring wheat which were declared to be fair to all interests directly concerned; and

Whereas the South Dakota Farm Bureau Federation, the South Dakota Farmers Grain Dealers' Association, and other farm and grain organizations repeatedly have declared in favor of substantial modification of the Federal standards so that grain may be tested and graded in accordance with its milling value, and representatives of the States of the Northwest having appeared before the Federal Department of Agriculture and the Committee on Agriculture of both Houses of Congress advocating and urging action favorable to the requests and needs of the farmers of South Dakota; and

Whereas the Legislatures of Minnesota and North Dakota directed the promulgation of State grades for use in the inspection of grain produced and marketed within those States, the purpose of such legislation being to give the wheat producers of those States all the benefit possible from the application of State rules and regulation, but this plan was found not feasible because of conflict with the Federal rules and laws; and

Whereas the Millers' National Federation has opposed the efforts of the farmers of the State to obtain a modification and revision of the Federal grain standards; and

Whereas HALVOR STEENERSON, Congressman from the ninth district of Minnesota, has introduced a bill in Congress to establish standards for the grading of spring wheat, which, if adopted, will virtually recognize the milling value of wheat and place the producers and the buyers on an equal footing in the grain markets of the country: Therefore be it

Resolved by the Legislature of the State of South Dakota, That it hereby, in behalf of the people of South Dakota, requests and demands that the Federal authorities, either in Congress or in the Department of Agriculture, do so modify, revise, or amend the present Federal standards for grading spring wheat as to comply with the requests of the farmers of South Dakota and the Northwest, and thereby remove the present discriminations and penalties, in order to promote the prosperity and welfare of the agriculture interests of South Dakota and the Northwest; be it further

Resolved, That we approve the aforesaid Steenerson grain grading bill and urge its immediate passage by Congress; be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, the Secretary of Agriculture, to both Houses of Congress, and to the individual members of the South Dakota delegation in Congress.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Interstate Commerce:

A concurrent resolution requesting and demanding modification and reduction of the present freight rates for grain and live stock.

Whereas the present freight rates for shipment of grains and live stock by the railroads are excessive and of such a nature as to render the prices received by producers of such commodities less than the cost of production; and

Whereas several efforts have been made by the railroad commissioners of the State of South Dakota to secure reductions that are necessary for the preservation of the great industry of agriculture in the State of South Dakota; and

Whereas the rates now in force are approximately 20 per cent higher than the rates in force prior to 1918; and

Whereas the prices of farm products to the producer in this State are approximately 20 per cent lower than the average prices received by such producers for such commodities during the 10-year period just preceding the year 1918: Be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That it hereby, in behalf of the people of the State of South Dakota, requests and demands that the Congress of the United States, by appropriate legislation or otherwise, and the Interstate Commerce Commission and all other bodies of the Federal Government having in their power or discretion to modify, reduce, revise, or amend the present freight rates, perform such duties as to comply with the requests of the farmers of the State of South Dakota and the Northwest and thereby remove this menace to the prosperity and welfare of the agricultural interests of South Dakota and the Northwest; and be it further

Resolved, That copies of these resolutions be prepared by the secretary of state and forwarded to our Representatives and Senators in Congress, to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the United States, to the Interstate Commerce Commission, and to His Excellency the President of the United States, Warren G. Harding.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House of Representatives.
WRIGHT TARBELL,
Chief Clerk of the House of Representatives.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on the Judiciary:

A concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That—

Whereas a resolution introduced by Hon. W. R. GREEN of Iowa for the submission of an amendment to the Constitution of the United States, eliminating the exemption from taxation of National, State, and municipal securities, has passed the National House of Representatives; and

Whereas such exemption has provided an avenue of escape from taxation of billions of dollars invested in such securities, thus increasing to an unwarranted degree the burdens imposed upon other classes of property; and

Whereas if this plan of exemption from taxation is to be continued, the burden of taxation will fall most heavily upon productive capital and will relieve nonproductive capital from its fair share of taxation: Now, therefore, be it

Resolved, That it is the sense of the Legislature of the State of South Dakota that provision should be made against the further continuance of this form of tax exemption, and that said resolution should be adopted and an amendment should be made to the Constitution of the United States, as proposed in said resolution; be it further

Resolved, That engrossed copies of this resolution be forwarded to the President of the United States and to the Hon. THOMAS STERLING and to the Hon. PETER NORBECK, Senators of the State of South Dakota.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. NORBECK presented the following concurrent resolutions of the Legislature of South Dakota, which were referred to the Committee on Commerce:

A concurrent resolution.

Whereas South Dakota is almost wholly dependent upon agriculture and, consequently, the market for agricultural products is of prime importance in our affairs; and

Whereas water transportation will reduce the cost of the carriage of wheat to the seaboard no less than 7 cents per bushel, and proportionately upon other cereals, a saving that would add many millions to the market value of the products of our farms, to say nothing of the reduced cost of merchandise by reason of bringing the seaboard to the interior; and

Whereas the proposed Great Lakes-St. Lawrence deep waterway will bring South Dakota 2,000 miles nearer to the Atlantic and European markets and will result in substantial advantage to our markets and the consequent improvement to agricultural conditions and the general prosperity of the people: Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Congress of the United States be, and it hereby is, memoralized and petitioned to promptly take such action as will result in immediate development of the Great Lakes-St. Lawrence deep waterway; be it further

Resolved, That engrossed copies of this resolution be forwarded by the secretary of state to our Senators and Representatives in Congress, and to the Secretary of the Senate and Chief Clerk of the House of Representatives of the United States, and to His Excellency the President of the United States, Warren G. Harding.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

A concurrent resolution memorializing Congress and our Senators and Representatives in Congress to amend section 2 of House Resolution 8744, approved December 21, 1921, and enact in lieu thereof an act to require the completion of a steel bridge at Chamberlain, S. Dak., as required by act of Congress approved April 28, 1916, said bridge to be completed during the year 1923.

Whereas, by an act of Congress dated April 28, 1916, the Chicago, Milwaukee & St. Paul Railway Co. was authorized to construct a steel bridge across the Missouri River at Chamberlain, S. Dak., and permission granted to continue the use of a pontoon bridge for the trans-

portation of freight and passengers across said river until the completion of said steel bridge; and

Whereas the right to construct said bridge was extended by act of Congress approved February 25, 1919, and by a further act of Congress approved December 21, 1921, which last-named act extends the time for the completion of said bridge to April 28, 1925; and

Whereas said Chicago, Milwaukee & St. Paul Railway Co. began the construction of and completed a portion of said bridge in the year 1918 but has wholly failed to do anything toward the completion thereof since the early part of 1919; and

Whereas the use of said pontoon bridge is believed to endanger the lives of the employees of said railroad operating trains thereon and the lives of the traveling public; and

Whereas serious and costly accidents and delays in transportation have already occurred, to wit:

First. That on or about June 21, 1922, while a gravel train was crossing said bridge, the pontoon used as a draw upset and caused the engine and several cars to be thrown into the Missouri River, together with the engineer, who was seriously injured.

Second. That during the spring of the year when the ice is going out and during the June rise and in the fall of the year and when the ice is forming or floating in said river it is impossible to operate the draw in said bridge, and by reason of that fact all passenger, mail, freight, and express traffic to points west of the Missouri River is greatly delayed, especially when said bridge is out or draw open, and the development of the country deterred, and the business interests of the people located between Chamberlain and Rapid City, S. Dak., jeopardized: Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Congress of the United States and our Senators and Representatives in Congress be, and they are hereby, urged to use all honorable means at their command to secure an amendment to section 2 of House Resolution 8744, which shall require the completion of said bridge not later than during the year 1923; and be it further

Resolved, That engrossed copies of this preamble and resolution be prepared by the secretary of the senate, signed by the presiding officers of the senate and house of representatives and forwarded to the Congress of the United States and to our Senators and Representatives in Congress and to the Secretary of War.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk.

Mr. NORBECK presented petitions of sundry citizens of Hitchcock and Tulare, all in the State of South Dakota, praying for the passage of legislation granting immediate aid to the famine-stricken peoples of the German and Austrian Republics, which were referred to the Committee on Appropriations.

Mr. WARREN presented resolutions adopted by the Admiral Robert E. Peary Ship, No. 427, Veterans of Foreign Wars, of Washington, D. C., favoring the passage of House bill 7864, the so-called naval omnibus bill, which were referred to the Committee on Naval Affairs.

Mr. KEYES presented a resolution of the congregation of the First Congregational Church of Concord, N. H., favoring an amendment to the Constitution governing the passage of legislation regulating child labor, which was ordered to lie on the table.

Mr. CAPPER presented petitions of sundry citizens of Meade, Lafontaine, and Melvern, all in the State of Kansas, praying for the passage of legislation regulating radio broadcasting, which were referred to the Committee on Interstate Commerce.

Mr. LADD presented a resolution of the Ellendale Nonpartisan Club, No. 352, of Ellendale, N. Dak., protesting against the passage of the so-called Strong bill amending certain sections of the Federal farm loan act, which was referred to the Committee on Banking and Currency.

Mr. TOWNSEND presented petitions of sundry citizens of Mount Clemens and members of the Zion Evangelical Church, of St. Joseph, all in the State of Michigan, praying for the passage of legislation granting immediate aid to the famine-stricken peoples of the German and Austrian Republics, which were referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. STERLING. Mr. President, on Saturday last there was reported from the Committee on Appropriations, with an amendment, House bill 8928, to provide for the classification of civilian positions within the District of Columbia and in the field services, and it was referred to the Civil Service Committee. The Civil Service Committee now reports back the bill favorably, and asks that it go to the calendar; and I desire to give notice that at the earliest opportunity I will ask that the bill be taken up for consideration by the Senate.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. ROBINSON, from the Committee on Claims, in compliance with the leave formerly granted, submitted a supplemental report (No. 1216) to accompany the bill (S. 4608) for the payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and Tucker Acts, and under the provisions of section numbered 151 of the Judicial Code, which had previously been reported from that committee.

Mr. BURSUM, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (H. R. 12019) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors (Rept. No. 1217); and

A bill (H. R. 13980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 1218).

Mr. BALL, from the Committee on the District of Columbia, to which was referred the resolution (S. Res. 419) providing for an investigation of traffic conditions in Washington, D. C., and of accidents resulting therefrom, and better measures for protecting the public against injury and damage arising from negligence, reported it with an amendment.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1227. An act for the relief of Frank G. Emmes (Rept. No. 1219);

H. R. 4653. An act for the relief of Allie Melinda Outterside (Rept. No. 1220);

H. R. 6601. An act for the relief of the Great Lakes Engineering Works (Rept. No. 1221);

H. R. 8051. An act for the relief of the Commonwealth & Dominion Line (Ltd.), owner of the British steamship *Port Phillip* (Rept. No. 1222);

H. R. 8221. An act for the relief of the Chinese Government (Rept. No. 1223);

H. R. 8733. An act for the relief of Harold L. McKinley (Rept. No. 1224);

H. R. 9160. An act for the relief of John Anderson (Rept. No. 1225);

H. R. 12315. An act for the relief of the owners of the schooner *T. K. Bentley* (Rept. No. 1226);

H. R. 12584. An act for the relief of Alice Loeber (Rept. No. 1227); and

H. R. 13903. An act for the relief of the New York State Fair Commission (Rept. No. 1228).

Mr. CUMMINS, from the Committee on the Judiciary, to which was referred the bill (H. R. 14222) to amend the trading with the enemy act, reported it with amendments and submitted a report (No. 1229) thereon.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, by unanimous consent, withdrew the report heretofore submitted by him on the concurrent resolution (S. Con. Res. 37) creating a joint commission to be known as the joint commission of gold and silver inquiry and reported a joint resolution creating the joint commission of gold and silver inquiry.

The joint resolution (S. J. Res. 287) creating the joint commission of gold and silver inquiry was read twice by its title.

BELLS FOR ST. ANN'S CHURCH, KENNEBUNKPORT, ME.

Mr. McCUMBER. From the Committee on Finance I report back favorably without amendment a bill to remit the duty on a carillon of bells to be imported for St. Ann's Church, of Kennebunkport, Me. We have just passed a couple of these bills, and I ask unanimous consent for the present consideration of this one.

Mr. ASHURST. Let the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The reading clerk read the bill (S. 4622) to remit the duty on a carillon of bells to be imported for St. Ann's Church, Kennebunkport, Me., as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to admit free of duty a certain carillon of six bells to be imported for St. Ann's Church, Kennebunkport, Me.

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

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

The bill was reported to the Senate without amendment, ordered to be engrossed for 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. GERRY:

A bill (S. 4628) to amend section 5908, United States Compiled Statutes, 1916 (R. S., sec. 3186, as amended by act of Mar. 1, 1879, ch. 125, sec. 3, and act of Mar. 4, 1913, ch. 166); to the Committee on the Judiciary.

By Mr. KENDRICK:

A bill (S. 4629) to permit the relinquishment of farm units heretofore entered on a Federal reclamation project, that may be found unfeasible of reclamation, and the repayment of construction, operation, and maintenance charges without impairing the right of the entryman to make further entry; to the Committee on Irrigation and Reclamation.

By Mr. BALL:

A bill (S. 4630) to authorize the Commissioners of the District of Columbia to prescribe penalties for violations of municipal regulations or ordinances involving vehicular traffic; to the Committee on the District of Columbia.

By Mr. SHEPPARD:

A bill (S. 4631) granting consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River at or near Paces Ferry in said counties and State; to the Committee on Commerce.

By Mr. SHORTRIDGE:

A bill (S. 4632) to amend section 4 of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes," approved August 23, 1912; to the Committee on Appropriations.

By Mr. NORBECK:

A bill (S. 4634) for the relief of William E. Snyder; to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 4635) to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended; to the Committee on Education and Labor.

By Mr. WADSWORTH:

A bill (S. 4636) for the relief of Samuel T. Hubbard, jr.; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 4637) for the relief of certain disbursing agents under the Department of Commerce; to the Committee on Commerce.

BUREAU OF COMMERCIAL ECONOMICS.

Mr. OWEN. Mr. President, I introduce a bill to grant a charter to the Bureau of Commercial Economics, whose headquarters are at 1108 Sixteenth Street, Washington, D. C., which I ask be read by title.

The bill (S. 4633) to incorporate the Bureau of Commercial Economics and grant it a corporate form and powers under the laws of the United States, and to receive the assets of a State corporation of the same name and assume its liabilities, was read twice by its title.

Mr. OWEN. This wonderful altruistic bureau is a great public servant. With the cooperation of many of the leading nations of the world it has gradually put in free circulation over 60,000 reels of exceeding 60,000,000 feet of film, showing the cities and scenic beauties of many countries, their customs, their industries, and social habits; all kinds of manufacturing processes, vocational instruction, and all forms of life of man, beast, birds, and fishes from all parts of the world. These reels come to the bureau from all over the world for free distribution and go to schools, community centers, and localities without easy access to moving-picture theaters.

These pictures without money and without price are being shown all over the world by the bureau in every State in the United States, in every State of Europe, in South America, in Africa, in Asia, and the South Sea Islands.

They are teaching the people all over the world to understand and respect each other, perhaps to love each other when they do understand. All that is noble, all that is truly constructive, all that is ideal, whether in things of the spirit or the intercourse of nations or of man with man, is founded on kindliness, on human sympathy. Across the ages or across the continents and seas such sympathy is engendered when mind meets mind in mutual understanding and respect, an understanding based on the tangible, concrete facts of the enfoldment of life in its joys and sorrows, its defeats and triumphs, be it among the bushmen of Australia or among the enterprising people of the United States; and a respect born of the consciousness that the individual, the community, the Nation, and the congress of peoples is but seeking, each according to his environment, the happiness and progress of those within the scope of his vision, and striving for the unfoldment of soul. Contact of East and West, of the pharonic ages and the twentieth century is not impossible of accomplishment. Through the eye, the immediate gateway to the mind, the picture conveys, portrays the life of one nation to another, delineating with equal skill the motivating principle, the embodiment of the thought in the deed, and the resultant fact and its concomitants, in a language that all but the blind can read and comprehend.

To be effective in the fostering of human sympathy and understanding such pictures must have broad distribution, must be available equally in the remote mountains and jungles as in the crowded cities, in community houses as in the universities, and the price for viewing them must be within the reach of all. There is but one such price, and that is free; free as the picture that nature places for all to admire, to understand, from which to draw wisdom and experience.

Life is larger than the making of a profit, which in its legitimate place is desirable, and the amity of nations and peoples will be accomplished only when each truly understand himself, the other and the relation of each to the whole. Such is the work of the Bureau of Commercial Economics which has quietly and effectively been introducing nations to each other, in their work and in their play, in their home environment and wherever their argosies may venture, in pursuit of trade or pleasure, through its motion pictures and lectures, sent all over the world free to the people.

FACTS TO REMEMBER ABOUT THE BUREAU OF COMMERCIAL ECONOMICS.

The Bureau of Commercial Economics is purely altruistic. It is not operated for profit and has no capital stock.

The bureau is a chartered association cooperating with many governments, institutions, manufacturers, producers and transportation lines of America and other countries, formed for the purpose of disseminating geographical, commercial, industrial, and vocational information by means of motion pictures.

The bureau's films are shown free of charge to the public. This is an invariable rule.

Although international in scope, the bureau is designed to make better citizens by teaching men how to get more out of life.

The bureau has the indorsement of the officials of the United States Government, including President Harding; of foreign governments, leading industries, railroads, churches, and nearly all of the American universities and social welfare organizations.

The efficiency and economical management of the bureau has been amply proven on numerous occasions to Government officials and others who investigated its work before lending their cooperation.

The work of the bureau is directed by officers elected by the trustees and is assisted by an advisory council composed of college presidents and men of international distinction in science and letters.

At different times I have called the attention of the Senate to this great work and its possibilities but, never, until now, have I had a full and complete knowledge of all the details of its operations as I now possess after a full and exhaustive study and investigation of the matter.

The Bureau of Commercial Economics is the living story of one man's gratitude—one of the most inspiring tales of self-sacrifice in the history of education.

In 1893 Mr. Francis Holley, after a life of great activity and success, found himself totally blind. Then began a fight that was to last through several years of night, during which time Mr. Holley was to resolve again and again that if ever his sight was returned he would show his gratitude by devoting his life to the service of mankind.

In that vow, made in the darkness when even the light of hope was burning low, lay the beginnings of the Bureau of Commercial Economics.

Mr. Holley was in Aix-la-Chappelle taking treatment for his eyes when he discovered a way in which to make his vow effective. The German Government at that time was holding in Dusseldorf its biennial exhibition of the various manufacturers represented in the German Empire. Not only was it an exhibition but it also was a vocational guide to the youth of Germany. German boys who could show high school certificates were sent to the exhibition from all parts of the Empire, and had their expenses at Dusseldorf paid by the Government for two weeks. The boys were allowed to inspect and study all

the different crafts exhibited, and after this were expected to decide which vocation in life appealed to them most.

This, of course, was a much more intelligent way of picking one's life work than merely being pushed into any kind of work by the driving force of circumstances. But even so, Mr. Holley had a better way. If the exhibition were successful, would it not be even more successful if taken to the homes of the boys by means of motion pictures? He laid his idea before the German minister of education and before the Kaiser himself. Both were enthusiastic over the plan, and told him to go ahead. He did; and despite the inadequacy of motion pictures in those early days he met with considerable success. Failure to get suitable pictures of several important industries, however, led to temporary defeat.

But the feasibility of the plan had been proven. Success waited only on the perfection of the motion-picture camera and projection machine.

The rapid development of both gave him an opportunity sooner than he had looked for, and 10 years ago he began to organize the bureau of commercial economics with Miss Anita Maris Boggs, whose high ideals, broad conception of world affairs, and expert economic training and organization ability have contributed to its present world-wide usefulness and influence.

Now, what is this bureau of commercial economics? This can best be explained by a brief outline of its operations and purposes.

As soon as the bureau had been incorporated and had opened an office in Washington Mr. Holley started to put the idea into operation. He first went to the Bureau of Education of the Interior Department and told them he wanted all the motion pictures they could give him. He said he wanted to show them to the people, to make better citizens of them.

The Governnment officials, especially the late Secretary, Franklin K. Lane, were enthusiastic and promised their heartiest help. Then he went to the largest industrial concerns and begged the privilege of getting motion pictures of their plants. The purpose was to show the people how things in common use were made. He went to the foreign embassies in Washington and from them got films showing industries and customs in foreign lands.

Then came the question where to show these pictures. With boundless optimism and energy the universities and colleges, State granges, social settlement houses, community centers, and churches from one end of the country to the other were canvassed and agreed to show the pictures.

In all this work he laid down only two conditions: To the industries and Governments he stipulated that no picture should contain advertising. To the universities and other institutions he stipulated that the pictures must be shown free of charge to everybody.

The growth of the bureau was amazing. Nearly every university in the country was soon showing the bureau's pictures in its extension work. Dignitaries of the church got behind it; public officials went to its aid, and in a little while Mr. Holley's motion-picture programs, carrying their message of education and Americanism, were in circulation from Maine to California.

But to show them in buildings was to show them only in populated communities. This was not enough; there were backwaters of American life where buildings were not available. So Mr. Holley had special trucks made by which the bureau's films could be carried off the beaten paths of civilization and shown in the open air to men and women whose vision on life had been hemmed in by poverty and loneliness. Into the mountains of Tennessee and Kentucky, far out on the prairies of the Dakotas, in the negro settlements of the South, down into the teeming streets of New York's East Side the bureau's trucks, equipped with powerful projectors, rumbled their way, stopping frequently to put on a show out under the stars for the enlightenment of men.

So successful was the work of the bureau that Mr. Holley soon cast about to make the scope of the pictures take in the whole world. Through the State Department at Washington it was arranged to have the films sent free of charge through the American diplomatic pouches. Then with the cooperation of foreign Governments the bureau's message of education and patriotism began to march around the globe.

The infant mortality rate in India was soaring. Immediately several prints of a picture teaching the proper care of infants were on their way to India to be shown before crowds of amazed native mothers, and the films accomplished their purpose.

In the lonely steppes of Sberia the bureau's films are shown nightly on screens slung between telegraph poles of the Eastern Chinese & Siberian Railroad. At the mouth of the copper mines in Chile and Peru the bureau's pictures are teaching the peons the lesson of decent living and honest craftsmanship. The natives of Zululand, huddled in black, wondering groups about a white screen, learn how to make butter by modern Vermont methods. The weavers of Manchester, England, are shown the methods in use in the woolen mills of Manchester, N. H.

And the bureau's pictures are shown in theaters, too, but not for profit. Through an arrangement with the motion-picture theater owners of the United States, the bureau's pictures are exhibited at special matinee performances to children, free of charge.

The lesson of decent living and true Americanism is written in shadows and light before the inmates of State prisons. The bureau's pictures, speaking the simplest and most understandable of all languages, carry solace and reason into the warped minds of insane asylums. To patients in hospitals, seeking relief from pain, the bureau's films come with their message of cheer and hope.

In a word, wherever instruction and entertainment can advance the cause of civilization the bureau's pictures are knitting the races of man closer together.

The brotherhood of man is a big term, even if loosely used. But surely the bureau has caught hold of something that is every day bringing this brotherhood a little nearer to reality. The language of pictures is the language of men of all races. They have the same meaning on the Bund in Shanghai that they have on Broadway. And by showing the man of Shanghai how the man of New York lives, how he works, how he plays, you are destroying distance and making these two men neighbors—just two human beings seeking peace and happiness.

But just as it is bringing the races of man closer together through understanding, so is the bureau's work making better citizens of them. The ignorant mountaineer of Tennessee is a better American citizen if he is taught how to market his crops more scientifically. The French peasant is a better Frenchman if he improves his mode of living by learning through pictures the lessons of sanitation. Your prisoner in Sing Sing will be less of a liability after his release if pictures have taught him a trade in prison.

So these are the purposes and the work of the bureau: To make better citizens of men and women, to bring the races of men closer together through understanding, and to lift the plane of living just a little bit higher among the people down near the bottom of the ladder.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

PROPOSED WORLD CONFERENCE.

Mr. KING. Mr. President, I introduce a joint resolution, and ask to have it read and lie on the table.

The joint resolution (S. J. Res. 286) providing an international conference for reduction of land and naval armaments, the improvement of commerce, and the promotion of world peace was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the President is authorized and requested to invite the Governments with which the United States has diplomatic relations, to appoint representatives to a conference to be held in the city of Washington, which shall be charged with the consideration of the causes and purposes of present military and naval expenditures and the formulation of measures for the reduction of land and naval armaments, for the improvement of industry and commerce, the assurance of public order, and the promotion of peace throughout the world.

The VICE PRESIDENT. The joint resolution will lie on the table.

PENSION TO JOHN L. LIVINGSTON.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the bill (H. R. 12019) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which was ordered to lie on the table and to be printed.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. LENROOT submitted an amendment providing that the appropriation of $40,000 for the fiscal year 1923 for the establishment of a fish-rescue station on the Mississippi River, made by the deficiency appropriation act approved July 1, 1922, be continued and made available during the fiscal year 1924, intended to be proposed by him to House bill 14408, the third deficiency appropriation bill, which was referred to the Committee on Appropriations and order to be printed.

Mr. CAMERON submitted an amendment providing for 43 messengers at salaries of $1,800 each under the office of the Sergeant at Arms and Doorkeeper, etc., intended to be proposed by him to be inserted at the end of the amendment of Mr. TOWNSEND to the amendment of Mr. MOSES, providing increased salaries to certain Senate employees, and intended to be proposed to the House bill 14408, the third deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ROBINSON submitted an amendment proposing to pay $900 to Leslie L. Biffle for services rendered to various committees of the Senate in addition to his regular duties, intended to be proposed by him to House bill 14408, the third deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CHARLES I. O'NEILL.

Mr. McCUMBER submitted the following resolution (S. Res. 450), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Charles I. O'Neill, the sum of $500 for expert services rendered by him to the Senate Committee on Finance during the Sixty-seventh Congress in compiling, editing, and indexing hearings, special reports, and bills relating to the revenue act of 1921, and the tariff act of 1922.

FEDERAL AND STATE DEBTS.

Mr. NORRIS. I offer a Senate resolution, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 451) was read, as follows:

Whereas the public debts of the United States and of the several States and their political subdivisions, many of which are exempt from taxation, have reached enormous proportions of the total wealth of the country; and

Whereas many of the agricultural, manufacturing, and other industries, or trades, of the country are suffering from heavy indebtedness and from burdensome taxation; and

Whereas the situation as to international debts in relation to the revival of productive enterprise throughout the world presents a problem of great complexity, and a general accounting with regard to the economic position of this country is necessary in order to formulate an intelligent policy: Now, therefore, be it

Resolved, That the Federal Trade Commission is hereby directed to make an inquiry into, and to compile data concerning, the total amount of the chief kinds of wealth in the United States, including land, improvements, movables, and other tangible and intangible goods, and also the ownership thereof, and the various liabilities incumbent thereon, including public and private debts, of various kinds, corporation stocks and other choses in action, and to make inquiry into, and compile data concerning, the amount of the annual increase in national wealth in recent years in different lines of economic activity and of the income received by different classes of the population, including data as to the amount of the income from securities exempt from taxation under the Federal income and profits taxes; and to make report on the aforesaid matters, as soon as practicable: *Provided, however*, That in respect to such data no information shall be reported or published which would reveal the amount of wealth, property, indebtedness, or income of any person, partnership, or corporation. And be it further

Resolved, That in accordance with section 8 of an act approved September 26, 1914, entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," the President is requested to direct the Internal Revenue Bureau of the Department of the Treasury, the Census Bureau of the Department of Commerce, the Interstate Commercie Commission, the Federal Reserve Board, and such other departments or Government establishments as may have information with respect to the foregoing matters, whether in the form of individual or corporation reports or otherwise, to give access to such information and to render such assistance in the compilation thereof as may be requested by the Federal Trade Commission and approved by the President.

Mr. NORRIS obtained the floor.

Mr. McCORMICK. Mr. President——

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

Mr. McCORMICK. I sought to ask the Senator from Nebraska whether the resolution contains a request that the commission prepare a comparison of expenditures and taxes by States and local taxing bodies to-day and, say, five years ago?

Mr. NORRIS. No, Mr. President; that is not included.

Mr. McCORMICK. Would the Senator object to the addition of such a provision?

Mr. NORRIS. I would not. I think that would be of a great deal of value. Then, if the information is secured that the resolution calls for, it will be very easy to make a comparison. I should have no objection to having it amended in that way.

Mr. McCORMICK. Mr. President, it has been stated that the annual sum of State and local taxation amounts to some five billions a year, or more than is now collected by the National Government. Many of us know from personal knowledge that within our own States the cost of State government or municipal government has trebled and quadrupled within four years. Relief from taxation by Congress will not lighten the burden of the people unless the States and local taxing bodies desist from the vast expenditures in which they are now engaged. If the Senator will permit me, I will draft a brief amendment covering the matter I have suggested, and send it to the desk.

Mr. NORRIS. I will say that I shall have no objection to that kind of an amendment. It will add just a little work to the Federal Trade Commission, but I can see that it would be very valuable.

Mr. SMOOT. Mr. President, I will ask that the resolution go over for the day. Then the Senator from Illinois can prepare his amendment more carefully.

The VICE PRESIDENT. The resolution will lie over for one day.

IMPURITIES AND MISGRADING IN ANTHRACITE COAL.

Mr. WALSH of Massachusetts. Mr. President, I offer a Senate resolution requesting certain information on the subject of coal impurities, and ask that it be read.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 452) was read, as follows:

Whereas there is general complaint of the marketing to the public of anthracite coal of misgraded sizes and containing a large proportion of impurities; and

Whereas the purchasers of anthracite coal are entitled to know what sizes they are buying and to what extent they are obliged to pay for slate, slag, and other fuelless material; and

Whereas the Bureau of Mines has inspected coal for purchase by the Government for a number of years, and through the Government fuel yards purchases coal for the Government buildings in the District of Columbia, and has carried on extensive studies of the quality and size of market grades of coal: Therefore be it

Resolved, That the Bureau of Mines is directed to report to the Senate (1) the result of such studies, particularly giving such information as would indicate the extent to which impurities and misgrading have been found in domestic sizes of anthracite coal; (2) what information that bureau has as to the extent to which impure or misgraded anthracite coal of domestic sizes has been generally marketed to the public; and (3) whether or not it is the opinion of the bureau that legislation should be adopted seeking to establish market grades as to the size and quality of anthracite coal shipped in interstate commerce.

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

The VICE PRESIDENT. Is there objection? The Chair hears none. The question is on agreeing to the resolution.

Mr. FRELINGHUYSEN. Mr. President, I simply wish to point out to the Senator from Massachuset : that those provisions were included in a bill which I introduced, and which is now on the calendar, not only to study the cost of production and distribution of coal but also to make a survey and provide for the classification of coal, placing the authority for the enforcement of the sale of coal under proper classification with the Department of the Interior. I think this resolution does not go far enough, although it would provide very valuable information on the subject. I heartily approve of the resolution, but I hope some future Congress will pass a fact finding bill such as the one that I proposed and that is now in the morgue of the Senate Calendar.

Mr. WALSH of Massachusetts. Mr. President, I am in hearty sympathy with the bill introduced by the Senator from New Jersey. I think it should have been passed by Congress long ago. This resolution, however, does not seek to make legislation. It simply seeks information, and information which would have been available had the Senator's bill been passed. The information sought may help to get some legislation on this subject of fireless coal.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSENGER TO FINANCE COMMITTEE.

Mr. SMOOT submitted the following resolution (S. Res. 453), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance be, and is hereby, authorized to employ a messenger at the rate of $1,200 per annum, to be paid out of the contingent fund of the Senate during the Sixty-eighth Congress.

PERMANENT COURT OF INTERNATIONAL JUSTICE.

Mr. KING. Mr. President, I offer a resolution which I ask to have read and lie upon the table until to-morrow.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 454) was read, as follows:

Resolved, That the Senate approve of the adherence by the United States to the protocol of December 16, 1920, accepting the adjoining statute of the Permanent Court of International Justice, excepting therefrom the optional clause for compulsory jurisdiction; said adherence to be made upon the following conditions and understandings, to be made a part of the act of adherence:

(1) That such adherence shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the covenant of the League of Nations constituting part of the treaty of Versailles.

(2) That the United States shall be permitted to participate through representatives designated for the purpose and upon an equality with

the other States members, respectively, of the council and assembly of the League of Nations, in any and all proceedings of either the council or the assembly for the election of judges or deputy judges of the Permanent Court of International Justice or for the filling of vacancies.

(3) That the United States will pay a fair share of the expenses of the court as determined and appropriated from time to time by the Congress of the United States.

(4) That the statute for the Permanent Court of International Justice adjoined to the protocol shall not be amended without the consent of the United States.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

FACTS REGARDING EXPORTS FROM THE UNITED STATES.

Mr. McCORMICK submitted the following resolution (S. Res. 455), which was referred to the Committee on Foreign Relations:

Resolved, That the President be, and hereby is, authorized to appoint a commission of five persons to ascertain the facts regarding the present distribution, volume, and value of the agricultural and manufactured exports of the United States and the commercial problems related thereto, and that he is requested and authorized to assign to the service of the commission such officers and employees of the Department of State, the Treasury, Agriculture, and Commerce as he may deem necessary to the performance of the duties of the commission. The commission shall report not later than November 1, 1925.

THE MERCHANT MARINE.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the American Economist discussing Government operation of ships for a limited period.

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

The matter referred to is as follows:

[From American Economist of February 23, 1923.]

SENATOR FLETCHER'S SPEECH FAVORING GOVERNMENT OPERATION OF SHIPS.

Senator DUNCAN U. FLETCHER, of Florida, ranking Democratic member of the Senate Commerce Committee and formerly chairman of that committee, made a notable speech in the Senate recently on the pending ship subsidy bill, in which he undertook, with considerable success, to brush aside a number of errors that have crept into the discussion of that historical shipping bill and which have tended to obscure the facts. Senator FLETCHER used as his text certain expressions made by President Harding when he delivered his message a short time ago on the British debt funding bill to the Congress in joint session, at which time the President made some rather pointed references to the ship subsidy bill in an effort to secure action on it at the present session, remarks that plainly were directed toward the Senate, in which body the bill is still pending. Senator FLETCHER has, for the past six or seven years, developed a stronger and stronger bias in favor of Government operation of the ships it owns until conditions are much more favorable than at present to dispose of these ships to private owners. He has felt, and frequently said, that Government ownership has not had such a test of Government operation of merchant ships in foreign trade as justly to discredit that method of dealing with that vast tonnage. Senator FLETCHER'S speech closely followed one delivered by Senator W. L. JONES, which was in part reviewed in the last issue of the American Economist.

"The statement is made in the press," said Senator FLETCHER in opening his speech, "and the idea seemed to be somewhat emphasized by the address of the President to Congress on the 7th of this month, that those opposed to the pending bill have been employing obstructive tactics, wasting time, and engaging in what is commonly called a filibuster in an effort to prevent a vote being taken on the bill. I do not feel called upon to consider the circumstances in which a filibuster would be justified in either branch of Congress or to discuss the merit or demerit of such practice as the occasion may call for, but I refer to it simply by way of getting at the truth and stating the facts with regard to what the Senate has been doing in connection with the legislation which it has been considering.

"It will be recalled that the President called an extraordinary session of Congress last November for the purpose of having the ship subsidy bill considered. No obstructive tactics were employed on this side of the Chamber in connection with that movement. It was found that there was no strong support of the measure in either branch of Congress, at least not sufficiently strong to warrant an attempt to press the measure to a vote; and it was finally decided that hearings should be had, and after that the Members of Congress would better return to their homes and get the views of their constituents. When they came back they were no more impressed with the importance of passing such legislation than they had been before—in fact, less so. The reaction of the constituency in each case seems to have been just the other way; and if we can judge from the election whatever bearing that question had on the issues, the country is opposed to this kind of legislation."

Senator FLETCHER, continuing, declared that the result of the consideration of ship subsidy by the people "has been to confirm the old-established policy of the country against subsidy"; and he further declared that during this session of Congress "there has been no marked delay in the consideration of this bill. The chairman of the committee—always frank, candid, and fair—yesterday stated expressly that the appropriation bills had been put through the Senate with a speed unprecedented." He pointed out how the bill had been from time to time laid aside, and so the bill has not received the consideration its importance merits. The impression that the bill has not been considered and kept constantly before the Senate, said Senator FLETCHER, was emphasized in the President's recent message, from which he quotes as follows:

"I am unwilling—the public is unwilling—to continue these appalling losses to the Public Treasury when we know we are operating with no prospect of relief or of ultimate achievement. Congress owes to itself, to the Executive branch of the Government, and to the American public, some decisive action. Mere avoidance by prolonged debate is a mark of impotence on a vitally important public question."

There can be no doubt whatever that the President stands on firm ground in claiming that the public has a right to expect "decisive action" on important legislative matters; but Senator FLETCHER objected to his "lecturing" Congress, and denies the President's assertions, especially "the claim about the appalling losses arising from the operation of the ships. I have pointed out on numerous occasions," continued Senator FLETCHER, "that there is no Government operation of the ships except in the case of one line that is of recent establishment, the United States Line, in charge of Mr. Rossbottom, and except in the case of the Panama Steamship Co., which has been in charge of the Government, of course, from the beginning and long before we ever had ships built by the Government. These are the only two instances of Government operation." This is technically correct, the great bulk of our ships being operated by private citizens, to whom they are allocated by the Shipping Board, which bears all of the losses of operation and pays the private operators a percentage on the money earned by the ships they operate.

The statement has been made thousands of times the country over that the Shipping Board is losing $50,000,000 a year through its operation of ships, and this loss is emphasized in order to discredit Government operation and to emphasize the need of the ships being turned over to private operators at the earliest moment possible. Senator FLETCHER quotes from Government statistics to show that the losses of the Shipping Board only total about $3,000,000 a month, wherefore he declares that, inexcusable as they are, they "do not approach the figures which have been given to the President, and which the President designates as appalling." Senator FLETCHER chides the President gently in most cases for his alleged exaggerations and errors of fact, but raps him rather sharply when he said:

"The President might have in mind when he goes to scold Congress or either branch of it, what the Congress has done and called on him to do by express enactment, which he has refused to do. Because his views on this subject do not seem to be readily accepted here he is scarcely warranted, I think, in holding up to the country the idea of impotency on the part of either branch of Congress or lecturing either branch of Congress because of its inaction or prolonged debate. It must be remembered that Congress has heretofore expressed its conclusions and adopted a policy with reference to the proper way of establishing an American merchant marine."

In proof of this Senator FLETCHER explained what had been done three years ago in the preparation of the Jones merchant marine bill, and he quoted section 34 of that measure, which requires the President to give notice to nations with which we have trade treaties and conventions of our intention so to modify them as to leave this country free to adopt the early, successful American policy of discriminating import duties and tonnage dues for the protection of our ships in foreign trade. "The chairman of the committee," said Senator FLETCHER, "pressing this bill yesterday frankly admitted that if this policy had been carried into effect, if this law had been executed, if we had only put into force the policy adopted by Congress in 1920, it would have accomplished far more in the way of establishing and maintaining an American merchant marine than the most ardent friends of the pending measure could hope for under it if it should become a law." In this statement Senator FLETCHER is strictly within the truth, as has previously been pointed out in these columns. Everything considered, a recital of this important truth is both pertinent and timely. Senator FLETCHER added:

"Now, Congress has, not only with the approval of the present President, who was then in the Senate and indorsed this action, but with the approval of the then President of the United States, enacted a law declaring the policy, declaring the principles upon which an American merchant marine must be built, which not only authorized but directed the President to do the things set forth in section 34. * * * What I am claiming now is that the President, while refusing and declining absolutely to execute a mandate of Congress, undertakes to lecture Congress because it indulges in debate on a measure which he proposes; in other words, he says in his address:

"'I am trying to emphasize a responsibility which can not be met by one branch of the Government alone. There is call for congressional expression, not mere avoidance. I am not seeking now to influence the Senate's decision, but I am appealing for some decision.'

"He says that Congress ought to go along with him, but he is unwilling to go along with Congress. Here is a law authorizing and directing the President to do certain things. The President refuses to do those things. The law lays down a definite, clear, expressed policy which Congress feels ought to be pursued with reference to this whole question, but the President says, 'I do not agree with you about that.' He then goes further and in effect says, 'This is not a matter for the Executive alone, but it is a matter for both legislative and Executive branches of the Government to take hold of, and you must do as I say in connection with it. I am unwilling to do what you decide is the proper thing to do; I refuse to do it; but you must cooperate with me by doing what I want; and if you do not cooperate with me, I will take you to task about it; I will call you "impotent"; I will say you are indulging in obstructive tactics; I will say you are unreasonably wasting time in handling these great public questions; in other words, you must go along with me as I go, but I am unwilling to go with you in the direction which you determine is the right road to travel.'"

No one can have read what the American Economist has been saying from week to week on this very subject and not recall that Senator FLETCHER is within the facts of the case in what he says. Senator FLETCHER fortified his position in respect to the great merchant marine act of June 5, 1920, by copious quotations therefrom, so as to make clear what Congress and the Executive of that day intended should be done, what, in fact, President Harding himself, then a Senator, joined in providing should be done.

Senator FLETCHER'S speech covers more than a score of pages of the CONGRESSIONAL RECORD, all of it in small type, and much of it in extremely small type, being in the latter case copious quotations from speeches, acts of Congress, and communications he has received from those interested in pending legislation.

As sustaining the Senator's position that Government operation of merchant ships have never had a fair test, he quotes at length from a communication from one Nelson Collins, who spiritedly describes at great length and in much detail the operation of Government ships by the Government while the war was on, only a brief extract from which we have space to reproduce. Mr. Collins described the "New York office" of the United States Shipping Board, "that actually ran all the ships—165 of them at the maximum—that the Government held in one great civilian fleet throughout the war." "Lest we forget," as we are so

liable to do with so much crowding into the events of the World War, and our own participation in it, the following, descriptive of our Government's war-time activities in the operation of merchant ships, is deserving of space:

"The ships of 'the New York office' were on the runs to France and England and Italy and Russia; went coastwise to Atlantic South America; ran down to Cuba and Porto Rico; carried coal from Newport News to New England. Its ships carried 20 per cent of all supplies taken to Europe under the United States flag for both our own armies and the allies. The office devised and executed its own repair system for both the incidental voyage repairs and the semiannual general overhaul. It had its own legal bureau. It maintained a system of guarding its ships in port under W. H. Moore that kept the fleet throughout the war without a single serious fire or theft. Its commissary operated in 1918 at 86 cents per man per day, with satisfied crews and a variety and value in its food that led to many inquiries from private companies. It handled its own manning problems, and its shipping office at No. 5 Greenwich Street, under John J. Daly, never failed to keep the ships supplied with crews, in regular routine or emergency call. This shipping office was used as the basis of the Government's shipping-office system when the Shipping Board reorganized its operations in a peacetime program. It established a complete system of medical inspection and treatment under Dr. W. H. Meiners."

Capt. Charles Yates, inexperienced in the handling of a large fleet of ocean-going ships, in which quick turn around was a prime essential, a man of unusual executive ability, nevertheless, developed and handled this vast fleet, which began in May, 1917, a month after our declaration of war, with six ships of but 28,828 tons, a fleet that in a year grew to 128 ships with a dead-weight tonnage of 810,562. "It was the greatest fleet of merchant ships that ever has been gathered into one operating unit," said Mr. Collins, "besides which the office actually operated thirty odd more at times for repair or for a single voyage." In May, 1917, these Government-operated ships steamed 6,963 miles, but in May, 1918, the ships under the New York office steamed 345,244 miles.

Captain Yates finally resigned, after the war, because the Shipping Board sought to make the Government operation a feeder to privately owned American lines, all of a part of the policy pursued almost from the beginning according to Senator FLETCHER, of never giving real Government operation a fair chance.

For two wholly sufficient reasons the presentation of this proof of the efficiency of Government operation of merchant ships in the great emergency of war, is timely, to wit: 1. If the pending ship subsidy bill fails of enactment the ships will remain in the hands of the Shipping Board, which may take some drastic course wholly at variance with the one it has pursued, so far, in the operation, through private citizens, of its vast fleet of merchant ships, in a manner wholly to the advantage of the private operators and wholly to the disadvantage of the Government. 2. And, if the bill does go through, it is improbable that a fleet of upward of a thousand merchant ships will quickly be disposed of, and the need will continue of some form of operation of Government-owned ships in order to maintain the routes already established and in operation, because it is inconceivable that the Government will abandon these routes and lay up the ships now operating.

We feel sure that Senator DUNCAN U. FLETCHER will be pleased to send a complete copy of his speech, from which we have quoted, to anyone asking for it, and no friend of American shipping can afford to omit a careful reading of this speech, which clears up so many points that are obscure in the ownership and operation of Government ships in foreign trade.

MONTHLY REPORTS OF CONDITION OF RAILROAD EQUIPMENT.

Mr. LA FOLLETTE. Mr. President, if the morning business has been disposed of to the point where it is permissible for me to do so, I wish to call up Senate Resolution 438, which is lying on the table, and ask to have it read.

The VICE PRESIDENT. The resolution will be read.

The reading clerk read Senate Resolution 438, submitted by Mr. LA FOLLETTE on the 12th instant, as follows:

Resolved, That the Interstate Commerce Commission be, and it is hereby, requested to report to the Congress, and when Congress is not in session, to the President, as soon as possible after the first day of each month the condition of railroad equipment as revealed by the reports of the carriers and by the inspections of the commission, the number of persons killed, the number of injured upon the railroads, and any other available data bearing upon the physical condition of the railroads, and of railroad equipment, together with a statement of what action, if any, has been taken by the Interstate Commerce Commission within its statutory power to remedy the situation.

Resolved further, That such monthly reports as soon as transmitted to the President or to the Congress shall be available to the public.

Mr. LA FOLLETTE. Mr. President, I am reluctant to take up the time of the Senate discussing this resolution unless it is desired on the part of Senators that it should be explained. I think manifestly, upon its face, it ought to be passed at once by the Senate. I am aware of the fact that many Senators desire to have consideration of bills during the morning hour, and I will not enter upon a discussion of the resolution unless some one wants to have it explained.

Mr. WATSON. May I see it?

Mr. LA FOLLETTE. It is a resolution calling upon the Interstate Commerce Commission to furnish information to the Senate from time to time with regard to the equipment of the railroads; in short, to report once each month, and when the Congress is not in session to report to the President, and that such reports shall be open to public inspection. I can set forth in the discussion I am prepared to make upon this resolution the reasons for it.

Mr. TOWNSEND. Did I understand the Senator to say he wants a report every month?

Mr. LA FOLLETTE. The first of every month.

Mr. TOWNSEND. How much work will that require?

Mr. LA FOLLETTE. It will impose but very little work upon the commission, I am advised. I believe it is very important that such reports be made each month, because the increase in the number of locomotives and of cars that are out of repair month by month is very startling. More people are being killed and injured upon the railroads in 30 days now than were killed and injured for the six months' period preceding, and it is increasing very rapidly.

Mr. TOWNSEND. Does the commission now get this information?

Mr. LA FOLLETTE. The commission obtains the information under authority of law, and they have authority of law for requiring that the improvements and repairs be made. I am asking in this resolution that they report to Congress monthly when it is in session, and to the President when Congress is not in session, with regard to the condition of the equipment, with reference to the persons injured or killed, and what the Interstate Commerce Commission is doing, if anything, under existing law, to bring about the repair of the equipment.

I ask leave to incorporate as a part of my remarks tables and statistics furnished by the Interstate Commerce Commission and data bearing upon this question.

Mr. WATSON. Has the Senator found out how many additional employees it will take to gather this information?

Mr. LA FOLLETTE. I have not asked that question, nor do I think it very important, because the data are collected, and by the terms of the resolution the commission will be required to compile and report monthly.

Mr. WATSON. They are constantly collecting information in regard to that matter, are they not?

Mr. LA FOLLETTE. They are required to constantly collect this information and to make the inspections. It is a part of their duty.

Mr. WATSON. That was my understanding.

Mr. LA FOLLETTE. If there is any failure upon their part to do it, I am confident that the remissness is chargeable to Congress in not furnishing them with a sufficient appropriation to employ the necessary number of inspectors. This resolution will bring out all the facts, and I think a statement of the facts should be in the possession not only of the Congress and of the President but of the country.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wisconsin for the insertion in the RECORD of certain tables and statistics?

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

Statement showing number of locomotives inspected, number found defective, number ordered out of service, and number of accidents, killed and injured, period January 1, 1922, to June 30, 1922, compared with period July 1, 1922, to November 30, 1922, both inclusive, on roads listed below.

Name of road.	Periods.	Number locomotives inspected.	Number found defective.	Per cent inspected defective.	Number ordered out service.	Number of accidents.	Number killed.	Number injured.
Atlantic Coast Line	Jan. 1 to June 30	1,117	401	36	8	7	1	6
	July 1 to Nov. 30	780	438	56	20	13	0	13
	Dec. 1 to Feb. 26	375	263	80	14	5	0	5
Boston & Maine	Jan. 1 to June 30	738	194	26	5	5	0	6
	July 1 to Nov. 30	806	481	60	72	9	0	9
	Dec. 1 to Feb. 26	374	265	70	38	9	0	9
Central R. R. of New Jersey	Jan. 1 to June 30	328	189	58	22	1	0	1
	July 1 to Nov. 30	257	184	72	33	2	0	4
	Dec. 1 to Feb. 26	81	70	86	30	1	0	1
Delaware, Lackawanna & Western	Jan. 1 to June 30	201	22	11	1	1	0	3
	July 1 to Nov. 30	271	180	66	29	4	0	4
	Dec. 1 to Feb. 26	47	33	70	17	3	0	3

Statement showing number of locomotives inspected, number found defective, number ordered out of service, and number of accidents, killed and injured, period January 1, 1922, to June 30, 1922, compared with period July 1, 1922, to November 30, 1922, both inclusive, on roads listed below—Continued.

Name of road.	Periods.	Number locomotives inspected.	Number found defective.	Per cent inspected defective.	Number ordered out service.	Number of accidents.	Number killed.	Number injured.
Lehigh Valley	Jan. 1 to June 30	456	199	44	24	3	0	3
	July 1 to Nov. 30	457	330	72	93	18	2	19
	Dec. 1 to Feb. 26	301	221	70	96	9	0	10
Louisville & Nashville	Jan. 1 to June 30	554	300	54	36	14	0	15
	July 1 to Nov. 30	517	390	75	84	19	0	19
	Dec. 1 to Feb. 26	188	113	60	28	20	0	22
New York, New Haven & Hartford	Jan. 1 to June 30	836	323	31	24	7	0	7
	July 1 to Nov. 30	568	396	69	50	15	0	15
	Dec. 1 to Feb. 26	174	137	79	24	9	1	11
Pennsylvania	Jan. 1 to June 30	2,445	1,375	56	112	36	2	53
	July 1 to Nov. 20	2,163	1,605	74	187	56	1	63
	Dec. 1 to Feb. 26	155	865	82	162	57	3	63
Texas & Pacific	Jan. 1 to June 30	267	54	20	7	0	0	0
	July 1 to Nov. 30	188	119	65	38	3	1	3
	Dec. 1 to Feb. 26	129	103	80	41	1	0	1

NOTE.—The figures from Dec. 1 to Feb. 26 cover all reports in so far as they have been received by the Interstate Commerce Commission to date. Record for period July 1 to Dec. 1 does not include accidents taken from Bureau of Statistics for September, October, and November.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

ATTORNEYS EMPLOYED BY SHIPPING BOARD.

Mr. KING. Mr. President, on the 16th of January I offered a resolution, which was adopted, asking the Shipping Board to submit various items of information. I am advised at the desk that no response has been made to that resolution. I want to give notice that if the information is not forthcoming by tomorrow I shall ask for the adoption of another resolution requesting immediate response by the Shipping Board to the resotion heretofore adopted by the Senate.

Mr. JONES of Washington. Is that a resolution the Senate passed calling upon the Shipping Board for certain information?

Mr. KING. It is.

Mr. JONES of Washington. Of course, I do not know just how they are progressing in preparing the information, but I do know that Chairman Lasker told me some little time ago that they were working on it just as expeditiously as possible; that it called for a tremendous amount of information, and that it would take them quite a little while to get it. I feel that there is no neglect on the part of the Shipping Board to furnish the information as soon as possible.

Mr. KING. I shall be under obligation to the Senator if he will ask Mr. Lasker to communicate with the Senator from Washington and myself in regard to it.

Mr. POMERENE. Mr. President——

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

Mr. KING. I yield.

Mr. POMERENE. I wish to say in that connection, too, that some time ago I presented a resolution calling for details as to the facts regarding the sale of certain ships, the terms of the sale, and other matters relating to it. That resolution was answered, but later another resolution was presented calling for the same information and for a statement as to all ships sold prior to March 4, 1921. That resolution has not as yet been answered. Again, there was a third resolution calling upon the Shipping Board for information as to the probable cost of equipping these steel ships with Diesel engines. That is a matter of very great importance, I think, and the information would be of very great value to the Senate in determining what should be done with those ships.

I have been very anxious to have that information and I hope that we may be favored with a report on those two resolutions by the Shipping Board.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on February 26, 1923, the President had approved and signed acts of the following titles:

S. 1829. An act for the relief of Walter Runke;

S. 2563. An act to provide for the completion of the bridge across the Little Colorado River, near Leupp, Ariz.;

S. 3048. An act for the relief of L. D. Riddell and George W. Hardin, trustees of Milligan College, Tennessee;

S. 3614. An act relating to the official bond of the United States marshal for the southern judicial district of the State of New York;

S. 3690. An act for the relief of Lowe Hayden Bibby;

S. 4061. An act authorizing the Secretary of the Interior to enter into an agreement with Toole County irrigation district, of Shelby, Mont., and the Cut Bank irrigation district, of Cut Bank, Mont., for the settlement of the extent of the priority to the waters of Two Medicine, Cut Bank, and Badger Creeks, of the Indians of the Blackfeet Indian Reservation;

S. 4113. An act for the relief of Helene M. Layton;

S. 4333. An act for the relief of Howard R. Gurney; and

S. 4468. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the settling of New Netherland, the Middle States, in 1624, by Walloons, French and Belgian Huguenots, under the Dutch West India Co.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had approved the designation of Hon. PHILIP P. CAMPBELL, a Representative from the State of Kansas, as its Speaker pro tempore.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7053) to grant certain lands to the city of Canon City, Colo., for a public park.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7967) granting certain lands to Escambia County, Fla., for a public park.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

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

S. 107. An act for the relief of Robert Edgar Zeigler;

S. 419. An act for the relief of the owners of the steamship *Esperanza*;

S. 726. An act for the relief of George Emerson;

S. 937. An act to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen;

S. 1405. An act for the relief of William Collie Nabors;

S. 1502. An act for the relief of Thomas E. Owen;

S. 1516. An act for the relief of Lewis W. Flaunlacher;

S. 1599. An act for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Sheaffer, deceased;

S. 1670. An act for the relief of Buffkin & Girvin;

S. 2168. An act for the relief of Jesse C. Dennis and William Rhett Eleazer;

S. 2323. An act for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased;

S. 2632. An act for the relief of Martin Cletner;

S. 2746. An act for the relief of William Howard May, ex-marshal of the Canal Zone; William K. Jackson, ex-district attorney of the Canal Zone; and John H. McLean, ex-paymaster of the Panama Canal, now deceased;

S. 2853. An act for the relief of persons suffering damage by reason of proceedings for the condemnation of land for Camp Benning, Ga.;

S. 2934. An act to provide for the issuance to John W. Stanton by the Secretary of the Interior of patent to certain land, upon payment therefor at the rate of $1.25 per acre;

S. 3118. An act for the relief of Herbert E. Meilstrup;

S. 3154. An act for the relief of C. M. Rieves;

S. 3171. An act for the relief of the trustee of the estate of Hillsboro Dredging Co., a corporation, bankrupt;

S. 3256. An act for the relief of A. L. Gramling;

S. 3351. An act for the relief of G. Dare Hopkins;

S. 3594. An act for the relief of Anton Rospotnik and the exchange of certain lands owned by the Northern Pacific Railway Co.;

S. 4028. An act for the relief of John N. Halladay;

S. 4345. An act for the relief of E. J. Reynolds;

H. R. 13660. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1924, and for other purposes;

H. R. 14254. An act to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922; and

H. J. Res. 460. Joint resolution accepting the sword of Gen. Richard Montgomery.

CAPT. NORMAN RANDOLPH.

Mr. LODGE. Mr. President, I ask unanimous consent to take from the calendar Order of Business No. 1203, House bill 14317, granting permission to Capt. Norman Randolph, United States Army, to accept the decoration of the Spanish Order of Military Merit of Alfonso XIII. It is a House bill, and its consideration will take but a moment. It carries no appropriation.

Mr. ROBINSON. What is the Senator's request? We could not hear one word that he said on account of the confusion in the Chamber.

Mr. LODGE. My request is that we take up House bill 14317. It is a bill simply to permit the acceptance of a decoration.

Mr. ROBINSON. Is it on the calendar?

Mr. LODGE. It is on the calendar.

Mr. OVERMAN. Is there any precedent for it?

Mr. LODGE. Yes; there are plenty of precedents. We passed a similar bill the other day.

Mr. OVERMAN. That is what I wanted to know. I am rather against such legislation.

Mr. LODGE. I am, too.

Mr. OVERMAN. If there are precedents for it I shall not object.

Mr. LODGE. We passed a similar bill the other day. It is simply permitting a soldier to accept a decoration.

Mr. WALSH of Montana. Will the Senator advise us as to the particular public service for which the decoration is to be conferred?

Mr. LODGE. It is stated in the House report. It is a House bill. I have not a copy of the report here.

Mr. JOHNSON. Mr. President, while we are waiting for the report——

Mr. LODGE. The House committee made a report on the bill. It is not on our files, and I have no desire to keep the Senate waiting any longer.

FRANK A. JAHN.

Mr. JOHNSON. Mr. President, I ask unanimous consent to call up Order of Business 1138, Senate bill 4152, for the relief of Frank A. Jahn, upon which there is a report on file. The passage of the bill is recommended by the Secretary of the Navy and the Assistant Secretary of the Navy. It simply puts a man upon the retired list who passed the requisite examination, but concerning whose request for the taking of the examination there was some question at one time. There is no more than that in the bill.

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

Mr. BORAH. Mr. President, I do not desire to object to the consideration of this bill, but I hope that after it is passed we may be permitted to go to the calendar instead of calling up bills by unanimous consent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President is authorized to appoint Frank A. Jahn a lieutenant (junior grade) in the United States Navy and to retire him and place him upon the retired list of the Navy with the retired pay and allowances of that grade.

Mr. KING. Is this a bill the Senator from California introduced?

Mr. JOHNSON. It is.

Mr. KING. I would like to ask the Senator from California whether this man was a reserve officer or one who had a regular naval status.

Mr. JOHNSON. He served for 13 years in the Navy, was incapacitated in the service, was retired, his disability having been determined by a board regularly called together, and then upon a technical question as to whether the request for examination had been made by him in proper form the order retiring him was revoked; and now both the Secretary of the Navy and the Assistant Secretary of the Navy say this bill should be passed, in justice to him, because of his incapacity.

Mr. KING. I have no objection to the passage of the bill.

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

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed, and under the unanimous-consent agreement the calendar, under Rule VIII, is in order.

Mr. KING. Where do we commence on the calendar?

The VICE PRESIDENT. With the first number on the calendar.

Mr. HARRELD. Mr. President, I ask unanimous consent to call up Senate Joint Resolution 278, which is a very important joint resolution. It affects a land office in my State, and a report was filed on Saturday.

Mr. BORAH. I do not see why we should not go to the calendar.

Mr. HARRELD. This is a joint resolution which I think is important. We will have to get the resolution through the House, and I would be very glad if we could give it present consideration.

Mr. BORAH. There are several bills we will have to get through the House. I shall not object to the consideration of this joint resolution, but I want it distinctly understood that this is the last one I shall consent to until we go to the calendar.

The VICE PRESIDENT. What is the number of the Senator's joint resolution, and where is it?

Mr. HARRELD. It is Senate Joint Resolution 217. A favorable report was made on the joint resolution on Saturday by the Senator from New Mexico [Mr. BURSUM].

Mr. SMOOT. What is the calendar number?

The VICE PRESIDENT. The Chair is informed that the joint resolution is on the calendar, Order of Business No. 1666.

Mr. MOSES. We shall reach it in due season.

The VICE PRESIDENT. The Chair understands the Senator from New Hampshire objects, and the Secretary will announce the first bill on the calendar.

The bill (S. 491) to provide, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, was announced as first in order on the calendar.

Mr. KING. Let that go over. Its consideration will take some time.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 7) to amend the act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the District of Columbia," approved February 4, 1913, was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2228) to amend certain sections of the Judicial Code relating to the Court of Claims was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 8331) to amend the transportation act, 1920, and for other purposes, was announced as next in order.

The VICE PRESIDENT. This bill has been considered in the Committee of the Whole, and has been amended.

Mr. ROBINSON. It seems to be a very important bill. I think at least there ought to be some consideration of it.

Mr. CUMMINS. I think it ought to go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 41) authorizing transportation for dependents of Army field clerks and field clerks, Quartermaster Corps, was announced as next in order.

Mr. SMOOT. I ask that the joint resolution may go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2589) to amend section 11 of the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, was announced as next in order.

The VICE PRESIDENT. This bill was passed on January 8, and a motion entered to reconsider. The question is on reconsideration.

Mr. SMOOT. The Senator from Delaware [Mr. BALL] is not present, and I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 67) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1539) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. JONES of Washington. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1861) authorizing the Court of Claims to adjudicate the claim of Capt. David McD. Shearer for compensation for the adoption and use and acquisition by the United States Government of his patented inventions was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 133) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 14) providing for the election of a Delegate to the House of Representatives from the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2992) authorizing the Secretary of War to furnish certain information for historical purposes to the adjutants general of the several States and the District of Columbia, and making an appropriation therefor, was announced as next in order.

The VICE PRESIDENT. This bill was passed on April 3, 1922, and a motion entered to reconsider.

Mr. McKELLAR. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3254) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States, was announced as next in order.

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

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1343) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1345) to amend an act entitled "Interstate commerce act," approved February 28, 1920, was announced as next in order.

Mr. NEW. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1346) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, including the safety appliance acts and the act providing for the valuation of the several classes of property of carriers subject to the Interstate Commerce Commission, approved March 1, 1913, was announced as next in order.

Mr. NEW. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 188) creating a commission to investigate existing conditions of industry and commerce in the United States for the purpose of recommending to Congress legislation defining the rights and limitations of cooperative organizations as distinguished from illicit combinations in restraint of trade was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 171) to extend the provisions of the act of May 11, 1912, was announced as next in order.

Mr. DIAL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 227) rejecting bids for the acquisition of Muscle Shoals was announced as next in order.

Mr. McKELLAR. I object to the consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (H. R. 13) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3146) to amend section 5 of the United States cotton futures act was announced as next in order.

Mr. NEW. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2388) for the relief of Augusta Reiter was announced as next in order.

Mr. NEW. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3858) to define butter and to provide a standard therefor was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 211) to extend the provisions of the pension act of May 11, 1912, and May 1, 1920, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3995) to authorize the Secretary of Agriculture to exterminate bean beetles in the State of New Mexico, and authorizing expenditures therefor, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

LIEUT. JOHN L. LIVINGSTON.

The bill (S. 2792) for the relief of John L. Livingston was announced as next in order.

Mr. DIAL. I would like to ask the author of the bill when the disability occurred.

Mr. LODGE. That bill was quite fully discussed when it was last reached. It is a case which I think is singularly deserving. I listened to the debate on the bill in the Senate. This officer received injuries to his back which made him a cripple for life, and the case was fully explained by the Senator from Colorado.

Mr. DIAL. How long ago was it?

Mr. LODGE. I have not the date.

Mr. KING. Will the Senator yield?

Mr. LODGE. I yield.

Mr. KING. The Senator from Colorado [Mr. NICHOLSON] intended to offer a substitute for the bill to which no objection whatever could be made.

Mr. NEW. The Senator from Colorado is ill in a hospital here, and it is evident that he will not be here to-day at least.

Mr. LODGE. No; he can not be here.

Mr. NEW. If the Senator from South Carolina [Mr. DIAL] will give me his attention, I will say that I have no special interest in the bill, but I recall very well that the Senator from Colorado in explaining it said that the accident happened a few days after the armistice was signed.

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

Mr. NEW. I have not the floor.

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

Mr. KING. Mr. President, this bill was before the Senate a few days ago, and there was some objection based upon the ground that it was in contravention of the policy announced after due deliberation upon the part of Congress of denying to reserve or temporary officers the benefits and privileges of retirement provided by law for regular officers of the Navy. There was a unanimous feeling favoring adequate relief and most generous compensation for the beneficiary named in the bill. Objection to the bill was not the result of any opposition to granting a liberal pension or liberal compensation to the injured person. I understood that the Senator from Colorado [Mr. NICHOLSON], who introduced the bill, would submit a substitute which would meet this objection and provide in a just way for the person named in the bill. The Senator is absent to-day, and in his absence I suggest that the bill be passed. It can be taken up upon his coming into the Chamber.

Mr. LODGE. The Senate is not acting alone on unobjected bills. Therefore I move that the Senate proceed to the consid-

eration of the bill. I think it would be very cruel action not to do so.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That John L. Livingston, who while serving as a lieutenant, United States Naval Reserve Force, was found by a naval retiring board to be permanently incapacitated for active service by reason of physical disability incurred in the line of duty as the result of an incident of the service, but not in time of war, shall be eligible for retirement as if his physical disability was incurred in time of war; and the Secretary of the Navy is hereby authorized to place him upon the retired list with three-quarters pay of the grade held by him at the time such physical disability was incurred.

Mr. DIAL. Was it a unanimous report from the committee?

Mr. LODGE. It was. It was one of the most deserving cases that ever came to the notice of the committee.

Mr. KING. There is no objection to compensating this man, and perhaps he should have been given all the retirement privileges. But I want to invite the attention of the Senate to the fact, as I understand the facts in the case, that we are establishing a precedent that reserve officers who have been separated from the service are to have the benefits of retirement the same as regular officers of the Navy.

Mr. LODGE. The man was in the service when the accident occurred. I shall not read the whole of the report, but just a sentence or two from the medical report. There was a fracture of the fourth lumbar vertebra. Further along in the medical report it is said:

There is a definite tendency toward improvement in the function of the limbs, but progress is slow, and the restoration of power will probably only be effected up to a certain degree. The ultimate chances of complete recovery are not favorable. At present the patient can stand on the right leg and assist himself a short distance about the bed. The outlook for complete recovery is doubtful.

Probable condition: Unfit for service.

Probable future duration: Permanent.

Recommendation: That he be ordered before United States Naval Retiring Board for retirement.

His disability was 100 per cent for naval service and 100 per cent for civil occupation. The injury was incurred subsequent to his enrollment as lieutenant in the Naval Reserve Corps, class 5, general service. It happened in March, 1921. He was a lieutenant in the service, and it seems to me only ordinary humanity that the bill be passed in his interest.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Massachusetts a question?

Mr. LODGE. Certainly.

Mr. WADSWORTH. May I ask if he can prompt us as to the date that was fixed as to the upset date after which time Naval Reserve officers should not be placed upon the retired list?

Mr. WALSH of Massachusetts. I can answer the Senator's question. It was March 3, 1921, and the date of filing applications October 1, 1921. I rose for the purpose of saying that this is a very deserving case, but there ought to be general legislation to cover similar cases. I know of at least four cases among naval reserve aviation officers similar to this, none more worthy than this, and I am not going to oppose the passage of the bill. There is in the District here a young man badly injured, whose throat has been paralyzed, who can not speak above a whisper, who can not distinguish between different foods, who has a wife and two children, and who has not the benefits of the retirement provisions of the law because he was permanently injured after March 3, 1921.

The Naval Committee ought to have introduced a general bill giving all the reserve officers who have been permanently incapacitated an opportunity to come within the provisions of the law. Its provisions should be extended from March 3, 1921, to July 1, 1922. All naval reserve officers were retired in July last. A general law ought to be enacted extending the law to cover that period of time between March 3, 1921, and July 1, 1922.

I do want to say, however, that the Livingston case is a very deserving one, and I am making no objection to it at all. I think it is a bill that ought to be enacted into law at once.

Mr. LODGE. He was injured within the time.

Mr. WADSWORTH. Why was he not retired?

Mr. LODGE. Because he was not within the time covered by the provisions of the law, and we are trying to bring him within that provision.

Mr. WALSH of Massachusetts. May I ask if it is not true that he was in the service after October 1, 1921, and that is why he has not been retired?

Mr. LODGE. The Secretary of the Navy advised the President that the act of July 12, 1921, governing the retirement of officers of the Naval Reserve Force and temporary officers of the Navy limited such retirements to those who had incurred physical disability in time of war, and as Lieutenant Livingston did not incur his physical disability in time of war he was not eligible for retirement. The President on October 29, 1921, approved the proceedings and findings of a naval retiring board and directed that Lieutenant Livingston be not placed on the retired list. The Secretary of the Navy recommends the passage of the bill.

Mr. WADSWORTH. Mr. President, I am not going to oppose the bill, but it is perfectly apparent to any Senator who understands the history of legislation, especially so-called private legislation, that only the former reserve officers of the Navy who have pull enough, influence enough, to get a favorable report from the Committee on Naval Affairs will get the retirement privileges. Others will not. We either should pass all these special private bills without any limitation whatsoever or pass none of them and enact general legislation instead. There are several bills on the calendar involving individual cases, probably all of them worthy, but it is a most unscientific and in the end will be a most unfair way of proceeding to take up individual cases and special bills and pass them, with some men having good luck and other men having bad luck.

I regret exceedingly that the Committee on Naval Affairs, if it proposes to treat these men in this way, has not reported some general provision taking care of them. The Committee on Military Affairs of the Senate has reported such a provision. Personally I thought it was a mistake. I opposed it. The committee reported it and the Senate passed it. The House Committee on Military Affairs has refused to report the bill. That is the emergency officers' retirement bill. Now we are proceeding to do by piecemeal the very thing which ought not to be done by piecemeal. Either the policy is good or bad, and it ought to be established or rejected as a policy.

Mr. LODGE. As far as "influence" or "pull," to which the Senater has referred, I never heard of Mr. Livingston until the bill was brought before the Senate. I am not able to attend the meetings of the Naval Affairs Committee as constantly as I should like to do, and I never heard of this case until it was taken up and discussed on the floor of the Senate. I do not know who Lieutenant Livingston is. I do not know where he comes from. So far as I am concerned, I am taking the case simply as a matter of humanity. I do not see why this man, whose case is like the case stated by my colleague, should be deprived of relief because Congress has not passed general legislation. A man with a broken back, who is lying in bed helpless and can do nothing for himself, who has been announced as permanently injured, appeals for help; and yet we are told that we must not relieve him because the proper laws of a general character have not been enacted. I think the only way to get by the deficiencies of congressional action is to pass this bill, which involves such a deserving case.

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

Mr. LODGE. Certainly.

Mr. WADSWORTH. The trouble is that Congress repealed the general law only one year ago.

Mr. LODGE. The Senator means that they are in that way deprived of relief?

Mr. WADSWORTH. It was only last year that we repealed the law.

Mr. LODGE. If that happened only a year ago, I call attention to the fact that this man was injured before that was done.

Mr. WADSWORTH. That is true; but, as the Senator said, he was injured after the war was over and did not fall under the general provisions of the law. This particular case did not fall within the general provisions of the law. Then the Congress even repealed the general provision. We either ought to reenact the general provision and extend it to take care of these cases, or else we ought not to make exceptions.

Mr. LODGE. He had been in the Navy for some time, and he was injured on the 14th of March, 1921, which was much more than a year ago. The law to which the Senator referred had not been repealed at that time.

Mr. LENROOT. Does he receive any compensation of any kind now?

Mr. LODGE. None of any kind. This is an effort to retire him.

Mr. PAGE. Mr. President, is not this an especial case? Here is a report from the Secretary of the Navy which says that the injury was incurred in line of duty as a result of an incident of the service——

Mr. LODGE. I have read that. I know it is a special case, and I have been trying to make it clear to the Senate why I think it ought to be made special. There was a statement made by the Senator from Colorado [Mr. NICHOLSON], who went into it very fully and the matter was discussed here. I think it is a deserving case. Until we get proper general legislation I

believe in doing something for men who have been in the Navy during the war and rendered military service, and who, subsequent to the war, while still in the service and acting under orders, are injured.

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

Mr. LODGE. I yield.

Mr. NEW. In answer to the question asked by the Senator from Wisconsin [Mr. LENROOT] whether the man is in receipt of any compensation in any form, the Senator from Colorado [Mr. NICHOLSON] stated that he was not, but that he was living on the charity of friends. He has no compensation of any kind whatsoever.

Mr. COUZENS. Mr. President——

Mr. LODGE. I yield to the Senator from Michigan.

Mr. COUZENS. I wish to say, as a member of the Committee on Naval Affairs, that the committee went into the details of this case very thoroughly. In reply to the Senator from New York, I wish to say that no one had any influence and no one had any "pull" with the committee. I am fully justified in saying that no one had any influence and the case was dealt with on its merits.

Further, I wish to say that in dealing with cases of injuries which are so apparent as in this case, it is a small part for the Senate to refuse relief because of the fact that some committee has been negligent in reporting general legislation. There is no excuse for a human being who, in the service of his country, was injured as this man was injured, being refused relief by the Senate of the United States. I think the Senator from Vermont [Mr. PAGE] will verify what I have said, and I hope the Senate will not go on record as refusing to grant proper relief to the soldiers and sailors of the country.

Mr. PAGE. The Senator did not state that there was an absolutely unanimous report from the committee.

Mr. COUZENS. That is true.

Mr. PAGE. We found there were only 11 days between the time the man was injured and the time when he otherwise would have been retired without any question. I have a long letter from the Secretary of the Navy, and here is his closing paragraph:

> From the above it would seem that had the disability in this case been incurred 11 days sooner, Lieutenant Livingston would have been eligible to retirement under the law. This department regards this case as a meritorious one and is of the opinion that the bill should be enacted into law for his relief. This proposed legislation has been submitted to the Director of the Bureau of the Budget, and the director advises that this request for legislation is not in conflict with the financial program of the President.

Mr. WALSH of Massachusetts. Mr. President, this is a very deserving case, and I hope the bill will be passed. I have risen at this time, however, for the purpose of asking the Committee on Naval Affairs to extend the same treatment to all reserve officers of the Navy who are now suffering from permanent disabilities incurred while in the service of their country. The fact is that up to a given period of time every reserve officer who became permanently incapacitated in the service could be retired with pay in the same manner as regular naval officers. That time was fixed at a certain date, namely, the official termination of the war, which was March 3, 1921. The Navy Department held many reserve officers in the service after that date; indeed, until July 1, 1922. This particular individual for whose benefit this bill has been reported by the Naval Affairs Committee was a reserve naval officer and was injured a few days after the time when the war was officially terminated. In all fairness he is entitled to the same benefits extended to those reserve officers permanently injured prior to March 3, 1921, and he ought to be retired with pay just as he would were he a regular naval officer. But there are other reserves in the same situation, others who have become permanently disabled since March 3, 1921. They all should be given retirement benefits just as if they were regular officers.

I ask the Naval Affairs Committee to report a bill to extend the time for giving the retirement benefits to reserve officers to July 1, 1922, when all naval reserve officers were displaced. There are no reserve officers in active service now. Therefore the benefits of the general law which reserve officers who were injured prior to March 3, 1921, enjoy should be extended to those injured in the interim from March 3, 1921, to July 1, 1922. Why should not reserve officers injured between March 3, 1921, and July 1, 1922, after the time expired for coming within the general provision of the law, be given the benefits enjoyed by their brother officers who were unfortunate enough to be injured before March 3, 1921? It seems to me that a general bill ought to be reported taking care of all the deserving cases of naval reserve officers permanently injured and found by the retirement board to be permanently incapacitated while in the service of their country. Let us make no distinction between naval reserve officers permanently injured between November 11, 1918—Armistice Day—and March 3, 1921, and those injured between March 3, 1921, and July 1, 1922, when all naval reserve officers were retired from active service.

Mr. KING. Mr. President, it is a very unpleasant task to criticize the pending bill, because the serious injuries sustained by a brave soldier are such as to provoke sympathy and to require that generous relief be promptly awarded him. I do not rise for the purpose of opposing a proposition to grant to the injured person a pension or just and fair compensation for the injuries which he has sustained. I am merely opposing the manner by which it is proposed that he shall obtain relief. The Senator from Michigan [Mr. COUZENS] indicated that the Senate ought not to oppose this bill or go on record in opposition to granting relief to soldiers and sailors injured in the line of duty. I most heartily agree with the Senator to the effect that we should not oppose measures that bestow suitable pensions or compensation upon those who have been so injured.

Mr. President, I have uniformly contended that those who were injured in fighting the battles of their country, or incurred disabilities while in the military service of their country, should be generously treated by a grateful Nation, and I have further insisted that those who gave their lives upon the battle fields or in the service of their country should be gratefully remembered, and that their families and dependents should be granted liberal pensions by the Government.

But that is not the important and precise question before us. No one is suggesting that this injured soldier be denied relief. As I have heretofore stated, when this bill was brought before the Senate a few days ago, the fact was developed that the beneficiary named in the bill was a reserve officer and that he had received his injuries after the war and after the repeal of the temporary measure inadvertently and improperly passed, which gave certain retirement privileges to reserve officers of the Navy. It was my understanding that the Senator from Colorado would offer a substitute for the pending measure which would generously provide compensation for Mr. Livingston.

Mr. President, there is a very important principle involved in this proposed legislation, and Senators should be fully advised as to the point involved and what the results might be if a precedent were established, the influence of which it is impossible to estimate. I repeat, the question is not whether Mr. Livingston shall be compensated for his injuries, but rather what form that compensation shall take. It is not a mere academic question nor a mere technical question, but it involves a broad national policy which will affect thousands, and perhaps tens of thousands, of individuals and involve tens of millions of dollars.

Mr. President, we can amend this bill, and do it now, and grant to the injured man a very large lump sum or a monthly pension or compensation to be paid through the Pension Office or the compensation agency of the Government.

Briefly stated, the question involved is this: When the World War terminated the question was presented as to the manner of dealing with the temporary or reserve officers and the ex-service men who had been drafted or who had enlisted for the purposes of the war. As I am advised, that question was considered by the War Department and the appropriate committees of the House and the Senate, and it was decided, and I think properly, that the temporary officers and the ex-service men should be treated alike and receive compensation not according to rank but based upon the injuries received. That seemed to appeal to the people and to be just and fair. It meant that the young men who went from a community and were fortunate enough to be sent to the officers' training schools or to obtain commissions were to be accorded no greater benefits and emoluments than their neighbors and friends and relatives who were privates, but who served their country gallantly.

The same view was taken by the Senate Naval Affairs Committee; but in some way, largely if not wholly through the activities of some officers in the Navy Department, a bill was pushed through Congress which gave to reserve officers of the Navy retirement privileges. I doubt whether half a dozen Senators knew that such a measure had been enacted into law until months after the appropriation bill containing this provision had gone into effect. Congress, when it learned of the measure and of the discrimination which it created, repealed it. The matter was fully considered by the Senate, and the view prevailed that the legislation was unwise, impolitic, and unjust. It was felt that it was an unfair discrimination against the ex-service men who were not fortunate enough to obtain commissions. It was perceived that under its provisions temporary officers who were but slightly injured could be re-

tired and obtain three-quarters pay for life. Under its operations it was apparent that soldiers who were seriously injured fighting in the ranks would receive a certain sum as a pension, whereas an emergency officer, who never was within a thousand miles of the battle field, and who incurred some disability ratable as 10 per cent, could be retired and as such retired officer would be entitled for life to three-fourths of his annual pay of the grade in which he had served. The application of this law was manifestly unjust. It gave compensation, not in proportion to the injuries received, but based upon grade and even resting upon, as I have indicated, very slight disability.

We announced a principle when we repealed the law to which I referred, the same principle as that announced by the Military Affairs Committee. The Senate took the position that reserve officers, in both the Army and the Navy, should not have the benefit of the retirement law, but that they should be treated, for any injuries received or any disabilities from which they were suffering, just as generously and to the same extent as were their brothers and neighbors and friends who fought as privates in the World War.

I shall not enter into a discussion of all the reasons which prompted the committees referred to in reaching the conclusion which they announced or which induced Congress to repeal the measure which slipped through Congress without consideration, and, as I have stated, without the knowledge of Senators. But it does seem to me, let me add in passing, that there is a marked distinction between persons who enter the Army as boys and give their lives to the military service of their country and those who served but temporarily. We are all acquainted with officers who, when they were 16 or 17 years of age, left their homes, gave up every opportunity for success and advancement in civil life, and consecrated their lives and their services to their country. Their calling denied them all opportunity to engage in business pursuits. They were chained, as it were, to the military chariot of their country. They were promised, as a partial recompense for the sacrifices which they were making and which their profession called upon them to make, that in their old age, or in the event of sickness or wounds which would disable them from further service, they would be retired and paid, during the remainder of their lives, three-fourths of the compensation which they were receiving at the time of their retirement. I submit that these officers occupy a different position from those who in an emergency entered the Army for a limited time, expecting soon to return to their homes and resume their former vocations.

Mr. President, that was the view, at any rate, taken by Congress, and that policy is the one which now obtains. This bill now before us seeks to contravene that policy. And because of the severity of the injuries of the soldier in question strong appeals are made and our emotions are aroused in order that the Senate may breach the wall which surrounds this policy. Senators know that hard cases make bad law and the appealing circumstances of the case before us provide most powerful arguments to aid those who are fighting to overthrow the established policy.

As I have stated, Congress, after full consideration, announced a policy that there would not be extended to reserve officers the retirement privileges that may be extended to the Regular Army and Navy officers.

Mr. BRANDEGEE. Mr. President——

Mr. KING. One moment. Having announced that principle, it follows necessarily that we must deal with the cases of reserve officers upon their merits; and I am perfectly willing to deal with this case upon its merits; and to give to the injured officer a generous compensation.

Mr. McNARY. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. McNARY. It seems apparent that the Senator from Utah has exceeded the time allotted to him under Rule VIII; and he has spoken twice on the same subject.

Mr. KING. The Senator ought to know that this bill was taken up on motion. The rule does not apply.

Mr. LODGE. Oh, yes; the five-minute rule applies.

The VICE PRESIDENT. The Senate is not proceeding under the five-minute rule.

Mr. BRANDEGEE. Mr. President——

Mr. KING. I yield to the Senator.

Mr. BRANDEGEE. Suppose Congress has declined to pass a general law making it the policy that all reserve officers may be retired. That is the effect, as I understand it, of the legislation to which the Senator has referred as having been repealed. Congress did establish that policy, and then it repealed the act by which it was established. Supposing that to be the case, can not the Senator conceive that Congress can act affirmatively in any special case?

Mr. KING. Oh, undoubtedly Congress can do as it pleases. It knows no law—not even the Constitution.

Mr. BRANDEGEE. I did not intend to raise the question of power; but I mean there are many general laws. There are sometimes exceptional cases. If there is an exceptional case, not of retirement simply because a man served but of retirement to compensate him by increased pay and rank for a serious injury incurred in the service, can not that be dealt with as an exceptional case? And if Congress passed the bill upon the ground that it presented an exceptional case, as shown in the debate, does the Senator consider that it would constitute a precedent which would establish the right of every reserve officer to be retired by special act of Congress?

Mr. KING. The Senator is an able lawyer, and he knows the value of precedents perhaps better than I, and he knows what would be the effect of legislation of this character.

Mr. BRANDEGEE. I am speaking not as a precedent to govern all cases in the future but where, as I especially stated, in view of the peculiar circumstances of a particular case, Congress adopts legislation and states that it is not to be considered as a precedent for all cases, but only for exceptional cases, does the Senator think we have established a precedent which would throw down the bars and let in all cases?

Mr. KING. I think this would be a precedent. I will say to the Senator that if this were the only way by which this injured man could obtain relief I should gladly support this bill, notwithstanding the precedent which it would establish; but I suggested to the Senator from Colorado [Mr. NICHOLSON] the other day, and he finally acquiesced in the suggestion which I made, that he amend this bill and offer a substitute giving to the injured officer full and complete compensation; and if the Senator from Colorado had been here to-day he would have offered, I am sure, an amendment along these lines.

I have submitted to the Senate the facts. It is for the Senate to determine whether it wants to violate the rule which it has established, break down that policy, and establish a precedent which will return to embarrass it in the future.

Mr. WADSWORTH. Mr. President, I remind the Senator that there are 1,200 Army emergency officers who will be entitled to the same kind of treatment.

Mr. KING. And the Senator knows that there will be 12,000 a little later. I have received letters from reserve officers, both in the Army and Navy, who want the retirement privilege, and if we extend the retirement privilege in this case we will be required to do so in other cases. We can not differentiate and say: "This man was hurt a little more than you are and therefore should be retired, while you should not." Some of them to whom I refer have been injured, and injured for life, and are wholly incapacitated. They must be cared for liberally, and I shall be very happy to vote for the enactment of legislation here, if there is not adequate legislation now, to care for them liberally; but I am not willing to break down or attack the policy which, after full consideration, was announced by the Senate.

Mr. NORRIS. Mr. President, it is admitted that this man was injured in the line of duty in the military service. It is admitted that if the same thing had happened to him under the same conditions before we had technically reached a stage of peace, he would have been entitled to what we are trying to give him by this bill; so that those who are opposing it are opposing it on technicality. Even the Senator from Utah [Mr. KING], who opposes this legislation, says that he is in favor of giving this man pay, but he wants to do it in a different way; and then it is said that if we pass this bill there will be others in similar conditions who will demand the same relief.

If that argument is any good, it applies to any system of compensation that we might devise. If that is any defense, we could say the same thing when the Senator proposes to pay this man $10,000, or any other sum. We could say: "Why, if we do that we will have to do it with the others." It is just as broad as it is long, and while we are jangling and arguing and quarreling over how we shall relieve the distress that is admitted to exist in these few cases, the men are dying. While we are quarreling as to whether we should pay them money, whether we should retire them, whether we should give them a pension, or whether we should put them under the compensation law, they are dying.

Mr. President, it seems to me that if the Senator from Utah will think of the matter for a moment, he will realize that the suggestion he has made is not a practical one. We will not be able to get that kind of legislation through both Houses of Congress. If this man is entitled to relief, why not give

him relief in this way? It is conceded that he is entitled to it. It is conceded that the fact that he does not come under the general law is only a technicality. It was a long time after hostilities ceased before we technically had peace between our country and Germany. During that time we were as much in actual peace as we are now; and yet a man having an injury on one day would be entitled under the general law to relief, whereas if it happened the next day, technically, he would not be entitled to anything.

I admit that there are other cases. It does not make any difference how many there are. In the case of a man who was injured in the service of his country in the line of duty, whether we were technically at war or not, or in the case of these men who went into the war and served a little while after the war, often at the request of their superior officers, why should we take refuge behind a technicality and say that we will not pay them anything? We ought to have a general law, as the Senator for New York has suggested, but we have not it.

Mr. LENROOT. Mr. President, will the Senator yield at that point?

Mr. NORRIS. In just a moment. The Secretary of the Navy in writing these letters, and in another case that is on the calendar here, has said that if certain legislation of a general nature now pending shall be enacted, this man will be entitled to relief under it. That is true; but that general legislation has failed. We shall not be able to get it passed during this Congress. It is going to be a long time before we meet again. Some of these men are in abject poverty, being sustained by friends and relatives. The man that I know most about, whose bill is on this calendar, is absolutely incapacitated for any kind of labor, and his condition is permanent, according to the officers of the Navy.

I now yield to the Senator from Wisconsin.

Mr. LENROOT. The Senator states that he is in favor of a general law, and so am I; but would the Senator favor a general law that would give to an officer four or five or six times the compensation that an enlisted man would receive for a like disability?

Mr. NORRIS. No.

Mr. LENROOT. That is exactly the effect of this legislation. Is the Senator aware of that?

Mr. NORRIS. No; I am not aware of that.

Mr. LENROOT. Well, that is true.

Mr. NORRIS. I am not aware of that, and I would not make any discrimination.

Mr. LODGE. If the Senator will allow me, officers of the Regular Army get higher retired pay than enlisted men.

Mr. LENROOT. Yes; I understand that.

Mr. NORRIS. Mr. President, we are up against this proposition: These men must either get relief by special legislation, or they can get no relief for practically a year, and have no certainty of getting it then. It seems to me that we ought not to stand on a technicality when all the facts are admitted. They ought to have relief. This man ought to have relief, and we ought to give it to him.

Mr. McCUMBER. Mr. President, may I ask the Senator from Nebraska how we lose any time or lose anything in principle if we simply provide that this man, giving his name, shall be placed on the pension rolls and be paid a pension at the rate of so many dollars per month?

Mr. NORRIS. I would not have any objection to that.

Mr. McCUMBER. In that way we would have a pension bill, and we would not break the law which we passed.

Mr. NORRIS. I will say to the Senator that I would not have any objection. If we had that kind of a bill before us now, I would support it. It is a question as to how we are going to meet it. We can not do that now; that is conceded. It is too late.

Mr. WADSWORTH. Mr. President, I desire to offer an amendment.

Mr. CURTIS. Mr. President, I should like to submit a request for unanimous consent before that is done.

I ask unanimous consent that at 1 o'clock the unfinished business be temporarily laid aside, and that we continue with the call of the calendar under Rule VIII until not later than 3 o'clock; and that at 3 o'clock, or before if the calendar is completed, we proceed with the consideration of the unfinished business.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered into.

Mr. WADSWORTH. Mr. President, I offer the amendment which I send to the desk, and which is somewhat in the nature of a substitute. I ask to have it read.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following words:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Livingston, late lieutenant, United States Naval Reserve Force, and pay him a pension at the rate of $100 per month.

Mr. WADSWORTH. That is the total disability allowance that a man would get under the war risk insurance act.

Mr. LENROOT. Mr. President, I hope this amendment will be adopted. I shall be glad to support it; but I do want to say a word with reference to the statements made by the Senator from Nebraska. He looks upon this matter of retirement and the objections that have been made to the original bill as a technicality. There is no technicality about it. I want to say to the Senator from Nebraska that the retirement privilege for naval officers crept into a bill; it was never considered on the floor of this House or the other House; it has never been granted to Army officers, and the matter was deliberately repealed something over a year ago.

Mr. NORRIS. Mr. President, will the Senator yield? I do not care what the method is that is pursued here. If you object to paying this with the right hand, I have no objection to paying it with the left hand. I am perfectly agreeable to the amendment that is offered by the Senator from New York.

Mr. LENROOT. I am very glad the Senator is; but the point I wanted to make was that the Senator was contending for a principle that would pay to an officer a great deal higher sum for disability than to an enlisted man, and that is what I object to.

Mr. NORRIS. I object to that, too. I am perfectly willing to put them all on the same basis. I have no objection whatever to that; but we are confronted, or were until this amendment was offered, with a specific case; and the man is helpless, dependent upon friends and relatives for his support and his livelihood, while we jangle about a technicality as to whether we shall pay him, when he was injured in the line of duty just a few days after the treaty of peace was signed.

Mr. SMOOT. Mr. President, I think there ought to be some consistency in the appropriations that are made for these unfortunate cases. The case of Mr. Lancaster passed the Senate a short time ago. No human being could be in a worse condition than he. He was deformed in every way, shape, and manner, and he was a sight repulsive to behold. The Senate passed a bill giving that man $5,000. It went to the House. The House reported it back for $50 a month. This man is in a condition that is in no wise comparable to that of Lancaster. I do not see why this man should have $100 a month and Lancaster have only $50 a month.

Mr. President, I had a photograph of Lancaster here in the Chamber, and some Senators saw it. I want to say to you that if any living soul ever should receive compensation from the Government of $100 a month, he should. The House, however, would not agree to over $50 a month for that man; and it seems to me that it is unjust to pass a bill in a case like the Lancaster case for $50 a month and then give this man $100 a month. There is no consistency whatever in it.

Of course this is a Senate bill, and I am not going to object now to its passage. This man ought to have compensation of some kind. I like compensation better than I do retirement pay, but I hope the House will have a little better judgment as to the consistency of the amounts appropriated than we have in this case.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. BURSUM. Mr. President, I agree entirely with the statement of the Senator from Nebraska [Mr. NORRIS]. I think his position on this matter is correct. I do not agree that it would be a violation of any sound principle to retire emergency officers when wounded or disabled in line of duty and give them the same privileges given to officers of the Regular Army. I think it is in accordance with a sound policy to do that. There was a law on the statute books granting retirement to naval and marine officers, but that law was repealed. In my judgment very few Members of the Senate were advised when the repeal was voted on. It was not discussed; it was not brought up on the floor as a separate measure. It was included in a general bill, as I recall. Under the law on the statute books for the retiring of emergency naval and marine officers several hundred were retired, and the fact that the law was repealed did not vitiate the proposition that the principle was right and correct.

I can not understand why we should discriminate against the emergency officer, who provided his own training, at his own

expense, and who may have suffered injuries in line of duty. It seems to me that it is eminently fair that he ought to be given the same treatment that is given to the Regular Army officer. That question was tried out here in the Senate under the provisions of Senate bill 1565, when the Senate went on record and voted 50 to 14 in favor of the principle of retiring emergency officers upon the same basis, under like conditions, as is accorded to the officers of the Regular Army. The principle is absolutely right.

The present case is an unfortunate one. I would not like to stand in the way of some compensation being given this man, but it is wrong in principle to discriminate; there is no reason why the officer to which the bill relates should not be given the identical treatment given another officer who might have come from the Regular Army and suffered injuries under like conditions. It is true that the House has not passed on Senate bill 1565, but it is also true that a petition signed by 235 Members of the House requested the Military Affairs Committee of the House to report that bill out and give the membership a chance to vote on it. They have not done so. This question will no doubt be brought up at the next Congress, and be brought up on the principle of according emergency officers the same treatment, under like conditions, when suffering disability incurred in line of duty accorded to officers of the Regular Army.

Mr. HEFLIN. Mr. President, I do not know whether this $100 a month will be sufficient to take care of this poor, unfortunate soldier and ex-officer or not. I got the impression that he was a man of family. If he has a family, this amount will not take care of him and his family. The author of this bill, the Senator from Colorado [Mr. NICHOLSON], is sick. This measure was before the Senate a week ago, and I had something to say about it then. I thought we had an agreement by which the bill was to pass, but it seems there is some misunderstanding about that.

This Congress ought to pause here to-day long enough to see that justice is done this man. He is disabled, his back is broken, and we are quibbling here over a technicality, about whether we will set a precedent in trying to do justice and provide ample means for this poor unfortunate boy who offered to die for his country.

I never hear these technicalities invoked when big special interests are concerned. I never hear the unconstitutionality of a measure suggested here except when special interests are at stake. But when a soldier, coming from the ranks of those who are without great influence with those in authority, just one of several million, who put on the uniform and went out to die for his country, meets with misfortune, is stricken down, the Government is afraid, we are told, that it will set a precedent. I am not afraid of the precedent. If there are other cases seeking relief at the hands of the Senate which are not as worthy as this man's case, we can pass on each case and determine its merits when it comes before us. It will not frighten me to vote for this bill as presented by the Senator from Colorado.

This young man is sorely afflicted, his back is broken, and he is unable to get about, unable to do anything. At best, Mr. President, it seems that he must eke out a miserable existence, and it ought to be the desire of this Congress to make things just as comfortable as possible for him.

I can see this poor fellow now with my mind's eye, coming out from his humble home when the tocsin of war was sounded. I can see him in the uniform of his country. I can see him at the battle front, with the flag in his hand. I can see him directing his men and planning a charge against the ranks of the German army. I can see him—an upstanding, brave, young American officer—ready to die for this, the greatest Government in all the world; and now, when he is stricken down, when his back is broken, and his friends are contributing money by piecemeal to support him, you are hesitating in the Senate and quibbling over technicalities.

My God, what are we coming to in this Chamber? I suppose I will infringe the rules in a moment, and somebody will make a point of order against me; but I am going to continue to plead for what I think is right and just in this body, for this soldier and every other soldier, regardless of the gag-rule methods that are resorted to frequently when Senators dare to speak the truth into the RECORD and to the country. What provision does the Senator from New York make for this boy's expenses, dating back to the time he was run over and knocked down and his back broken on the aviation field? None. The $100 a month is to begin when the bill becomes a law. Who is to take care of all the expense he and his friends have incurred in keeping him up and keeping him alive? Nobody has made provision for them.

Here is what the report says about this case:

Lieut. J. L. Livingston was an expert at adjusting the delicate mechanism which controls the flow of machine-gun bullets between the spaces traveled by an airplane propeller's whirling blades, and it was while engaged in this work that the accident occurred which has entirely incapacitated him for further service in his special line of work, or, in fact, of any further manual labor.

He is stricken, broken in body, unable to work and get around, and the Senate of the United States is quibbling over the matter of paying this poor fellow $1,800. They are going to put him off on a pension roll at $100 a month, to be laid away in a niche somewhere, fed scantily, and provided for in a measly way, instead of trying to do something to make this boy's life comfortable and make him at least feel that the Government he served so well and offered to die for is grateful to him, and that its tender sympathy goes out to him.

What will he think if the amendment of the Senator from New York is agreed to, merely putting him on the roll at $100 a month from the time this bill becomes a law? What will he think when the news reaches him, if it does, that this bill has been turned down and that a makeshift arrangement has been palmed off on him, and that the Congress that called him into the service, now in its closing hours, sends that message to him?

Mr. President, I think we ought to pass the bill as it came from the committee, as it has been reported to the Senate. I appeal to the Senate in behalf of this unfortunate boy, as the Senator who is the author of the bill is sick and can not be here to plead for him to-day. I do not know this man; I never heard of him until his claim came up in this body for consideration; but the fact that he is an American boy who fought for his country is enough for me; the fact that he is badly crippled, as the testimony shows, is enough for me. I think the Senate ought to grant this amount. We will take care of the precedent. Whatever may come hereafter, the Senate can pass on other cases when they come before us for consideration.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. HEFLIN. I would like to have the amendment reported.

The VICE PRESIDENT. The Secretary will report the amendment.

The ASSISTANT SECRETARY. It is moved to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Livingston, late lieutenant, United States Naval Reserve Force, and pay him a pension at the rate of $100 per month.

Mr. HEFLIN. What did the original bill provide? I did not hear that read a moment ago.

The VICE PRESIDENT. The bill will be reported.

The ASSISTANT SECRETARY. The bill as reported from the Committee on Naval Affairs reads as follows:

That John L. Livingston, who, while serving as a lieutenant, United States Naval Reserve Force, was found by a naval retiring board to be permanently incapacitated for active service by reason of physical disability incurred in the line of duty as the result of an incident of the service, but not in time of war, shall be eligible for retirement as if his physical disability was incurred in time of war, and the Secretary of the Navy is hereby authorized to place him upon the retired list with three-quarters' pay of the grade held by him at the time such physical disability was incurred.

Mr. HEFLIN. Mr. President, I hope the Senate will pass that bill. I hope the amendment of the Senator from New York will be voted down. It does not even provide that he shall be paid one 5-cent piece from the time the injury was received down to the time the bill shall become a law. Surely we can permit this boy to be put on the retired list. We put men on the retired list who are as vigorous and strong as I am, or as any other Senator in this body, and surely we can afford to put this crippled man, lying in his bed, upon the retired list, and give him this sum asked for. I ask for the yeas and nays on the amendment of the Senator from New York.

The yeas and nays were not ordered.

Mr. REED of Pennsylvania obtained the floor.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Cummins	Glass	Keyes
Bayard	Curtis	Gooding	King
Borah	Dial	Hale	Ladd
Brandegee	Dillingham	Harreld	Lenroot
Brookhart	Edge	Harris	Lodge
Broussard	Ernst	Harrison	McCormick
Bursum	Fernald	Heflin	McCumber
Calder	Fletcher	Hitchcock	McKellar
Cameron	France	Johnson	McKinley
Capper	Frelinghuysen	Jones, N. Mex.	McLean
Colt	George	Jones, Wash.	McNary
Couzens	Gerry	Kendrick	Moses

New	Phipps	Smith	Walsh, Mass.
Norbeck	Pittman	Smoot	Walsh, Mont.
Norris	Poindexter	Stanley	Warren
Oddie	Ransdell	Sterling	Watson
Overman	Reed, Pa.	Sutherland	Weller
Owen	Sheppard	Townsend	Willis
Page	Shields	Trammell	
Pepper	Shortridge	Wadsworth	

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, being House bill 12817, the shipping bill. Under the unanimous-consent agreement it is temporarily laid aside.

Mr. WADSWORTH. I desire to modify my amendment by adding at the end the phrase to which the Senator from Massachusetts called attention.

The VICE PRESIDENT. The modification of the amendment will be stated.

The ASSISTANT SECRETARY. After the words "$100 per month," it is proposed to add the words "dating from his discharge from the Navy."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New York as modified.

Mr. WALSH of Massachusetts. Mr. President, I shall vote against the amendment proposed by the Senator from New York, because I think our incapacitated reserve officers ought not to be labeled as pensioners, but should enjoy the distinction, honor, and benefits conferred on retired regular officers. I shall vote against it, because I think the bill is more favorable and more honorable to our injured reserve officers; that the reserve officers injured prior to July 1, 1922, ought to have the identical rights that every reserve officer had who was injured and filed an application prior to October 1, 1921. If we were still keeping Naval Reserve officers in active service something could be said against extending the provisions of the original law, but every reserve officer who was permanently incapacitated and filed application prior to October 1, 1921, has been retired on the same status as the regular naval officers and the active service of all reserve officers were continued until July 1, 1922. How can we distinguish between a reserve officer injured on the 11th day of March, 1921, and a man injured on the 2d day of March, 1921, who were both reserve officers? This man ought to have the same right as other reserve officers injured since the signing of the armistice.

I shall therefore vote for the bill and against the amendment. I shall also propose that the time be extended for all reserve officers, so that every man injured who was a reserve officer up to July 1, 1922, shall receive the same treatment that reserve officers receive who were injured prior to March 3, 1921. There is a decided distinction between receiving money for incapacitation as a retired officer of the Navy and being a pensioner.

Mr. REED of Pennsylvania. Mr. President, I think before the Senate votes on the amendment it ought to understand what has been done by the Congress heretofore in regard to the general policy in such cases. By the act of 1920 the general policy of retiring disabled temporary and reserve officers was adopted. By the act of 1921 that policy was continued, except that it was limited to officers who were disabled in time of war and to those who had made application before October 1, 1921.

So the proposed relief to this officer in putting him on the retired list at three-fourths pay is not a departure from the previous policy of the Congress in regard to disabled naval officers but is an extension of that policy to a very unfortunate individual who happened to be injured 11 days too late to take advantage of the prior policy and the prior law, and whose application did not come within that brief space of six months within which applications had to be made.

We can not denounce the pending bill as a departure from policy, because it is not. We must not confuse the congressional policy with regard to the Navy with the other and the much more drastic and stingy policy which has been adopted in regard to the Army. We have been rigid in excluding officers and men of the Army from retirement privileges if they were temporary or reserve or National Guard officers. I think we have been too rigid. But we have been liberal with the Navy, and it seems to me that in a case of such extreme hardship as this it would be niggardly for the Congress to deny this privilege to a man because he got hurt 11 days too late and because his application was not filed within that brief space of six months, when he was lying helplessly paralyzed throughout the whole six months. So I hope the amendment proposed by the Senator from New York will fail and that the bill will be passed as originally drawn.

The PRESIDING OFFICER (Mr. MOSES in the chair). The question is on agreeing to the modified amendment proposed by the Senator from New York.

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

The yeas and nays were ordered.

Mr. LENROOT. Mr. President, before the vote is taken I want to say a word with reference to the statement of the Senator from Pennsylvania. He has stated that this is no departure from the policy adopted by Congress. If the bill is enacted into law, it will leave the Congress without any policy. Congress has now adopted a policy that will not afford any retirement privilege to the officers such as the bill now seeks to provide. I am very much surprised that my good friend from Massachusetts should favor a policy that would give to one who happens to be an officer a very much higher compensation than should be given to an enlisted man with the same disability.

Mr. WALSH of Massachusetts. But we have already done that.

Mr. LENROOT. We did it, but we realized that it was wrong; and it is now proposed to continue it.

Mr. WALSH of Massachusetts. I want to continue it until the time when all reserve officers shall get out of the service, and not distinguish between reserve officers who happened to get injured in 1921 and 1922.

Mr. LENROOT. There is just one sound foundation, and that is to give compensation for injury to everybody alike, whether it be military officers, naval officers, or enlisted men of either branch of the service. That I am willing and anxious to do; but why would the Senator from Massachusetts favor giving to a man who happens to be an officer with a broken back, we will say, a very much higher compensation than he would favor giving to a private, an enlisted man, with a broken back?

Mr. WALSH of Massachusetts and Mr. BURSUM addressed the Chair.

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

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

Mr. WALSH of Massachusetts. I would favor giving the reserve officer exactly the same treatment that I would favor giving the regular officer. The regular officers are given the right to retire with pay when permanently injured, and I see no distinction between a civilian or reserve officer and a regular naval officer when it comes to extending benefits for disabilities incurred in the service of our country.

Mr. LENROOT. I am very much surprised that the Senator from Massachusetts does not see the difference in the case of a regular officer. We promise him, if he will go into the service and make that a life profession, that in case of injury the Government will take care of him and at a certain age will retire him, in any event. He gives up all opportunity to gain a competence for himself in civil life. What is the case with the reserve officer? Is there any such condition existing with reference to him? He goes in as a matter of patriotic service, happens to be injured, having come from the same walk of life, perhaps, as the private or enlisted man. Why should that officer receive a very much higher compensation for a disability than an enlisted man should receive upon the one hand, and why should he receive that compensation when, in the case of a regular officer, the Government in the beginning held it out to him as an inducement for him to make it his life work?

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin further yield to the Senator from Massachusetts?

Mr. LENROOT. I yield.

Mr. WALSH of Massachusetts. There is this distinction: The regular officer usually enters the service of his country in time of peace. He does not know whether he will ever be engaged in the service in time of war. The reserve officer in time of war, in time of danger, leaves his civilian employment and offers his life to his country. He faces danger to life and limb right at the start; he goes into war in the very hour of his country's danger; and we should give him the same rights and privileges that are extended to all regular officers.

Mr. LENROOT. But this disability occurred in time of peace.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LENROOT. In just a moment. I want to ask the Senator from Massachusetts whether he would be willing to give the same compensation in dollars to the enlisted man that he is pleading to give to the officers?

Mr. WALSH of Massachusetts. If the question were new and being presented to me for the first time, I think I would

agree with the Senator from Wisconsin. But we have already adopted a policy and been giving to reserve officers injured in time of service after the armistice was signed the same privileges that we gave to regular officers. Why, if we want to be consistent, do we not give to enlisted men in the Regular Navy and Army the same benefits we give to regular officers when incapacitated in the service?

Mr. LENROOT. The Senator is mistaken. The reason why the law was repealed was because we believed it was wrong; and we gave a short period in which to give those who were not taking advantage of the law an opportunity to take advantage of it. It was not upon the ground that there would be no more reserve officers. I yield now to the Senator from Washington.

Mr. POINDEXTER. I think the Senator from Massachusetts is mistaken in his assumption that there have been any cases in which reserve officers injured in time of peace were put upon the retired list.

Mr. WALSH of Massachusetts. Practically in time of peace.

Mr. POINDEXTER. Pardon me; let me state my position first.

Mr. WALSH of Massachusetts. It was after November 11, 1918, that he was injured, and the other reserve officers have been retired. It was true the law continued through a period to the technical ending of the war which was in March, 1921, but men injured in March, 1921, before we passed the joint resolution terminating the war, and in time of real peace, have received the benefits of the general act giving them the privileges of retirement.

Mr. POINDEXTER. That may be true. Nevertheless, the intention of Congress was, as expressed in the act, to give the benefits of retirement to those who were injured in the war. The disbursing officers of the Government in the construction of that act, as the Senator from Massachusetts stated, very likely did hold that we were actually in a state of war up until the time the joint resolution of peace was adopted, and we were still in a state of war. Now, if we enact a law putting upon the retired list a reserve officer who was not injured in time of war, I would like to have the Senator from Massachusetts tell us how Congress, in justice or in consistency, can refuse to put upon the retired list all the reserve officers injured in time of peace. If one is put on the reserve list, why deny that privilege to others under the same circumstances?

Mr. WALSH of Massachusetts. Is it not a fact that all reserve officers in the Naval Reserves are now out of the service? Is it not true that on July 1, 1922, every reserve officer ended his term of service? So I am asking that the law be extended to the time that we got through with the reserve officers. We kept them as long as we needed them; we used them as long as we could. We kept them months and years after the war really ended, because they were useful to us, because they were necessary, especially those like this man Livingston, who was an aviator. We kept them to train other aviators, to train men for the permanent service. We kept them from their vocations and professions, and yet we say, "Because you were injured the day after the time we fixed for terminating the right of reserve officers to the retirement privilege, you shall not have the privilege of retirement extended to the regular officers." How can anyone justify such action?

Mr. POINDEXTER. If the Senator from Wisconsin will allow me briefly to reply, we allowed retirement to naval reserve officers, who were injured in time of war and who made application for retirement on or before October 1, 1921. It was necessary to fix some date, and to fix some conditions under which those benefits should accrue. Would the Senator propose to extend that privilege to the man who was injured in time of peace and who failed to make his application on or before October 1, 1921—to throw down the bars, to open the doors so that a reserve officer injured at any time in the service in time of peace and who makes his application to Congress at any time hereafter shall be entitled to the same privileges? Under similar circumstances, if this precedent is set all would have the right to appeal to Congress for the same relief.

I am in favor of compensating this man Livingston because he was badly injured in the service, though not in time of war, in any sense of the word, either actually or technically. But the amendment of the Senator from New York would provide for his compensation and put him upon the pension roll of the Government, and pay him $100 a month. There is a great question as to whether or not temporary officers called to the service of the country in an emergency, who are taken away from their business for limited periods of time, whose entire career is not destroyed by virtue of being in the military service of the country, should have the same benefits of retirement as should regular officers who give up their entire lives to the military service of the country, who consequently can not engage in any civil employment, and who, under the policy which the law has established, founded upon very substantial reasons, after they have served throughout their career, and have arrived at a certain age, or are injured in the service, have the benefit of retirement. If we are going to extend the benefit of retirement to temporary officers, to reserve officers, we open up a distinctly new policy and reverse the policy of the Government. It can not be said that there is any precedent for it at all. In vote after vote here it has been denied, even at this late date, to volunteer officers of the Civil War.

All I have to say, in conclusion, is that if we establish this precedent, in my opinion, we can not avoid the inevitable consequence of doing the same thing for all other officers under similar circumstances.

Mr. LENROOT. The amendment proposed by the Senator from New York, if adopted, would give to this man exactly the same compensation that an Army reserve officer receives for a like disability, exactly the same compensation that an enlisted man would receive or does receive for a like disability, and much larger compensation than men in civil life receive for disabilities incurred in the service, and I sincerely hope that the amendment will be adopted. We will then have a consistent policy whereby we can afford relief to all deserving cases. But if the amendment be not adopted, we would give, first, a preference to naval reserve officers over military officers, and, secondly, a preference over the enlisted men.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield a moment?

Mr. LENROOT. Certainly.

Mr. WALSH of Massachusetts. What would Livingston receive under the bill?

Mr. LENROOT. One hundred dollars a month.

Mr. WALSH of Massachusetts. No; he would receive that under the amendment of the Senator from New York. What would he receive under the provisions of the bill?

Mr. LODGE. He would get $1,800 a year.

Mr. WALSH of Massachusetts. So the amendment would give him $1,200 a year, while the bill would give him $1,800 a year.

Mr. HEFLIN. Mr. President, the Senate can take care of all the other cases that come up hereafter. We are not setting a precedent that is a hard and fast one. This is the only means that we have now to do justice by this badly crippled American soldier. Surely we can strain a point and suspend the rules, if necessary. I would favor that, rather than do an injustice to this poor soldier who is now in bed, who is now being cared for by the charity of the community in which he lives. I can not understand the position of Senators who stand here and talk about setting a precedent when this is the only means of reaching down and helping this poor unfortunate man.

I do not favor the position taken by the Senator from Wisconsin [Mr. LENROOT] of doing alike by all, regardless of the injury received. I would not give as much compensation to a man who had his toe cut off as I would to a man who had his back broken. Who would? We will let these other cases stand upon their merits. We will do justice by all these soldiers. That is my position.

Senators need not be afraid of setting a precedent. We will take care of that situation, but something has got to be done for this poor boy to-day. That is why I am voting for the bill as amended. He gets the same amount through the amendment as amended that he would have gotten if the bill had passed as reported.

Mr. LODGE. Mr. President, I only want to say this in conclusion: The Senator from Pennsylvania has shown conclusively that reserve officers have been put on the retired list in time of war. This young man was 11 days too late. He was an aviator injured in a dangerous pursuit while performing his duty.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. One moment. If he had twisted his ankle going down the department stairs 12 days before, he would have been entitled to retirement; but as he was injured 11 days later, he has to take $1,200 a year instead of $1,800. Of course, I understand that the Senate wants to save $600 if it can.

Mr. President, I know that the proper thing is what the Senator from New York proposed—that there should be general legislation both for the Army and for the Navy. It has not been passed. Whose fault is it that it has not been passed? The fault of the Congress; and we are to stand by the bedside of that crippled man—crippled for life, a man who has given

more than life, who has given all that makes life pleasant and all that makes life possible, and all ability to earn—we are to stand by his bedside and say: "The Senate of the United States will not give you anything because, technically, you were 11 days late in getting hurt. We will not give you anything, because it is not logical. We have not passed the necessary general laws, and you must wait until Congress passes general laws."

I for one do not propose to vote to make that man pay for the faults of Congress. I think that man has earned his retirement. I think he has earned his $1,800 a year. Who would take $1,800 a year to lie crippled in bed probably for the rest of his life? Certainly all the medical boards and the board of examination testified that he had no chance of recovery. I think that man has made a sacrifice for his country that entitles him to his $1,800 a year; and I for one am not going to throw him out on a technicality because Congress has failed to pass the legislation that it ought to pass.

Mr. POINDEXTER. Mr. President, there are a great many men dying of injuries and disease incurred in the service who are not put upon the retired list as officers. I agree with the Senator from Massachusetts [Mr. LODGE] that this man should be taken care of, and should be taken care of liberally; and if the Senate is of the opinion that he should have $1,800 a year instead of $1,200 a year, as is proposed by the amendment of the Senator from New York, all that is necessary to accomplish that purpose is to strike out "$100 a month" and insert "$150 a month" in the Senator's amendment. By doing that we will act in accordance with precedent, under which men who are injured in the military service of the country in time of peace are compensated in accordance with the extent of the injuries which they receive.

The Senator from Massachusetts says that a man who sprained his ankle while walking down the steps in time of war would be put upon the retired list. That is a compliment to the generosity of Congress, but it is not a tribute to its judgment. In the case of a man who received an injury to his ankle, if he is put upon the retired list under the law, as it is proposed that this man shall be put, although he was only slightly injured, he would receive the same identical compensation that it is proposed to give to a man whose back is broken, whereas under the pensions laws the compensation is adjusted to the extent of a man's injury, as determined by the machinery the Government has set up for that purpose in the Pension Bureau.

There is just one other phase of the remarks of the Senator from Massachusetts to which I want to call attention. He says this injury occurred 11 days too late. Of course this man would not have suffered any injury at all if he could have prevented it. He would not have hastened his injury to have been in time, as the expression is, to receive a benefit, if he could have controlled the fact. He would have received no injury at all; but he was just as safe in the aviation service of the Navy 11 days after the war ended as he would have been six months after the war ended. That is the point. One day after the war ended, a man engaged in the aviation service of the Navy—when we were at peace, when there were no hostile operations going on—was serving his country under the same conditions in which all other reserve officers were serving the Government six months or six years after the war ended. It is the difference between war and peace.

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

Mr. POINDEXTER. That difference does not depend upon the length of time that elapses. It occurs instantaneously when hostilities cease. There is the great distinction between a man provided for liberally by legislation of Congress who was injured in front of the enemy, or when hostile operations were being carried on between this country and its enemies, and a man who was injured in the routine service. Although we admit that the service is dangerous and precarious, and that there should be compensation for such injuries, nevertheless the distinction is as perfectly complete 11 days after the cessation of the war as at any other time.

Mr. LODGE. Mr. President, if a man is in the regular service of either Navy or Army, and meets with an injury, no matter how incurred, if it was not his fault, and he was on duty, he gets his three-quarters retirement. There is no sin in that.

Mr. POINDEXTER. No; but——

Mr. LODGE. Why is it wrong for the reserve officer rendering service in the Navy—he was in the Navy, and on active service—why is it wrong as it applies to him, when we apply the same principle to the Regular Army? I know, of course, that he does not give his life. He gives a great deal more than his life.

Mr. POINDEXTER. I understand from the Senator's question that he favors putting temporary officers, temporarily serving the Government, upon the same basis as regular and permanent officers.

Mr. LODGE. That is what we have done already.

Mr. POINDEXTER. No; I beg the Senator's pardon. We have only done that in the limited case of those who were injured in time of war, and who made their application by a certain date; and when that legislation was criticized it was repealed.

Mr. LODGE. Nevertheless, it became a law.

Mr. POINDEXTER. It became a law without the knowledge of the Committee on Naval Affairs. It was legislation in an appropriation bill, and passed Congress, so far as I know, without any member of the Naval Affairs Committee having his attention called to it. Whether the Senator from Massachusetts is right about that or not, if we are to put the reserve officers upon the same basis as permanent regular officers as to retirement, it is a question that ought to be considered by a committee, and it ought to be thoroughly discussed.

The principle ought not to be established under the pressure of the appeal to sympathy in a particular case where a man is grievously injured and a case which appeals to everybody's sensibilities. Because we want to take care of that particular case, we ought not to give the benefit of such a principle to every man who may have laryngitis, or may have hurt his finger, or may have become in some respect incapacitated for military service under the strict rules as to fitness for military service, and put him upon the retired list and permit him to draw for the balance of his life three-quarters pay. It is not the case of this man only; it is a question of the principle that is involved.

Mr. LODGE. Mr. President, of course, the severe strictures of the Senator from Washington apply with particular force to the statement of the Secretary of the Navy, who says:

> The department regards this case as a meritorious one and is of the opinion that the bill should be enacted into law for his relief.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. LODGE. I yield.

Mr. WADSWORTH. Does the Senator think that the department insists that granting the retirement privilege is the only way of taking care of this man?

Mr. LODGE. I do not say anything except what the Secretary said, that he approved this bill.

Mr. WADSWORTH. I have noticed that the Navy Department always approves this kind of a bill.

Mr. LODGE. I beg to contradict that, because I know they do not.

Mr. WADSWORTH. It is the Navy Department that is sending other amendments here affecting the pay for the Navy alone when we have balanced in standing statutes the pay of all the services. I am a little weary of it. The Navy Departments knows that there is no retirement privilege for emergency officers of the Army. Why does not the Navy Department propose to join with the War Department, if it sees fit, in having a uniform statute, if there is to be any?

Mr. LODGE. It is open to Congress to do it.

Mr. WADSWORTH. I know it.

Mr. LODGE. It is not the fault of this man.

Mr. WADSWORTH. But the Senator quotes the Navy Department as an argument.

Mr. LODGE. I do. I quote the Navy Department for its opinion, and it is worth just as much as the opinions given here and no more.

Mr. WADSWORTH. Certainly; but does the Senator think that this man can not be taken care of by being put on the pension rolls?

Mr. LODGE. I think he is entitled to his retirement like those men who were injured earlier.

Mr. WADSWORTH. Even though the money allowance is the same?

Mr. LODGE. Yes; even though the money allowance is the same.

Mr. WADSWORTH. Then every reserve officer injured in time of peace is entitled to retirement.

Mr. LODGE. If he was in the service of the Navy, of course.

Mr. WADSWORTH. Of the Army, too?

Mr. LODGE. Oh, yes.

Mr. WADSWORTH. Well, now, let us see where we end. Thirteen thousand reserve officers of the Army are to be ordered to active service for 15 days' training camp this summer.

Mr. LODGE. Yes.

Mr. WADSWORTH. Does the Senator hold that any one of those officers injured in that 15 days' training camp, in the service of the Government, on active service, should be put on the Regular Army retired list?

Mr. LODGE. I think so; if he is retired for disability incurred in the line of duty.

Mr. REED of Pennsylvania. Mr. President, just to follow out the suggestion of the Senator from New York, at the training camps of last summer one of the reserve officers who was called into the temporary service of his country to train young men had his back broken in much the same circumstances as this man Livingston. He is lying to-day in a hospital; and under our present policy, or lack of policy, his Government can not even pay his hospital bill, much less any pension or compensation or retirement pay, or anything else.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from New York?

Mr. REED of Pennsylvania. I do.

Mr. WADSWORTH. The Senator knows, of course, that there is a bill upon this calender which will authorize and provide for his hospital care.

Mr. REED of Pennsylvania. There is for that particular man; but my protest is against the shortsighted policy which the Senator from New York has pointed out. We have granted some favors to some officers of the Navy. We are trying to cut off the line clearly and deny these favors to men like Livingston, who deserve just as much, and we have barred every Army officer from the same kind of relief; and Congress must take action on it, or these cases will come back to plague it in increasing numbers.

As for distinguishing between time of war and time of peace, you can not do it. A man who has his back broken in peace time suffers just exactly as much as if he had it broken at the front in France; and we must remember that a lot of these officers who get relief because their injuries occurred in time of war were not anywhere near the scene of hostilities. Livingston, who was a naval aviator, an expert in machine guns, was hurt while on active duty. He was running thousands of times the risk of many a staff officer who fell downstairs and got a similar hurt in time of war. Livingston, in time of peace, was exposed to more danger than many of his fellow naval officers in Washington in time of war; and it is absurd to distinguish between them and say that one should have relief and the other should not.

Mr. KING. Mr. President, I do not quite comprehend the feeling and, indeed, the heat exhibited by some Senators in the discussion of this measure. The injuries sustained by the beneficiary named in the bill are grievous, and not only call for sympathy but also for compensation. I have indicated that there is no disposition to deny relief, but have only criticized the plan provided in the pending bill for the extension of relief. The Senator from Pennsylvania [Mr. REED] has just denounced as "absurd" the position taken by Senators who have not indorsed his view. Mr. President, such statements do not settle this question, nor do they aid in reaching a correct solution of the matter. Some Senators seem to be unable to appreciate the principle involved in this bill. As I have stated, no one has contended that an appropriation should not be made that will adequately care for this brave and gallant soldier. He is entitled to relief. Senators seem to proceed upon the theory that if he is not placed upon the retired list there is no way by which he may be compensated. Of course, that position is wholly untenable. The debate has clearly demonstrated that Congress has taken the view that temporary or reserve officers are to be differentiated from those officers who are permanent and who have given their lives to military and naval service. Moreover, the facts in the case show that the injuries received by Mr. Livingston at a period after a temporary statute, one which was inadvertently passed, had been repealed.

Mr. President, the question before us, briefly stated, is this: Shall we discriminate between the brave soldiers who entered the Army and the Navy during the World War, and give to those who were fortunate enough to obtain commissions different ratings and greater privileges and advantages than those who were privates? I believe that justice and fair dealing require that there shall be equal treatment accorded to all. Let me present a concrete case to illustrate what discrimination would exist if the position of the Senator from Pennsylvania and the Senator from Massachusetts [Mr. LODGE] was to be accepted. Two young men enlisted, perhaps brothers, of equal ability and courage and worth. One happened to be made a lieutenant or captain or major and was assigned to some clerical position or to a safe place in the commissary department. He never went overseas or encountered any dangers, but met with a slight accident and lost a portion of his finger, or during the epidemic of influenza suffered from its attacks, and was declared by medical officers to be 10 per cent disabled, though, perhaps, the disability is not permanent. Of course, the injuries to the finger are permanent and would be rated as a disability entitling the officer to retirement with two-thirds pay for life. The second soldier enlisted as a private, crossed the seas, and fought gallantly in the Argonne and in other sections at the front. He was wounded, losing an arm or a leg. He would receive no retirement privileges but only a pension of $50 or perhaps $75 a month.

Those who are contending for this bill in its original form justify this discrimination and support a policy that would deal thus unequally and, as I believe, unjustly with our soldiers who participated in the great conflict. I insist that they shall all be treated alike. Those who happened to be officers and to have had temporary commissions should not be rated higher and be awarded greater benefits than their brothers and neighbors who were fighting for the same cause. I am told that most of the reserve or temporary officers insist upon legislation giving them the same retirement privileges as are accorded to regular officers. I hope my information is incorrect and that these men who served their country so ably and with so much valor will not seek for themselves advantages and benefits which they are unwilling shall be bestowed upon their brothers in arms who happened to be privates.

Mr. President, the Senator from Massachusetts [Mr. LODGE] made a fervid appeal, but he did not fairly meet the question involved. He indulged in implications that are wholly unwarranted and presented arguments unsound and fallacious. I do not wish to be unkind or unparliamentary, but I respectfully submit that he indulged in casuistry which the occasion did not call for and which was not entirely creditable to the able Senator. Of course the grievous injuries sustained by this soldier strongly appeals to the sympathy of everyone, but it is not, in my opinion, the commendable thing to distort the situation and pervert the facts in the case. The Senate will deal fairly with this injured man, and they can do so without repealing pro tanto legislation enacted after the fullest consideration; nor need they establish a precedent which may prove of great disadvantage in the future.

Mr. STERLING. Mr. President, I move—and I take the suggestion from the Senator from Washington—that in the amendment of the Senator from New York [Mr. WADSWORTH] the figures "100" be stricken out and "150" inserted.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. STERLING] to the amendment proposed by the Senator from New York [Mr. WADSWORTH].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is upon the amendment of the Senator from New York as amended. On that the yeas and nays have been ordered.

Mr. HEFLIN. Mr. President, does the amendment provide now that this boy shall be paid $150 a month?

The PRESIDING OFFICER. It does.

Mr. HEFLIN. From the time he was injured?

The PRESIDING OFFICER. It does. Does the Senator from Alabama still want to have the yeas and nays called?

Mr. HEFLIN. No; I think not.

Mr. LENROOT. I ask unanimous consent that the order for the yeas and nays be vacated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The question is on agreeing to the amendment of the Senator from New York as amended.

Mr. BURSUM. Mr. President, I object to the roll call being done away with. This bill embodies a matter of principle. I object to substituting a pension for retirement, because it is a discrimination. It is denying this officer the same treatment that has been accorded other officers rendering the same service under like conditions. I say they are entitled to retirement, and I am in favor of their having it. The proposal for a pension is nothing more than a policy to avoid giving the emergency officer a recognition to which he is entitled.

I ask for the yeas and nays.

The PRESIDING OFFICER. By unanimous consent, the order for the yeas and nays has been vacated.

Mr. BURSUM. I object to the request.

Mr. LENROOT. I call for the regular order.

The PRESIDING OFFICER. The Senator did not object until after the Chair had asked if there was objection and the order had been entered.

Mr. BURSUM. I demand the yeas and nays.

The PRESIDING OFFICER. The yeas and nays were once ordered upon the amendment offered by the Senator from New

York, and by unanimous consent the order was rescinded. The Senator speaks too late.

Mr. BURSUM. I again demand the yeas and nays.

Mr. BORAH. Mr. President, the fact that it was rescinded does not prevent us from asking for the yeas and nays again.

The PRESIDING OFFICER. On the same question?

Mr. BORAH. Certainly. Why should it? I ask for the yeas and nays.

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

Mr. CURTIS (when his name was called). I transfer my pair with the senior Senator from Missouri [Mr. REED] to the junior Senator from Missouri [Mr. SPENCER], and vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce that the junior Senator from West Virginia [Mr. ELKINS] is paired with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. STERLING (after having voted in the affirmative). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Minnesota [Mr. NELSON] and let my vote stand.

Mr. LODGE (after having voted in the affirmative). I desire to announce my pair with the senior Senator from Alabama [Mr. UNDERWOOD], which I transfer to the junior Senator from Colorado [Mr. NICHOLSON], and let my vote stand.

The result was announced—yeas 58, nays 18, as follows:

YEAS—58.

Ball	Glass	McLean	Smoot
Bayard	Hale	Moses	Stanley
Brandegee	Harreld	New	Sterling
Broussard	Heflin	Norris	Swanson
Calder	Johnson	Oddie	Townsend
Cameron	Jones, Wash.	Page	Trammell
Caraway	Keyes	Pepper	Wadsworth
Couzens	King	Phipps	Walsh, Mont.
Cummins	Ladd	Poindexter	Warren
Curtis	Lenroot	Pomerene	Watson
Edge	Lodge	Ransdell	Weller
Ernst	McCormick	Reed, Pa.	Williams
Fernald	McCumber	Robinson	Willis
Fletcher	McKellar	Sheppard	
France	McKinley	Shields	

NAYS—18.

Borah	Frelinghuysen	Kendrick	Shortridge
Brookhart	George	McNary	Sutherland
Bursum	Gerry	Norbeck	Walsh, Mass.
Capper	Harrison	Overman	
Culberson	Jones, N. Mex.	Pittman	

NOT VOTING—20.

Ashurst	Gooding	Myers	Simmons
Colt	Harris	Nelson	Smith
Dial	Hitchcock	Nicholson	Spencer
Dillingham	Kellogg	Owen	Stanfield
Elkins	La Follette	Reed, Mo.	Underwood

So Mr. WADSWORTH's amendment as amended was agreed to.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. BURSUM. I demand the yeas and nays on the passage of the bill.

The yeas and nays were not ordered.

Mr. WALSH of Massachusetts. Mr. President, I want the RECORD to show, before the vote is taken, that I voted in the negative on principle on the last roll call. I believe in giving this man the amount of money which the bill as amended provides for, but I voted in the negative because I want a reserve officer to have exactly the same status as a regular officer.

Mr. JONES of New Mexico. I voted with the same end in view as announced by the Senator from Massachusetts. That is why I favored the calling of the roll upon the final passage of the bill. I sincerely trust that there will be a yea-and-nay vote on the final passage, because there were 18 who voted "nay" upon the amendment, and they did so in support of a principle which they thought should obtain, and now they should be permitted to go upon record in favor of the final passage of the bill.

Mr. OVERMAN. May I ask the Senator if anyone thinks this bill if passed will set a precedent for putting persons on the pension rolls at $1,800 by the House of Representatives?

Mr. JONES of New Mexico. I would prefer that this case should be taken care of by a retirement bill, rather than by a pension bill. That is the reason why I voted against the amendment; but I do not want to be put in the attitude of opposing compensation to this disabled officer, and I hope that there will be a yea-and-nay vote upon the final passage of the bill.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. HEFLIN. Just a moment, Mr. President. I do not intend that any injustice shall be done to the reserve officers. There will be no injustice done to them hereafter if I can prevent it. I am voting now in an emergency case. I am voting for a measure which, I believe, affords the only means of relief for this unfortunate officer. We are acting purely and wholly, singly and solely, upon the merits of this particular case. We are not setting a precedent so far as I am concerned. I am in favor of putting this man on the retired list, but we can not do that in the Senate to-day. Congress is to adjourn on Sunday, and nine months will elapse before we meet again. I want this young man to have something to live upon, and this is the only means by which we can give it to him. It is for that reason that I suggested that this amendment be put on, giving him $150 a month, dating back to the time he was injured. When I voted to give him that I was trying to do justice by him, to give him something to live upon. We are not now barred from taking the case up again and putting him on the reserve list. I do not intend to do an injustice to other reserve officers. I am for fair treatment for all of them and shall so vote when the matter is presented.

The reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as before as to the transfer of my pair, I vote "yea."

I also desire to announce that the junior Senator from West Virginia [Mr. ELKINS] is paired with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. LODGE (when his name was called). Making the same announcement as to the transfer of my pair as before, I vote "yea."

Mr. REED of Pennsylvania (when his name was called). I transfer my general pair with the junior Senator from Delaware [Mr. BAYARD] to the junior Senator from Minnesota [Mr. KELLOGG] and vote "yea."

The roll call having been concluded, the result was announced—yeas 65, nays 1, as follows:

YEAS—65.

Ball	George	McCumber	Shields
Borah	Gerry	McKellar	Shortridge
Brookhart	Glass	McKinley	Sterling
Bursum	Hale	McNary	Sutherland
Calder	Harreld	Moses	Swanson
Cameron	Harris	New	Townsend
Capper	Harrison	Norbeck	Wadsworth
Caraway	Heflin	Norris	Walsh, Mass.
Culberson	Jones, N. Mex.	Oddie	Walsh, Mont.
Cummins	Jones, Wash.	Overman	Warren
Curtis	Kendrick	Pepper	Watson
Edge	Keyes	Phipps	Weller
Ernst	Ladd	Poindexter	Williams
Fernald	La Follette	Ransdell	Willis
Fletcher	Lenroot	Reed, Pa.	
France	Lodge	Robinson	
Frelinghuysen	McCormick	Sheppard	

NAYS—1.

Smoot

NOT VOTING—30.

Ashurst	Elkins	Nelson	Smith
Bayard	Gooding	Nicholson	Spencer
Brandegee	Hitchcock	Owen	Stanfield
Broussard	Johnson	Page	Stanley
Colt	Kellogg	Pittman	Trammell
Couzens	King	Pomerene	Underwood
Dial	McLean	Reed, Mo.	
Dillingham	Myers	Simmons	

So the bill was passed.

The title was amended so as to read, "A bill granting a pension to John L. Livingston."

RECLASSIFICATION OF GOVERNMENT EMPLOYEES.

Mr. CURTIS. Mr. President, I ask unanimous consent that when the Senate concludes its business today it adjourn until 11 o'clock to-morrow morning, and that at the conclusion of the morning business to-morrow H. R. 8928, the reclassification bill, be taken up for consideration.

The PRESIDING OFFICER. Is there objection?

Mr. ROBINSON. Pending the request of the Senator from Kansas, I desire to say that my understanding is that he proposes that at the conclusion of the morning business the Senate shall proceed to the consideration of the reclassification bill, and he does not request an agreement to vote upon the bill?

Mr. CURTIS. I do not.

Mr. ROBINSON. He merely desires that the bill shall be considered? I think the bill should be considered and, if possible, acted upon during the present session. I shall not, therefore, object to the request.

Mr. CURTIS. I may state that the deficiency appropriation bill, of course, should be passed. The reclassification bill

should be disposed of before the deficiency appropriation bill is reported to the Senate.

Mr. BORAH. Mr. President, may I ask the Senator what he proposes to do with reference to disposing of the calendar? We have spent two and a half hours this morning on a bill that ought to have been disposed of in five minutes.

Mr. CURTIS. As the Senator well knows, I asked for an extension of two hours on the calendar this afternoon, hoping to get through with it. I am perfectly willing that to-morrow, if we can arrange it, we shall put in some more time on the calendar, but I thought we had better wait until the reclassification bill was acted upon, because it is vitally important that that bill shall be acted upon as soon as possible.

Mr. SMOOT. Mr. President, I want also to say to the Senator that I do not think it will take very much time to dispose of the reclassification bill.

Mr. LA FOLLETTE. Mr. President, I want to inquire of the Senator from Kansas if it is anticipated that the bill known as the filled milk bill will be disposed of or that the Senate will, at least, have an opportunity to consider that bill before the reclassification bill is taken up?

Mr. CURTIS. Of course, I know nothing about what may happen, but I have understood that after the motion to recommit the shipping bill has been acted upon there would be a motion made to take up the filled milk bill. I have spoken to the Senator in charge of the filled milk bill, and he is not opposed to the unanimous-consent request I have submitted.

Mr. LA FOLLETTE. Well, I am as much interested in the filled milk bill as is the Senator who is in charge of it.

Mr. CURTIS. That is true.

Mr. LA FOLLETTE. And I propose to exercise such power as I can here on the floor of the Senate to insure a consideration of that bill to its final disposition.

Mr. CURTIS. If the reclassification bill is not disposed of by 1 o'clock to-morrow, a motion could be made to that effect.

Mr. LA FOLLETTE. What does the unanimous-consent proposition of the Senator from Kansas contemplate with regard to the balance of the time to-day?

Mr. CURTIS. Nothing at all. After 3 o'clock we can go on with the motion to recommit the shipping bill.

Mr. LA FOLLETTE. I would like to have the unanimous-consent agreement restated with respect to the remainder of the time to-day.

Mr. CURTIS. The unanimous-consent request is that at the conclusion of the business of the Senate to-day the Senate adjourn until 11 o'clock to-morrow morning, and that immediately after the routine morning business to-morrow the reclassification bill be taken up for consideration.

Mr. LA FOLLETTE. If I understand the application for unanimous consent, all it means is that it reaches ahead into the session to-morrow and singles out the one bill and gives it special consideration.

Mr. CURTIS. It does not make it the unfinished business.

Mr. LA FOLLETTE. I understand it does not. I think there is other legislation quite as important as that which might well be selected for consideration to-morrow.

Mr. CURTIS. Does the Senator object?

Mr. LA FOLLETTE. I do.

The PRESIDING OFFICER. Objection is made.

Mr. STERLING. Mr. President, I wish the Senator from Wisconsin would not make the objection in view——

SEVERAL SENATORS. Regular order!

Mr. LA FOLLETTE. I understand the position of the Senator from South Dakota, and I want to see the reclassification bill pass, but there is other legislation on the calendar just as important.

The PRESIDING OFFICER. The regular order is demanded. The Secretary will report the next bill on the calendar.

BILLS PASSED OVER.

The bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes, was announced as next in order.

Mr. McKELLAR and others. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3247) to transfer to the classified service agents and inspectors in the field service, including general prohibition agents and field supervisors appointed and employed pursuant to the national prohibition act, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4050), to provide for the purchase and sale of farm products, was announced as next in order.

Mr. KING. The bill would take considerable time for consideration.

Mr. CALDER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4012) to control the possession, sale, and use of pistols and revolvers in the District of Columbia, to provide penalties, and for other purposes, was announced as next in order.

Mr. KING. Let the bill be read.

Mr. OVERMAN. There is no use to read the bill, because I have a message from a Senator asking that objection be made to its consideration to-day. Therefore I object.

The PRESIDING OFFICER. The bill will go over under objection.

Mr. STERLING. I hope the Senator from North Carolina will withhold his objection long enough to permit me to make a brief statement.

Mr. ROBINSON. I call for the regular order.

The PRESIDING OFFICER. The regular order is demanded. The Secretary will report the next bill upon the calendar.

The bill (S. 3252) to amend paragraph 8 of the act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901, as amended, was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 799) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. LODGE. Let the bill go over.

Mr. CAPPER. Mr. President, this is the bill known as the "truth in fabrics" bill. The time remaining for the consideration of the calendar to-day is so short that I shall not make a motion to take it up, but I want to say that at the first opportunity I shall undertake to have the bill brought before the Senate for consideration.

The PRESIDING OFFICER. On objection, the bill will be passed over.

JOHN CALVIN STARR.

The bill (H. R. 10287) for the relief of John Calvin Starr was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Calvin Starr the sum of $5,000 in full settlement against the Government for personal injuries sustained as a result of being struck by runaway Government-owned mail truck.

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

FILLED MILK.

The bill (H. R. 8086) to prohibit the shipment of filled milk in interstate or foreign commerce was announced as next in order.

Mr. OVERMAN. An absent Senator has sent me word to object to the consideration of the bill to-day, which I do.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM J. EWING.

The bill (S. 3226) for the relief of William J. Ewing was considered as in Committee of the Whole, and was read as heretofore amended, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William J. Ewing, or his legal representatives, the sum of $1,560, as full compensation for permanent injuries received by the said Ewing on the 18th day of December, 1901, at San Francisco, Calif., while in the performance of his duties as an employee of the United States Life Saving Service.

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

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

EDITH B. MACON.

The bill (S. 1678) for the relief of Edith B. Macon was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SOPHIE K. STEPHENS.

The bill (S. 1528) for the relief of Sophie K. Stephens was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, in line 5, to strike out "$7,500" and insert "$512.75"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Sophie K. Stephens, of 2107 Beverly Road, Brooklyn, N. Y., the sum of $512.75, out of any money in the Treasury not otherwise appropriated, as compensation for and in full satisfaction of all claims for damages against the United States for injuries sustained on December 4, 1918, by falling over United States mail sacks which had been left on the sidewalk in front of the Kensington post office, Brooklyn, N. Y.

The amendment was agreed to.

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

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

BILLS PASSED OVER.

The bill (S. 129) to provide for election contests in the Senate of the United States was announced as next in order.

Mr. FRELINGHUYSEN. The sponsor of the bill is not in the Chamber. It is a very important measure; and I object to its consideration.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7761) to amend the Revised Statutes of the United States relative to proceedings in contested-election cases was announced as next in order.

Mr. JONES of Washington. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4283) to authorize the Commissioners of the District of Columbia to require operators of motor vehicles in the District of Columbia to secure a permit, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

REDUCTION OF NIGHT WORK IN THE POSTAL SERVICE.

The bill (S. 3773) to reduce night work in the Postal Service was announced as next in order.

Mr. DIAL. Let the bill go over.

Mr. TOWNSEND. Mr. President, notwithstanding the objection of the Senator from South Carolina, I move that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That hereafter 50 minutes' night work performed by clerks and special clerks in first and second class post offices, railway mail clerks assigned to terminals, and letter carriers in the City Delivery Service shall be computed the same as one hour's day-work: *Provided*, That for the purpose of this act night work shall be defined as any work done between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

Mr. DIAL. Mr. President, I would like to have the Senator prove the necessity for the passage of the bill.

Mr. TOWNSEND. The Senator from South Carolina listened to the testimony that we took on the subject on several different occasions. It is known that there is a large amount of night work required in the various post offices in the first and second classes. We also know that much of the night work would be covered by the proper regulations in reference to the management of the post offices. It is also known that night workers are not as efficient as day workers. That was admitted by all those who testified before the committee.

Mr. NORRIS. Mr. President, will the Senator yield for a question?

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

Mr. TOWNSEND. I yield.

Mr. NORRIS. I want to ask the Senator whether the bill would apply to all classes, and if not, to what classes would it apply?

Mr. TOWNSEND. It would apply to clerks and special clerks in the first and second class post offices, railway mail clerks assigned to terminals, and letter carriers or city delivery carriers.

Mr. NORRIS. It would apply to no post office except those of the first and second class?

Mr. TOWNSEND. It ought to apply, and I am going to propose an amendment to make it apply, to supervisory officials in the offices the same as it does to clerks who are obliged to work at night.

It has been difficult to determine from the department just exactly what this would cost the Government. As I said, it is known that we can reduce night work. Since the report of the Joint Committee on Postal Affairs on the subject night work has been materially reduced. Night work is caused largely by the failure of people to deposit their mail before the unreasonable hour of 6 o'clock. It is also known in the department that they are giving the same attention to second-class mail matter at night that they do in the daytime. Now, the committee believe that the second-class mail matter, or much of it, should not be handled at night, but should be handled in the daytime. If this were done, the night work would be materially reduced.

Now, the question comes up to us, where it is necessary to have night work, ought there not to be a different compensation or recognition from that accorded those who work in the daytime? The difference in opinion among the committee members, and among those who acknowledge there should be some differential, rested in that some believe we should have shorter hours for night work, while others believe we should have greater compensation for night work, the same as is now paid to those who are employed in the Government Printing Office. They get a higher compensation for work done at night.

The consensus of opinion, however, seemed to be that a plan to have shorter hours was the more desirable of the two plans. Instead of increasing the pay, it was believed we should shorten the hours. The request was that six hours instead of eight hours should constitute a day. Your committee agreed that 50 minutes should constitute an hour in figuring compensation for night work between 6 p. m. and 6 a. m. So the bill was reported and advocated on the theory I have mentioned, that something ought to be done to compensate the night workers in the interest of more efficient service to the Government, and in the interest of humanity to the men and women who are employed to work at night, in the interest of good government itself, that we should have the shorter hours for night work. It is on that theory, I repeat, that the committee have reported the bill.

Mr. SMOOT. Mr. President, will the Senator yield for a moment?

Mr. TOWNSEND. Certainly.

Mr. SMOOT. Will the Senator explain why the bill would not encourage night work rather than tend to eliminate it? It seems to me on the face of the bill it would be an encouragement rather than a deterrent of night work.

Mr. TOWNSEND. I think I can show the Senator where it would not have that effect. It stands to reason, after looking over the history of the Post Office Department for a number of years, that they could reduce night work; but they have not seen fit to do so until very recently. They do not want to expend the money. The Post Office Department officials are out for economy as no other department in the Government is, it seems to me. They are not going to employ any more night workers if they have to pay more—that is, if they get less work out of it than otherwise they would, and they are going to reduce the force; that is admitted. That has been done since the joint commission on postal affairs reported against so much night work and recommended that it should be reclassified so that many of the employees could be transferred to day work.

Mr. CALDER. Does the department recommend its passage?

Mr. TOWNSEND. The department makes no recommendation, although their testimony is here as to what the situation is in the service.

Mr. SMOOT. It may work that way, but I can not, for the life of me, see how it will do so. It seems to me if we are going to give our workmen an hour's pay for 50 minutes' work, the Senator must acknowledge either one of two things, that to-day the man does not do the work he can do in an hour, or else the new basis will cost the Government more money. If he will do more work in 50 minutes than he is now doing in 60 minutes, then the Senator's argument is good; but if that argument is made, it demonstrates beyond a question of doubt that the men are not doing what they ought to do to-day.

Mr. TOWNSEND. It is possible that is true. It has always been true that the night workers have not done the same amount of work for the same pay that the day worker has done; that is always true. Now, I am assuming it is going to cost the Government a little more, gradually to be reduced as night work is reduced, and I am assuming also that it is going to make for better feeling in the Post Office Department among all the workers to have some recognition by reason of the fact that they are working shorter hours than they had worked heretofore. I believe we will get better results.

Mr. SMOOT. I will say to the Senator that a great many employees prefer night work in the other departments of our

Government. Personally, I would not, but I know that many of them do.

I will not say anything more about the matter; but I shall be very much surprised if it works out as the Senator says.

Mr. TOWNSEND. Mr. President, I should like to ask that an amendment be made in the bill at the proper place including supervisory employees in the Post Office Department in these same places. We did not include them, and I want to have them included.

Mr. DIAL. Mr. President, to my mind there is no necessity whatever for passing this bill. It is on the wrong lines. It was discussed before our committee some time ago, probably a year ago, certainly many months ago, and I thought it would go over at this session. I did not think it would come up any more. Another bill which was up at the same time was passed. I therefore have not read the hearings in a long time, and I have not refreshed my memory about the testimony; but the bill says, Mr. President:

That hereafter 50 minutes' night work performed by clerks and special clerks in first and second class post offices, railway mail clerks assigned to terminals, and letter carriers in the City Delivery Service shall be computed the same as 1 hour's day work: *Provided*, That for the purpose of this act night work shall be defined as any work done between the hours of 6 o'clock post meridian and 6 o'clock antemeridian.

Mr. President, my recollection is that the Post Office Department did not ask for this legislation, and did not advocate it. I am not positive about it, but I think they thought it was entirely out of place and uncalled for, and setting a very bad precedent. That is my recollection of the general testimony, or at least the general atmosphere in the room at the time the testimony was taken.

Anyway, it is a bad precedent for Congress to change the number of minutes in an hour. I never expect to vote for any such law. Sixty minutes is an hour, and now we are asked to declare that 50 minutes shall constitute an hour to apply to this kind of employees! Why, it will not be long before employees in other departments of the Government will be asking the same favor; so we would be setting a very dangerous precedent, indeed, and we would never know "where we were at," to use a common expression, if we set a precedent like this.

My understanding is that there was no big demand for the passage of this bill. They are trying to decrease night work. Not only that but the bill proposes to change daytime into nighttime. Talk about nighttime beginning at 6 o'clock in the summer time! Why, it is two hours before nighttime, and the object of the bill is simply to give more pay for less work.

Mr. President, I am in favor of paying employees reasonable compensation, but I do not believe in a camouflaged way of doing it. If we want to increase the pay, let us increase the pay; but let us not declare by an act of Congress that 50 minutes shall constitute an hour. There was very little demand before the committee for this legislation. It was requested by the representatives of a few of the larger post offices in the United States, and my recollection of the testimony is that they left this very question to a vote of the employees of some of those post offices, and that a majority voted to let the law stay as it was. The idea of working at nighttime was not obnoxious to a great many of the employees, as appeared by the testimony in the case. To use the expression of Judge Watts, of the supreme court of South Carolina, "the milk in the coconut" is embraced as follows:

On page 83 of the hearings this is a proper diagnosis of their effort. The witness on the stand here was named E. J. Cantwell, I believe. This occurred before the committee:

Senator DIAL. I would like to ask a question. Assuming that a man works 6 hours a day, what do you expect him to do the balance of the 18 hours, after he sleeps a reasonable time?

Mr. CANTWELL. Well, I would not care to render any opinion on that, Senator. I do not view this question from the standpoint of the time that would be left at the disposal of the employee.

Senator DIAL. He sleeps about eight hours only?

Mr. CANTWELL. Yes. The thing is the hardships and inconveniences and disagreeable things that men are subjected to who are required to do this night work.

Think of the absurdity of any such proposition! This witness complains of the "hardships" and the "disagreeable things" and the "inconveniences" of doing night work. If you want to work at night, you are prepared to undergo the inconveniences of working at night. As I said before, my recollection of the testimony of some of the witnesses was that the employees had taken a vote, and they preferred to work at night instead of in the daytime. The question was presented of rotating them, so that some of them would work a certain number of weeks in the daytime and some of them would work a certain number of weeks in the nighttime; but the employees themselves decided that they preferred to work at night instead of changing to the day shift.

Mr. ROBINSON. Mr. President, will the Senator yield to a question?

Mr. DIAL. I will.

Mr. ROBINSON. If that reflects the viewpoint of the employees, how will this bill reduce the amount of night work that is being done? Will it not, by paying them more, tend to encourage the performance of more night work than is now being done?

Mr. DIAL. Of course it will.

Now let us go down further:

Senator DIAL. I do not see any difference between night work and day work, as to hardship, except the fact that it is night instead of day. They work at the same desk and in the same building, do they not, with the same surroundings and the same heat?

They are on swivel chairs, you know. They are not out in the elements. They are moving around there, with plenty of electric light.

Mr. CANTWELL. Of course, in so far as the ordinary things are concerned——

Senator DIAL. Let us get down to hard tacks. Is it not true that with that extra time they will seek other employment and be more fatigued at night than they would if they worked longer hours in the post office? Is that true or not?

Mr. CANTWELL. Well, if you put a man at work and concentrate his mind and energy on his work, and have him working under conditions that are agreeable with a contented mind, he will do much more work if he feels——

This witness lays stress on "a contented mind" in handling the mails. That is not a physical hardship. It makes me tired for people to come here and say that employees are always balking at a little work. If they do not want to work, they can quit. When they are handling a few letters and working a little stamp it is a different proposition from going out and running machinery where brain and muscle are taxed—quite a different proposition.

I am astonished that Congress should be so silly as to listen to a man who says that the employees would be "better contented" if they got what he asked. After a while they will not be contented if they have to do more than four hours' work a day. It reminds me of the Russians. After we had contributed $20,000,000 to send over there, donated it to them, I saw some time after that where they had struck for seven hours' work instead of eight hours. They did not want to distribute what we had given to them. We are just about on the same parity here. In fact, the employees are doing a little less work here. They want six hours' work only. The object of this, Mr. President, is to reduce night work down to six hours, so that a man shall have two employments within the 24 hours.

I rode upon a street car here some time ago and overheard a conversation. One fellow told his neighbor on the car that he had two employments, a double shift, and was getting double pay. I believe in work. I am a sort of glutten on work myself; but I say let the Government fix reasonable and fair rules. If a man is going to work six or seven hours at one place and then go to another, or sleep a while and go to another place and work seven hours and go back to the Government office, he is not in nearly as good condition then to work for the Government and perform good service as he would be if he had to work eight hours for the Government.

We can not improve much on the old division of time, dividing the day into three eight-hour shifts. That is little enough, especially where a man does not use his muscles and where there is no strain on his brain. I appeal to the common sense of the Senate not to go ahead and establish a standard of 50 minutes for an hour. I want to warn you of the precedent that you are setting. You might just as well declare 50 minutes to constitute an hour in all the branches of the Government as to come here and say it as to one branch. The whole tendency is to make your employees dissatisfied. We ought to be men enough to establish just laws, just rules, just working conditions without coming here and listening to the whim of somebody just before a presidential or a senatorial election and try to make friends out of a certain vote.

Mr. President, according to my recollection, this testimony before the committee fell flat. There was no demand behind it except by a little organization or two.

Now let us go on down. This man speaks of having a contented mind, and so on.

Senator DIAL. That is not the point. My point is, if he has to work for the Government only six hours, he is not going to want to loaf all the balance of the time; he is going to want to do something else, and he won't be resting.

The CHAIRMAN. It is sometimes restful to do something else besides the work that you are doing regularly, where it is continuous work.

Mr. President, we stay here pretty continuously, and I do not know that we are much more fatigued than these men in the Post Office Department, handling a little mail.

Mr. CANTWELL. It is problematical as to how that would work out. I think that is about all I have to say.

Mr. President, this matter concerns the rest of the Senate just as well as it does me. I am sorry that I did not know the bill was coming up. I would have had the testimony of these different witnesses ready; but if Senators care to read it they will find that it is a very doubtful experiment from the side of the employees alone, it is more doubtful from the side of the Post Office Department, and it is still more doubtful from the standpoint of the common good of the country. There is no ground for it; there is no good, just reason for it; and we certainly ought not to establish any such precedent.

Mr. ROBINSON. Mr. President, I do not think this bill, being a Senate bill, has a substantial chance to pass the body at the other end of the Capitol during the present session. It is a very extraordinary piece of legislation. The language of it, as pointed out by the Senator from South Carolina [Mr. DIAL], is very unusual. If it is desirable to increase the compensation of these persons who work, I have no objection to doing that. I should be willing to take the conclusion of the Senator from Michigan [Mr. TOWNSEND] and his associates on the committee as to whether there is a necessity and justification for increasing the compensation of these employees; but the bill is brought forward under the justification that it will diminish night work, and in the limited time that I have had an opportunity of studying it I am unable to see how it is fairly calculated to accomplish that end.

If the statement just made by the Senator from South Carolina is correct—namely, that many of these employees prefer to do night work—and if the amendment proposed by the Senator from Michigan as I heard it read is adopted, it will be to the interest not only of the employees themselves but of the supervisors of these employees to perform more night work instead of more day work, because the practical effect of this legislation is to give them for 50 minutes' work the compensation that would otherwise be received for an hour's work. It is an increase, as suggested by the Senator from Utah [Mr. SMOOT], of 20 per cent.

Inasmuch as it does not seem probable that final action can be had, I believe that the measure ought to be recommitted to the Committee on Post Offices and Post Roads for further consideration. I shall make that motion when the opportunity arises.

Mr. TOWNSEND. Mr. President, I do not care to discuss the testimony referred to by the Senator from South Carolina [Mr. DIAL], because copies of it are before all the Senators. The Senator seems to assume that the case is not a good one and was not made out. Of course I do not agree with him. I do not think anybody who read the testimony would agree with him.

The Senator from Arkansas [Mr. ROBINSON] says there is no chance of passing the bill at this session, because it is a Senate bill. The House has had introduced a bill identical with the one I introduced, and it is now on the calendar of the House, so that there is a prospect of passing upon it. It is not a new matter. It has been discussed in the Congresses for a number of years, and I think there is a general conclusion that something ought to be done on this subject.

I am satisfied, as I said a moment ago, that the passage of the bill will result in reducing night work. I do not say that it will abolish all night work, because we shall have to have some night work—there is not any doubt about that—in whatever way we have a mind to manage the post offices; but the fact that your Joint Commission on Postal Affairs investigated this matter and reported to the department and to the Congress that it ought to be reduced and suggested some ways whereby it could be reduced resulted in accomplishing to a large extent the reduction we were after. The bill can do more. There is not any doubt about it.

I hope this bill will not be recommitted to the committee. The Post Office Committee have considered it over and over again. We have had extensive hearings on the subject. I do not care to occupy the whole time of the Senate on this one bill, but I should like to get a vote on the subject. I think we ought to have a vote on it. We ought to have a vote directly on this bill. There is not any question about it. It ought not to be recommitted to the committee, because, as I said, it has been there for several Congresses, and our committee considered it very carefully.

Before that motion is made, if the Senator is going to make it——

Mr. ROBINSON. Mr. President, if the Senator prefers to have a vote directly on the bill, I shall not object to that action, but I do think it ought to be a yea-and-nay vote, and for the purpose of bringing in Senators and giving them a chance to understand it, I will suggest the absence of a quorum.

Mr. TOWNSEND. May I first ask that the bill be amended to include——

Mr. ROBINSON. I think we had better determine the amendment a little later. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Fernald	Lodge	Sheppard
Ball	Fletcher	McCormick	Shields
Bayard	Frelinghuysen	McCumber	Shortridge
Borah	George	McKellar	Smith
Brandegee	Gerry	McKinley	Smoot
Broussard	Glass	McNary	Stanley
Bursum	Gooding	Moses	Sterling
Calder	Hale	New	Sutherland
Cameron	Harreld	Norbeck	Swanson
Capper	Harris	Norris	Townsend
Caraway	Harrison	Oddie	Wadsworth
Colt	Heflin	Overman	Walsh, Mass.
Couzens	Hitchcock	Owen	Walsh, Mont.
Culberson	Jones, N. Mex.	Page	Warren
Cummins	Jones, Wash.	Pepper	Watson
Curtis	Kendrick	Poindexter	Weller
Dial	Keyes	Pomerene	Willis
Dillingham	King	Ransdell	
Edge	Ladd	Reed, Pa.	
Ernst	Lenroot	Robinson	

Mr. MCNARY. The senior Senator from Wisconsin [Mr. LA FOLLETTE] and the junior Senator from Iowa [Mr. BROOKHART] are absent from the Chamber in attendance upon a committee meeting.

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

Mr. HARRISON. Mr. President, just a word before we vote. I have given very little consideration to this bill, but I am in favor of the principles enunciated in the bill. It would affect my State very little, because we have no cities there of over 30,000 population, but I know that in the large cities of this country, because of inadequate pay to many of the postal clerks and employees, their wives are forced to work in order that sufficient means may be accumulated to educate their children.

Mr. ROBINSON. Will the Senator yield?

Mr. HARRISON. Certainly.

Mr. ROBINSON. Why not, then, increase the compensation of those employees, as I suggested a few moments ago, rather than violate the mathematical process by which time is ordinarily computed by declaring 50 minutes to constitute an hour? Why not do the thing frankly and courageously? If an increase in compensation is necessary, as I have already suggested, I am ready to vote for it, but I think we should proceed in that way rather than by declaring 50 minutes to be an hour, or requiring that that be computed as an hour.

Mr. HARRISON. I do not see much difference in getting at the object desired whether we increase the compensation of the night employees or reduce the number of hours they have to work. I take it we will get at the same result, no matter which road we travel. I notice in the report that while there was a difference of opinion in regard to the proposition, a majority of the committee felt that this was the best way to get at the matter. The end is arrived at whether we reduce the time the employees shall work during the night or increase the salaries.

Mr. TOWNSEND. Will the Senator yield?

Mr. HARRISON. I yield.

Mr. TOWNSEND. We asked the Post Office Department to determine some facts for us with reference to this matter, and they sent questionnaires out to a hundred principal post offices in the United States. The postmasters took canvasses of the employees, and the postmasters themselves expressed their opinions upon the subject. While it is true, as the Senator from South Carolina has said, that there might have been one post office where there was some difference of opinion, and two or three of the postmasters expressed themselves in favor of better compensation, the great majority of them are in favor of shorter hours, and the representatives of the Post Office Department said it would be simpler to make the change by a reduction of hours than by changing the compensation.

Mr. HARRISON. It is immaterial to me which road we travel, as I said. I believe these employees in many instances are obtaining inadequate pay. A man who works in the daytime is at home with his family at night, if he is a good husband. In thousands and thousands of instances in the cities the wife works during the day and the husband at night, and consequently the man is oftentimes prevented from seeing his wife and his children, and associating with them as a man should. I believe that a man who works at night and is kept away from his family is entitled to more pay or shorter hours, I do not care which is decided on, than the man who works in the daytime, and for that reason, and believing as I do, I shall vote against any motion to recommit, and I shall vote for the bill.

Mr. SMITH. May I ask the chairman of the committee if the object of this legislation is, primarily, to give the same wage but for shorter hours? Under the bill as written, one who

puts in 50 minutes at night gets the same compensation as one who puts in 60 minutes in the daytime. Does this bill mean that the hours will be shortened with the same pay?

Mr. TOWNSEND. It means that for 50 minutes of night work a man will get the same compensation he would get for 60 minutes of day work.

Mr. SMITH. I understand that; but does it contemplate that the employees shall work a shorter time at night, or is it just for an increase in pay for the same length of time?

Mr. TOWNSEND. They will work a shorter term for the same pay. That is the object of it.

Mr. ROBINSON. Will the Senator yield to me?

Mr. SMITH. I yield.

Mr. ROBINSON. The bill expressly defines night work as any work done between 6 o'clock post meridian and 6 o'clock ante meridian, so that under the bill itself there are 12 hours in which night work may be performed; and if we make compensation for 50 minutes of work done at night the same as the compensation for an hour's work done during the daytime, we will have more night work done hereafter than is being performed now, because in addition to these circumstances the Senator proposes to make the provisions of the bill applicable to supervisory employees; and instead of carrying out the purpose which the committee seems to have in mind, namely, of reducing the amount of night work now being done in the Post Office Department, it seems to me to encourage and increase it.

Mr. SMITH. The idea I had in mind was this: Suppose an individual has to work three hours in order to get a certain amount accomplished. Under this bill he would have to work two and a half hours and would get identically the same pay. Does it mean that he will be allowed at the end of two and a half hours to finish his work—that is, to go home—or is he to go right on and work the same number of hours but get an increase in pay based on the 10-minute difference?

Mr. TOWNSEND. It means that the day's work ends when 8 hours, with 50 minutes to the hour, expire.

Mr. SMITH. That is getting to the point I desired to make. Under the eight-hour law, a man has to work eight hours in order to make his eight-hour day. Those whose shifts come at night will have about seven and one-half hours' work to do.

Mr. TOWNSEND. Six and two-thirds hours.

Mr. ROBINSON. May I ask the Senator a question?

Mr. SMITH. Certainly.

Mr. ROBINSON. If it is the desire to reduce the hours of work to be done by an employee, why not do it by providing that persons working at night shall work so many hours and minutes, rather than complicate the question by outraging the calendar and the laws of nature and every other principle that ordinarily governs mankind?

Mr. SMITH. That is exactly what confused me about the matter. A man will work six hours and a fraction at night, and it will be counted as eight hours' work in the daytime. It seems to me the provision in the bill is better, for this reason, that you do not disturb the eight-hour day. Under the law when six and two-thirds hours are put in at night it is a constructive eight-hour day, but eight full hours are required during the daytime. The object is to give the employee the same compensation for a legal day's work at night as he gets in the day; or, in other words, by this legislation to construe six and two-thirds hours as eight hours.

Mr. SMOOT. It simply means this, and I can construe it in no other way: That if this becomes a law, there will have to be 20 per cent more employees to do the same work at night than are employed now. That is exactly what it means, in my opinion, and I can not see it in any other way. If the night employees now, doing all they can do, perform a certain amount of work, and the same amount of work has to be done in the future, if they work only 6 hours and 40 minutes we will have to have 20 per cent more employees to do the same work.

Mr. SMITH. But the point I was making was this: The work done at night is done under adverse circumstances, and as I take it, the object is simply to construe the legality as six and two-thirds hours as against eight hours in the daytime. In order to have the work done as efficiently as it is now done, it will be necessary to supplement the number of employees in order to make up for the remitted time.

Mr. SMOOT. These two questions will come up——

Mr. SMITH. Before the Senator goes into that, let me state my question again. Before an employee could get pay for eight hours, he would have to stay on the job eight hours, at least constructively, or he would not get eight hours' pay. Suppose at night he should work six hours and a few minutes and accomplish all the work he had to do. Under the law he would not get paid for the eight hours if he were at home. Why then, force him to stay the balance of the night, constructively on the job, when he could get all the work done within the length of time and get a day's pay, under the circumstances that attend night work?

Mr. SMOOT. There is only one answer to that—that if Government employees now doing this night work of the Post Office Department are working six hours and forty minutes and loafing an hour and twenty minutes, then, of course, it would make no difference, but if those employees are working eight hours and doing what they should do for the Government under the law, then, of course, we will have to increase the number 20 per cent.

Mr. SMITH. Theoretically the Senator is correct, but practically the Senator knows that there are conditions, especially in the mail service, governed as it is by the schedules of the trades, when the employees could get through with the work and go home and save that length of time, whereas in the daytime it would not make so great a difference. But it seems to me that if those who are on the night shift can get through with their work and accommodate themselves to certain schedules, there would not be any serious objection to it.

Mr. DIAL. If we establish this precedent in this department, does not the Senator think there will be a plea to follow it in any other department where they do night work?

Mr. SMITH. I do not know whether there would or not. It seems to me we have strained this idea of precedent too far. All of us understand the difficulty of legislating for exceptions, but when we are providing rules and regulations for a department we ought to treat them in a spirit of humanity and fairness and justice, and not bind ourselves up too much with red tape.

Mr. McCUMBER. Mr. President, I want to ask a question of the Senator in charge of the bill. I presume the measure is based upon the assumption that night labor is more exacting than day labor and therefore ought to command a higher price than the day labor. If that be true, I want to ask the Senator why he does not simply provide for one-sixth greater pay for night work than for day work, if that is what he wants to accomplish, instead of mixing the hours up into 50-minute periods instead of 60 minutes, and making a rule based upon the 50 minutes. If the purpose is to increase the pay, it is a simple thing to say that the pay shall be so much more per hour for night work than for day work.

The VICE PRESIDENT. The hour of 3 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes.

The VICE PRESIDENT. The question is on the motion of the Senator from Arkansas [Mr. ROBINSON] to recommit the bill to the Committee on Commerce.

Mr. TOWNSEND. May I ask unanimous consent that we proceed to vote merely by division on the bill which has been under discussion? I understand that the yeas and nays will not be called for, and that we can vote on the bill now before us and dispose of it.

Mr. ROBINSON. And that the unfinished business be temporarily laid aside?

Mr. TOWNSEND. Yes; until we vote on the bill.

Mr. JONES of Washington. Has the Senator any assurance as to the length of time it will take?

Mr. TOWNSEND. I had supposed everyone who wanted to speak on the bill had spoken. If it is going to take several hours and the object is to defeat it by talking and we can not come to a vote directly on the bill itself, of course I do not want to occupy the time of the Senate. But I am assuming that we ought to have a vote on it if the Senate is ready to vote. If that is so, I simply make the unanimous-consent request that we vote on the amendment and then on the passage of the bill by division instead of by roll call.

Mr. WALSH of Massachusetts. Mr. President, I hope the unanimous-consent request will be granted. Personally, I wanted to speak on the bill and express the sentiment of the minority members of the committee who were strongly in favor of this method of taking care of night work in the Postal Service. After considering the question from all angles we concluded this was the best way of dealing with the problem—to make the time shorter in view of the character of the work, the night work being more physically exhausting. I hope we can vote at once and that the bill will be passed.

Mr. ROBINSON. I have no objection to taking the vote, and I think the bill may pass. I shall not insist upon the yeas and nays, but I shall insist upon a division.

Mr. SMOOT. Mr. President, I want to say that if the bill passes there is no telling what it is going to cost the Government of the United States. This will be a precedent established,

and it will be carried through every one of the departments of our Government before we know it. I think it is a dangerous bill, establishing a bad precedent. If we are going to increase the pay, let us do it directly and not indirectly, because by the indirect method we establish a bad precedent which would be carried through all the departments of the Government.

Mr. JONES of Washington. Mr. President, we apparently can not get a vote on the bill without further discussion. If we could do so, I would be perfectly willing to lay aside the unfinished business temporarily, but if we can not I think we had better proceed with the shipping bill.

Mr. TOWNSEND. Mr. President, will the Chair present my unanimous-consent request, that in case we can proceed to vote the unfinished business will be temporarily laid aside until we can vote? If there is to be any discussion I am perfectly willing to withdraw the request.

Mr. DIAL. I shall have to ask that the bill go over. I object.

The VICE PRESIDENT. There is objection, and the bill goes over.

CAUSES OF DEPRESSED PRICE OF COTTON (S. DOC. NO. 311).

The VICE PRESIDENT laid before the Senate a communication from the acting chairman of the Federal Trade Commission, being a preliminary report of the commission on the cotton trade.

Mr. DIAL. Mr. President, I am the author of Senate Resolution 262, upon which the Federal Trade Commission report is based. I ask that the report be printed as a public document and referred to the Committee on Agriculture and Forestry. I understand there is an accompanying synopsis by the Federal Trade Commission, and I ask that the synopsis may be printed in the RECORD.

There being no objection, the report was referred to the Committee on Agriculture and Forestry and ordered to be printed as a document, and the synopsis was ordered to be printed in the RECORD, as follows:

[Letter of submittal.]

FEDERAL TRADE COMMISSION,
Washington, D. C., February 26, 1923.

To the PRESIDENT OF THE SENATE:

There is submitted herewith a preliminary report dealing chiefly with the causes of the decline in cotton prices, made pursuant to Senate Resolution No. 262, of March 16, 1922. In a subsequent report it is expected to discuss certain other aspects of the cotton trade, particularly those relating to the operations of the exchanges.

The large cotton planter sometimes sells his cotton directly from the plantation by sample, or through a commission merchant, but most growers sell either to a local general merchant or to the representative of a cotton-buying concern, either at a neighboring town or at a compress point. Among the very numerous regular cotton-buying firms a relatively few concerns handle a large proportion of the cotton crop of the United States. For the crops of 1919, 1920, and 1921, 19 concerns sold the equivalent of from 29 to 50 per cent of each of these crops. Large markets for cotton are found at various points in the South, while "futures" are dealt in on the two chief exchanges, which are located at New Orleans and New York. About half of the crop is exported, which gives to the foreign markets, especially Liverpool, a great influence on domestic cotton prices. Cotton is used chiefly by textile mills at home and abroad, but there are other minor uses, especially for inferior cotton.

The average spot price of middling cotton in 1913, the year before the war, was 12.7 cents per pound, which was somewhat higher than the average price for the 12 preceding years. During the war there was, of course, a great increase in the price of cotton, but the maximum came after the armistice. The monthly average spot price of middling cotton at New Orleans reached 39.6 cents per pound in November, 1919, and from that time up to and including July, 1920, it did not fall below 39.4 cents in any month. The average was over 40 cents in five of these nine months and reached the maximum of 41.4 cents in April, 1920. The highest closing price was 41.75 cents, which was the quotation for four successive market days ending April 20. From this time on there was a decline culminating in a closing price of 10.38 cents at New Orleans from June 20 to 24, 1921, a drop of over 75 per cent within little over a year.

The price of cotton fell from 226 per cent above the 1913 level in April, 1920, to 13 per cent below in June, 1921. The Department of Labor prices for farm products and for all commodities show no such decrease in relative market value. Farm products fell from 147 per cent above the 1913 level in January, 1920, to 14 per cent above it in June, 1921, and all commodities from 147 above in May, 1920, to 38 above in January, 1922. Later, cotton prices advanced again and in August, 1922, averaged 21.6 cents. Although at that time the purchasing power of cotton was somewhat above what it was in 1913, in March, 1922, at the time of the passage of the resolution, it had been slightly below the 1913 average. Since then, it may be noted, the price has risen still further, and in December averaged 25.5 cents.

From 1913–14 to 1920–21 the domestic cotton crop ranged from a little over 16,000,000 bales in 1914–15 to somewhat over 11,000,000 bales in 1915–16, 1916–17, 1917–18, and 1919–20. The average crop was about 12,500,000 bales. The world crop, averaging 20,200,000 bales, showed substantially similar variations. There were comparatively large domestic crops in 1913–14 and 1914–15 and thereafter smaller crops, but the changes in production after the crop year 1914–15 were not very pronounced until the crop year 1920–21, when there was a marked increase. In 1921–22 the domestic crop showed an extraordinary decrease; it amounted to only 8,000,000 bales; the world crop came to a little under 15,000,000 bales.

As to domestic consumption the quantity ranged from a little less than 7,000,000 bales in 1916–17, to a little less than 5,000,000 bales in 1920–21. The domestic comsumption averaged 6,000,000 bales for this period. It was relatively small in 1913–14 and 1914–15 when the crops were large and relatively large in the three following years (which were all war years), as well as in 1919–20, a period of rising prices. In 1920–21, however, the consumption declined sharply while production increased markedly. This was the year when the great price decline occurred, which has been dwelt on in a foregoing paragraph. In 1921–22 domestic consumption increased about 1,000,000 bales over the very low figure for the preceding year. The world consumption did not follow the trend of domestic consumption consistently, but it showed a great increase in 1919–20, the year of maximum prices, and a very marked decrease in 1920–21, the year in which the great price decline occurred. The price movements were also undoubtedly influenced in an important way by the stocks of cotton, and particularly by the annual carry over, so that the external factors of supply and demand were rather complex to say nothing of the psychological influence of forecasts regarding both production and consumption.

The chief causes of the general movement of prices since 1913, referred to above, are familiar. The increase during the war period and in 1919–20 was due in a considerable degree to the inflation resulting especially from the war policy of the Government of borrowing at low interest rates, which involved maintaining low rates in the money market also, and related financial measures.

For particular commodities various other factors were important, so that there were decided differences in the extent of these changes, which were particularly evident in the disordered price advances of 1919–20. The culmination of this advance about May, 1920, was due to a recognition of the overdeveloped credit structure, the great increase in high prices inventories and consequent strain on working capital, and the growing dissatisfaction of consumers which developed into the so-called buyers' strike. The raising of interest rates, the calling in of bank loans, and the rapid break in prices in 1920 were in large part different aspects of the same thing—deflation. This movement was of a world-wide character, and the first indications of it appeared in Japan early in 1920. For particular commodities the developments naturally varied more or less from the general average results, and, as already noted, for cotton the price went higher before the break and fell lower immediately afterwards than for farm products generally or than for all commodities combined.

The relatively high price of cotton in 1919–20 seems to have been due in part to the expectation that there would be a world shortage of cotton. There was a heavy increase in consumption which seemed to portend the much greater increase which would be involved, if there should occur a return to the pre-war standard. The extraordinary rise in the price of cotton in 1919–20, as compared with other commodities, appears, therefore, to have been due largely to marked increases in consumption, and to anticipated further increases.

The most important factors in the sharp decline of prices in 1920–21 were the marked increase in supply and decrease in demand. The 1919–20 consumption had not outstripped production so that apparently the world carry over at the end of that crop year was larger than at the beginning and fully as large as the pre-war standard. This was followed later by a sharp reduction in consumption. Increases in the United Kingdom's exports of piece goods to India stopped by May, 1920, while exports to China reached the highest level in April, 1920. Apprehension began to be felt, apparently, that cotton had about reached its highest level, and led to some decline in purchasing. About July or August, 1920, the dry-goods trade practically ceased buying cotton goods, and mill consumption in the United States fell from 555,000 bales in June to 295,000 bales in December. The European market did not react either as quickly or as violently, but the first half of 1921 was characterized by a severe depression in the cotton industry throughout Europe and diminished exports of cotton piece goods from England. English mills were idle a total of 13 weeks out of the 26 between February and July, 1921, and the carry over of cotton on July 31, 1921, was appreciably greater than the large carry over of the preceding year.

The cotton price decline of 1920–21 was followed by a rise in September and October, 1921. The carry over both of the United States and of the world had been very large, but a very small production was anticipated. The 1921 crop in the United States proved, in fact, to be the smallest since 1895. Since August, 1921, the money price of cotton has been above that of 1913, and measured in commodities either slightly below or more recently considerably above its real exchange value in that year. In this recovery the War Finance Corporation activities were of considerable importance. From the date of its revival, January 4, 1921, to November 30 of that year the corporation advanced $28,000,000 for financing cotton exports and over $22,000,000 under the terms of the agricultural credits act. In all, the corporation agreed during that period to finance approximately 1,000,000 bales of cotton.

In conclusion, as to prices, it may be said that while it does not appear that cotton prices, compared with the general level of prices, are depressed at the present time, it is evident that this does not mean that therefore cotton prices are at a level which affords a compensation to the grower which justifies such an extensive use of land and labor in its production.

The resolution outlining this inquiry also directed the commission to ascertain the respective quantities of linters and untenderable, unspinnable, and unmerchantable cotton. The last two mentioned terms are, according to the trade, very loosely and inaccurately employed, and no satisfactory statistics of quantity are obtainable. In May, 1921, the Bureau of the Census reported the quantity of untenderable cotton in public storage in the United States at 970,230 bales, exclusive of linters, or 24 per cent of the holdings in such storage places. During the last four crop years the volume of linters produced ranged from 398,022 bales in 1921–22 to 929,516 in 1918–19.

The volume of cotton-future trading, concerning which information was called for by the resolution, ranged during the last four crop years from about 104.5 millions bales in 1920–21 to about 124.5 millions bales in 1921–22. Very roughly stated, in 1918–19 the volume of future trading was nine times the size of the crop; in 1919–20 nearly eleven times the crop; in 1920–21 something less than eight times; and in 1921–22 something over fifteen and one-half times.

In accordance with the resolution, inquiry was also made into the existing laws affecting the cotton trade. The cotton futures act of 1914 apparently has brought about a marked improvement in the methods of trading on future exchanges. The principal criticism from the cotton trade regarding it appears to be that the method of deter-

mining the commercial differences of spot cotton for use in settlements made by delivery has in some instances resulted in differences for the New York market which appeared to be artificial.

The cotton futures act, for the ordinary seller's option contract, grants the seller of a contract for future delivery of cotton the option of delivering any one or more of 10 grades, the money payment being adjusted to equalize the difference in value, and also the option as to the day of delivery in the delivery month. The commission believes that the effect of these options on the part of the seller, as distinguished from the buyer, is generally to make the futures price lower than it probably would be if corresponding buyer's option were used instead. The seller is given a right by law to determine under the contract both the time of delivery in the delivery month and the grade of cotton, and no corresponding contract is provided for with options for the buyer, although provision is made for contracts for delivery of specific grades in the law, which latter provision is practically never used. While a balance between buyers and sellers with respect to value of grade contracted for and grade delivered under present methods may be made by a money payment, the element of quality of goods sold and the option of the seller to choose the qualities delivered may affect the future price.

While traders in futures under these seller's option contracts may be able to take care of themselves in this matter, and thus the situation may be equitable as between buyers and sellers of futures merely, the matter of fundamental importance is the relation between future prices and cash prices. Both in New Orleans and New York there is generally an absence of parity between daily spot prices reported to the Department of Agriculture and daily closing future prices and cash prices. Both in New Orleans and New York there is generally an absence of parity between daily spot prices reported to the Department of Agriculture and daily closing future prices as recorded by the exchange throughout the month of the maturity of the future contracts. This is not an entirely satisfactory basis of comparison; a better test would be the daily average spot quotation of middling upland cotton of average staple or quality and the daily average future quotation. In the last three years the future, according to the best data now available, however, has been generally lower. But a part of the difference may be due to differences in staple, etc., of the spot cotton, compared with that which is delivered on future contracts. Such delivery-month discounts, from whatever cause due, probably are reflected also in the general spread between cash and future prices in prior months. This situation, for the reason stated in the next paragraph, may have a tendency to affect unfavorably the prices received by producers of cotton.

Future prices made on the exchanges are more broadly disseminated than spot prices, partly because of the interest in them of a broadly distributed speculative public and partly because the future price is more standardized or easier to describe adequately for commercial purposes. Spot prices are largely quoted on the basis of futures (that is, so much on, or off) and probably they are absolutely influenced by them to some extent. Competition may compel the local buyer to pay a better price than the futures seem to warrant, but the small-town dealer is generally not so well informed as the large buyer of the actual character of the connection between spots and futures and the producer may not fully appreciate the apparent tendency of the future prices to fall short of parity with spot prices. Under these conditions the price received by the producer who has actual cotton to sell in the spot market would logically seem to be unfavorably affected.

Respectfully submitted.

FEDERAL TRADE COMMISSION,
By HUSTON THOMPSON,
Acting Chairman.

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes.

The VICE PRESIDENT. The pending question is on the motion of the Senator from Arkansas [Mr. ROBINSON] to recommit the bill to the Committee on Commerce.

Mr. RANSDELL. Mr. President, I wish to present a brief discussion of some of the phases of the shipping bill which have not been brought before us for some little time. We are to vote pretty soon, I believe, upon the motion of the Senator from Arkansas to recommit the bill.

Mr. McKELLAR. Mr. President, may I interrupt the Senator to ask him if it is in the nature of a funeral oration that he is presenting the matter?

Mr. RANSDELL. That would depend upon the vote. I do not know whether the Senator and his associates are going to murder this very important piece of legislation. Of course, if it is put to death in such an unlawful manner, perhaps what I say might be treated as preliminary to the funeral oration. But I shall not say it with that end in view, because I am one of those fellows who never knows when he is licked until clear down and badly beaten up. I do not think we are whipped yet. The vote has not been taken, at any rate.

Now, Mr. President and Senators, I would deeply regret the failure to pass the shipping bill at this session. I sincerely hope that it is not going to fail. We have had so much said on the subject, we are so close to the end of the session, and there are so many other matters which are pressing, that I am frank to say I am fearful that a good many Senators, who would like to support the legislation if they had a chance to amend it somewhat, will feel almost compelled to vote against it in its present shape.

If the bill be defeated, I do not think it can be treated as a partisan proposition. The debates on the floor have developed in both parties quite a number of enemies of the measure. There are in the Democratic Party quite a number of Senators opposed to the measure. There are in the Republican Party a number of Senators opposed to the bill in its present form. So it can not fairly be said, no matter what the result of the next vote may be, that it is a partisan question. I am very glad of that fact. I know, as a good Democrat, that I am strongly in favor of the measure, and always have been.

Mr. POMERENE. Mr. President, I am sitting within 5 feet of the distinguished Senator from Louisiana, and, although he has a very powerful voice, I have to strain my ears to hear what he is saying. There is too much confusion in the Chamber. I call for order.

The VICE PRESIDENT. The Senate will be in order.

Mr. RANSDELL. I thank the Senator from Ohio. I doubt if many of the Senators wish to hear what is said on the subject. I am afraid that most of them have already made up their minds. But there are some things that ought to be considered by us, if not now, then in the privacy of our chambers after the 4th of March, and some things which I believe the people of the United States should consider and will consider after that date.

Senators, there is one place in the world where, in my judgment, there will be great rejoicing if this bill fails, and that place is Great Britain. I can not believe there will be much joy anywhere in the United States at the failure of this measure, but there will certainly be intense rejoicing across the water. I hope Senators will think about that when they come to vote on this very important bill.

Mr. President, I have no criticism to make of any Senators who oppose the measure. I accord to them the same sincerity of purpose which I claim for myself. I deeply regret the opposition that has developed to it, and express the hope that some time in the future the men who are destroying this measure will develop a better piece of legislation to upbuild and maintain our American merchant marine.

Every speaker who has had anything to say on the subject has admitted the necessity of an American merchant marine. We have tried hard for several years, without success, to frame legislation on the subject that would be effective. When my party came into power in 1913 one of its first great laws was a tariff bill, and one of the sections of that bill provided for a discriminating duty on goods brought to this country in American vessels. The Supreme Court decided that the provision could not be put into effect because it contravened our solemn treaties with many lands.

In 1920 we passed the merchant marine act, and in section 34 thereof we authorized, and not only authorized but instructed, the President of the United States to denounce those treaties, so that we might put into effect the discriminating duties of the tariff law and thereby build up our American merchant marine as we did in the early days.

Mr. Wilson, who was then President, did not obey that instruction, taking the ground, as I have been informed, that it was not a practical thing for him to do. Mr. Harding has been President now for about two years, and he has made no attempt, so far as I am informed, to enforce the provisions of section 34 of that act. So we got no benefit whatsoever from those provisions.

We therefore were left in the situation of men with an immense asset to take care of, a tremendously big, valuable, and most costly property, and no means of handling it. So it seemed necessary to do something, absolutely essential to do something.

Mr. POMERENE. Mr. President——

Mr. RANSDELL. Just a moment. The Shipping Board and many friends of shipping in the country collaborated together, and a number of the leading shipping experts and scientists of America put forth their very best efforts to prepare suitable legislation. The result was the pending bill. I am assured that in the preparation of this measure there was no politics. There were a great many Democrats among the men who helped to frame the measure. I know there are three good, true, and tried Democratic members of the Shipping Board, which was the principal agency in the preparation of the bill.

I now yield to the Senator from Ohio.

Mr. POMERENE. If I understood the distinguished Senator correctly a moment ago, he made the statement that the Supreme Court held that the provision of those treaties providing for reciprocity in ocean rates was not repealed by the tariff act. I have heard substantially that statement made several times heretofore during the discussion.

I think that the Senator has not—and I say this with all due respect—accurately stated the holding of the court in that behalf. It is true that the court did say that the differential provided for in the tariff act was not applicable in the cases which were then before it. But that was because of a proviso

in that law, and if it will not interrupt the Senator—because I know he wants to be right, as we all do—I should like to call attention to the decision.

Mr. RANSDELL. I shall be very glad, indeed, to have the Senator state exactly what the decision was.

Mr. POMERENE. The decision will be found in the Two hundred and forty-third United States Supreme Court Reports at page 97. With the permission of the Senator, I will read the syllabus. This was in what was known as the Five Per Cent Discount case. The syllabus reads:

Section 4, paragraph J, subsection 7, of the tariff act of October 3, 1913 (ch. 16, 38 Stat. 114, 196), after declaring that a discount of 5 per cent on all duties imposed by the act shall be allowed on such goods as shall be imported in vessels admitted to registration under the laws of the United States, adds, by way of proviso, "that nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation."

That is what I desired to call to the Senator's attention.

Held that the grant of the discount is confined to goods in American bottoms, and the effect of the proviso is to respect the treaty privileges with which such a grant would be in conflict, not by extending the grant to goods borne in foreign vessels, but by suspending the grant entirely while such privileges exist.

In other words, the tariff law was so framed that it preserved to foreign nations every right which they enjoyed under other treaties and other conventions. It did not attempt to abrogate either those treaties or those conventions. That was the point to which I wished to call the Senator's attention.

Mr. RANSDELL. I thank the Senator for his contribution to my speech. It is very helpful. But no matter what view he or anyone else may take of it, the simple fact remains that we have not placed in effect the tariff provisions which would give us the discriminating duty; and the further fact remains that Congress found it necessary to enact section 34 of the shipping act of 1920, the avowed purpose of which was to authorize and direct the President to denounce all of these treaties in order that we might be free to enforce such a discriminating provision. Unless the treaties are denounced, in some way and reenacted I do not see how we are ever going to enforce a practical discriminating provision in the law. Perhaps the Senator could suggest some method; and if so, he would prove himself a wonderful friend of American shipping.

Mr. POMERENE. Mr. President——

Mr. RANSDELL. I will yield in just a moment.

Let me say that this country built up a great merchant marine in the early days through the medium of and with the aid of a discriminating duty. There is absolutely no doubt about that, as all students of American shipping admit; and I say here and now, as I have said before on the floor of the Senate and many times in private conversation, that a discriminating duty giving reasonable discount in tariff rates on all goods brought to America in American bottoms would please me a great deal better than the direct-aid plan proposed in the pending bill.

It is only because I became convinced that we could not get the discriminating duty, because I felt that the imperative necessity was so great, because it is so necessary to act, and act now—not next year, or two years from now, or four or ten years, but now—in order to preserve the mighty fleet of ships which are going to destruction so fast that I gave my consent to support the direct-aid feature of the pending bill.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I do not care to interrupt the distinguished Senator during the progress of his argument. I expect to touch upon that subject a little bit later. It is a perfectly simple proposition to get a system of preferential rates. Congress had that in mind when the shipping act of 1920 was passed.

Under section 34, the Congress of the United States commanded the President to serve notice upon the nations of the world that these treaties and conventions were to be abrogated. The distinguished President at that time, as well as his successor, refused to carry out the mandate of Congress. Of course, if a President will not carry out the mandate of Congress, then that legislation can not be made effective, perhaps; but it was none the less the duty, as I conceive it, of both of those Presidents to carry out the will of the Congress of the United States.

Mr. RANSDELL. I agree absolutely with the Senator from Ohio. We have that legislation; it is on the statute books; and I sincerely hope the Senator will be able to devise some means to require the President to obey the law in that respect, or, if he can not do that, that he will suggest means by which a discriminating duty can be put into effect; for, Mr. President and Senators, it is absolutely essential that something be done without delay to assist the American merchant marine. It is not possible, in my judgment—and I have studied the subject closely—for us to compete on fair, equal terms with the other nations of the world, where labor is cheaper, where the conditions of shipping are altogether different from ours, where the space required for people to live is much scantier than ours, where everything, in substance, is on a lower scale than in our country—it is impossible for us to compete, especially with those countries which for centuries have been building up their merchant marines, unless we give some immediate, direct aid.

I do hope sincerely that the Senator from Ohio or some other Senator will evolve a successful method which can be enacted into law; and when you have found it and convinced me of its merits, Senators, let me say to you it will have no more enthusiastic supporter than myself. What I desire with all my heart is to build up a real effective American merchant marine, and I do not balk at methods so long as they are honorable. I wish to have American goods carried in American bottoms flying the American flag to every sea in the world, and whatever gives reasonable promise of accomplishing that purpose will receive my support. I particularly wish, sirs, to conserve, maintain, and make available the great fleet of ships we were forced to build under the exigencies of the late World War.

I think, also, Mr. President, in this connection, that the country is going to expect something of the people who kill this bill. When you oppose a thing that may not be perfect in itself, but which does propose to correct a very important evil, you are expected to offer something better. You can not afford to be merely a destructionist. You must be a constructionist. The country is not going to have any patience with those Senators who oppose this measure and offer nothing better in lieu thereof.

Mr. McKELLAR. Mr. President——

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

Mr. McKELLAR. Does not the Senator know that I have offered a complete substitute for the bill, which includes everything that is in the present bill except the cash-subsidy provisions thereof, and that in lieu of those provisions I have offered a provision that fixes a discriminating duty of 5 per cent upon all goods brought in in American vessels? Does not the Senator believe that such a provision would help build up our merchant marine, and has he not in the past voted for such a provision?

Mr. RANSDELL. I was aware of all of that, Mr. President. Now, may I ask the Senator from Tennessee a question?

Mr. McKELLAR. Yes.

Mr. RANSDELL. Did the Senator from Tennessee make any effort to secure a vote on his amendment? Has he not joined with a number of other Senators here to prevent a vote being had on this bill at this session; and has he not exercised the prerogative which belongs to him and every other Senator of filibustering against the bill and admitting that he and others were going to talk it to death because they did not believe in it? If he really believed in the merits of his own proposition, why, sirs, did he not secure a vote on his proposition?

Mr. McKELLAR. I will take pleasure in answering the Senator. Inasmuch as the administration had committed itself to the original bill, it was impossible for me to get a vote on it. I did everything possible to secure a vote on it. I offered it; I sent it around to Senators; I even submitted it to the Senator from Washington, the chairman of the committee, who, I believe, is very favorable to it; but he was in a position where he could not take it up.

I believe that the cash subsidies of the present bill are so out of harmony with what we believe in in this country, I believe that those provisions would so injure the merchant marine we now have and so prevent its building up, that I felt that it was my duty to prevent in every honorable way the pasage of the bill.

Mr. RANSDELL. Mr. President, I am not going to debate all of those points with the Senator. The fact is apparent to all of us who were here and followed this debate that no serious attempt was made by any one to have a substitute adopted for this measure. No attempt of any kind was made before the Commerce Committee to have a substitute adopted for it. No real effort that I ever heard of was made in the House of Representatives to have a substitute adopted for it. There are undoubtedly some good things in the Senator's provision, and I would favor them if I thought they could be put into effect. If I were convinced right now that they could be passed in lieu of this bill and become law I would take them, because that would be at least a step forward. That would be construction. It would not be merely a denial of everything, such as the Senator and others have succeeded in bringing about by the policy they have followed.

Mr. McKELLAR. Mr. President, I am quite sure that if the Senator from Louisiana and his colleague and the Senator from Ohio [Mr. POMERENE], who voted against the return of this bill to the committee, would join the other Democrats, they could easily get a vote on my substitute; and I want to say that by this time next year there will be no differences between the Senator from Louisiana and myself. We will both be fighting for the substitute.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I yield, with pleasure.

Mr. HARRISON. How are we going to be able to give very much further consideration to this ship subsidy bill when the President only Saturday, in a message reinforced by a communication from the Secretary of State, asked the Congress to take up the important question of entering the international court? It seems to me that if we are to get that through we shall have to begin work on it pretty soon.

Mr. RANSDELL. I do not suppose the Senator from Mississippi is very anxious for an answer to that question. It is pertinent, of course. Everybody knows there is going to be a vote very soon on the motion to recommit the shipping bill which may dispose of it for the session.

Mr. President, I think we should realize what we are dealing with. This is not a political issue, as I have said. It is not a question of Republican or Democratic advantage. It is a question of the future, not only of American shipping but of American commerce. National prosperity and national security are in the balance with the shipping bill. Let us be partisans, not Republican or Democratic partisans, but partisans of America.

We have voted nearly $50,000,000 this year for many affairs of national importance. I concur heartily in most of these appropriations, but if we fail to vote the scanty millions—few by comparison—involved in the shipping bill, what will be the result? The American merchant marine will be throttled and the vast sums already expended on it will benefit, in the main, foreign shipowners, for there will be but a shadow of our present fleet left in the carriage of our foreign commerce.

In all the world to-day there is hardly one maritime nation whose vessels transport so insignificant a portion of their country's trade as ours do; and yet, in all the world there is only one nation with a greater mercantile fleet than we have. A few years ago we were building more ships than all the rest of the world put together. Last year we had fallen to fifth place; and unless something is done to enable us to maintain our ships on the seas, American shipbuilding will become an almost extinct industry. We still stand second to Great Britain among nations in the tonnage held, but that position, too, is menaced. Germany is creeping steadily to within striking distance, and Japan, France, Italy, Holland, Norway, and other countries are potential rivals.

Month by month less of our imports and exports are carried by our own vessels, and more by those of the foreigners, until now barely more than a quarter of our actual overseas trade moves in American bottoms. Who is the gainer by this? Will anyone say that it is the American people?

There are those who declare that it makes no difference who transports our goods so long as they are carried as cheaply as possible; but will anyone claim that with the American flag driven from the seas through legislative neglect, and with foreigners in absolute monopoly of our ocean commerce, freights will remain at the low levels at which they have been held solely because there has been a supply of American ships that has prevented the fixing of extortionate rates?

Mr. President, let me remind the Senate of the situation in the summer and fall of 1914, when Great Britain, Norway, and other shipping countries were obliged, because of the ravages of the German submarines, to withdraw many of their ships from the seas. What was the result upon the American commerce which had to be shipped abroad in foreign vessels, as we had no American ships to take it? Freight rates bounded forward with tremendous pace. I can not give you exact figures, Senators, but several hundred per cent increase in the freight rates on all our foreign shipments immediately came about. The result, sirs, was that the farmers of America, the people who are said to oppose this legislation to a great extent, were obliged to pay these very exorbitant freight rates to get their goods shipped abroad.

Let me remind you of another situation. When the war occurred between Great Britain and the little Boer Republic in South Africa, a small country that put up a wonderful fight, Great Britain was obliged to withdraw from its overseas trade at least 250 of her commercial vessels. Did Great Britain and her colonies suffer by this withdrawal? Not so far as I know; but the American shipper of goods to foreign lands did suffer materially. I shall not attempt to go into details, but ask to publish as part of my remarks, in 8-point type, a brief extract from a prize essay entitled "Our Merchant Marine," by Naval Constructor T. G. Roberts, United States Navy, published in the Naval Institute Proceedings of 1910, which describes this situation and explains how essential it is to every country to have its own merchant marine.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[Excerpt from the United States Naval Institute.]

"To control is to fix and to determine; to be controlled is to be dependent upon and await the pleasure of. Foreign steamship companies determine our shipping freight rates; they determine the ports through which shipments are made, thereby building up one port to the detriment of another; and in case a foreign war breaks out these ships are subject to be withdrawn and employed in the war, in which case our goods would lie upon the wharves awaiting the further disposition of the remaining foreign shipping of countries not engaged in the war. At the outbreak of the Boer War, in 1899, Great Britain withdrew 250 steamships, of about 1,000,000 tons, from commerce and converted them into use for transport and supply service. The ships of the North Atlantic being, as a rule, large and swift and most suitable for this service, were drawn upon for the most part, and the export trade of this country was the hardest hit. It was then we had a rude lesson of our dependence upon foreign ships. When the best ships had thus been withdrawn to undertake profitable Government charters, some were replaced by a few old, cheap, and inefficient craft with which to carry our goods. In the port of Boston alone the number of sailings in 1900 with grain, flour, provisions, and cotton, was 46, or 13 less than the year before, and some of these were in inferior vessels of smaller tonnage. According to the Boston Chamber of Commerce, the tonnage cleared at that port in the first four months after the outbreak of the war was 215,960 tons. The Boston Commercial Bulletin stated that in the year the export in corn had been reduced from 2,107,694 bushels to 302,924 bushels, the actual decrease in cereals having been 1,750,000 bushels. The American shipments elsewhere were demoralized. The cattle shipments were reduced by about 4,000,000 head, out of about 30,000,000, England being our chief customer. Our export breadstuffs, going all over the world and carried mostly by British ships, shrank from $318,000,000 in 1898 to $270,000,000 in 1899 and $251,000,000 in 1900, in round figures. The freight rates, however, were increased by 30 per cent, and the British shipowners lost nothing on the deal; but our farmers and merchants thereby contributed many millions of dollars to the subjugation of the Boer Republic. And yet our farmers and their representatives in the West are opposed to ship subsidy, while they are said to have contributed enough in the Boer War to subsidize our own foreign shipping for 20 years! The total of our losses in that war can not be fully estimated, but the effects were felt throughout the entire country; and that was in a war directed against a small country possessing not a single privateer or cruiser. What, then, if two large countries like Germany and England should go to war? We would be left high and dry upon the beach, without shipping to carry our commerce." (Naval Institute Proceedings, 1910. Prize essays, "Our Merchant Marine," by Naval Constructor T. G. Roberts, U. S. N.)

Mr. RANSDELL. Let us look at the situation squarely. We think of ourselves as a great creditor Nation in international trade because we export more than we import. In 1921, it is true, we sold 11,000,000 tons more of cargo than we bought; but in 1922 we bought 4,000,000 tons more than we sold, and the ratio is increasing. It is also true that the value of those exports was greater than that of the imports. But in 1921 the gross balance in our favor was $1,976,000,000, while in the year just ended it was only $804,000,000 greater. And the money that went out of this country last in payments to foreigners for freight, insurance, and other shipping services was almost sufficient to wipe out our credit balance and transform us to a debtor nation. This would not be the case if our ships could carry a fair share of our commerce, for then much of the millions that now flow from us to other countries would be retained here. It is in our power to bring this about by passing the pending measure and restore us to the position of a creditor in the world's commerce.

To whose advantage is it that this legislation should die? There are not lacking Americans who are opposed to subsidization, aside from political reasons. We have been told that American agriculture is against the bill, and farm papers have declared that the farmers stand overwhelmingly in oppo-

sition. The same publications have attacked the proposed legislation, but the arguments used are so utterly at variance with the facts, so based on misconception or misinformation, that the American farmer who has formed his opinion from these utterances is not to be blamed for hostility to the shipping bill.

At this point I ask leave to print in 8-point type as an appendix to my remarks, a very interesting address delivered before the annual convention of the National Merchant Marine Association in this city on the 7th day of this month by the senior Senator from Washington [Mr. JONES]. It is brief and to the point. The speech was entitled "The shipping bill from the farmer's standpoint."

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

(See Appendix 1.)

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from New Mexico?

Mr. RANSDELL. I am delighted to yield.

Mr. JONES of New Mexico. I would like to get unanimous consent to have published in the RECORD, at the conclusion of the speech of the Senator from Louisiana, a very able speech delivered on February 22, at Topeka, Kans., by the Hon. Cordell Hull, on "The farmer and the tariff—Stable foreign markets necessary for American farm prosperity." I ask that it be printed in 8-point type.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

(See Appendix 5.)

Mr. RANSDELL. We have been told that American labor is against the shipping bill. I deny it. It is true that the American Federation of Labor and the International Seamen's Union are on record in opposition. But both these organizations have in their ranks thousands of naturalized and unnaturalized members. Is this "American" labor? I prefer to believe that the true picture of the attitude of our workers is presented by such action as that taken by the National Association of Marine Engineers, real Americans all, who have broken away from the Federation of Labor to give their support to the legislation designed to make an American merchant marine possible.

I shall do no more than touch on the stand of the radical elements in this country in opposition to national aid to shipping. Their very denunciation of the measure is a tribute to its constructive value. But I do want to deal briefly with another class of antagonists within our borders. There are in high places men nationally known who have declared themselves against any plan that would serve to develop the American merchant marine. They never give the real reason for their opposition, however. This lies in their pockets and its roots are hidden in a tangle of international commercial relationships. The farmers of America have been told that Wall Street is strongly behind the shipping bill; but I say to them that Wall Street, and especially that great dominating factor in it which may be called international money is bitterly opposed to anything that will take from foreign shipping any portion of the great bulk of our trade which it now carries. American shipping has no stronger foe than the international American, while the American American—the real American—is its friend.

So much for the enemy at home. Those who abet him must know that they can no longer do so unwittingly. And now a word for our opponents abroad. Let us look at the situation through the eyes of the foreigner; say, through the eyes of the Briton, for he is concerned in the greatest degree.

For a long period of years, Great Britain, although possessed of considerably less than half the world's tonnage, has been carrying considerably more than half of the total sea commerce of the world. Two-thirds of her own exports and imports have moved in British ships, nine-tenths of the commerce with the British possessions, and a third of the trade between non-British nations. The gold brought to Britain through the earnings of her vessels alone has been sufficient to more than offset the excess of the value of her imports over her exports and to make her a creditor and not a debtor nation in world trade. She has therefore viewed with a jealous eye any development that would tend to reduce her huge share in ocean transportation.

But nothing occurred to arouse her jealousy until after the war. It was in response to her urgent cry for war aid that the bulk of the American merchant marine in existence to-day came into being. She was anxious that we should turn out as many merchant ships as possible to aid her in the war; but immediately the conflict was over our newborn shipping became a menace in British eyes. With a volume of cargoes much less than before the war, and with a world shipping much greater, due chiefly to our new tonnage, it was manifest to her that if employment was to be found for our merchant ships it must mean a lessening in the proportion of the world's commerce British carried. The ships that she had clamored so loudly for us to build she was now anxious to see eliminated from trade competition. If only the American merchant marine was out of the way, she figured, there would be cargoes enough for all the existing tonnage and she would be able not only to hold but to tighten her clutch on the control of the world's sea trade. Any legislation on our part to enable our vessels to compete with the cheaper built and operated foreign ships she was certain to regard with hostile eyes. To compete with unaided American ships, she knew, would be an easy matter, for the slow elimination of the great bulk of our trade fleet under these circumstances was certain.

The steady shrinkage in the proportion of our trade carried by our unprotected ships in the past three years is proof of the accuracy of that estimate. With ten times the ocean-going tonnage we had before the war we are carrying less than three times the proportion of our exports and imports that we were then. Is it any wonder that Great Britain, satisfied that we are on the road to maritime extinction under a continuance of the present conditions, should be bitterly opposed to anything that would tend to change those conditions, as the pending bill would? We could make no greater gift to Great Britain than to withhold aid from our shipping. The remission of her war debt to us would be slight in comparison with it.

I have said before that to defeat this measure would be to play Britain's game for her. I repeat. I read to you some months ago proof of Britain's sentiment toward us, as outlined in the leading organs of British opinion. I have shown from the reports of the British Government itself that the loudly professed British policy of "free and equal opportunity on the seas" is a policy based on cold, business principles, because it puts money in her pockets and not because of any international idealism. I have shown you from the records of British shipping how great the hold of that shipping is on the trade of other nations. I have told these things and I do not propose again to go into the details of them, nor to repeat the British threats I have previously cited of what they would do to us if we dared to take steps to help our own shipping, to safeguard our country, and to increase our commerce. I want, however, to read one very recent and very typical sample of the British attitude toward us. It is from the leading British shipping publication, Fairplay, in its issue of January 11 last, and note how the sword of enmity rattles under the cloak of friendship. Fairplay states:

"Fair commercial rivalry is the breath of life to us. It is its friendly friction that has kept the people of this effete old country awake. And if our shipowners have to meet nothing worse than an American mercantile marine *run on the same principles as our own* [italics mine], they will be ready enough to give and take a reasonable amount of buffeting with the utmost impartiality. Of course, should it so happen that *as a consequence of direct aid* [italics mine] American vessels were able to offer rates which our shipowners could not possibly accept, *something might have to be done by the Government* [italics mine], and if this were to occur and if public opinion were favorable, the results might be lamentable, for when nations call each other's bluff passions easily flame up."

Here, then, is the issue as Britain sees it. She will be content if we run our merchant marine on the same principles as they run theirs. *What are some of these British marine principles? Lower wages, poorer food, cheaper ships. How shall we obtain them? By cutting Americans down to the level of cheap foreign labor, by reducing their meals in quantity or quality, or both, or by scanting on the construction of our vessels? Is that what we want—to lower the standards of American living and American safety? That is one way to do it, but it is not the way we purpose to take. The right way lies in the passage of the pending legislation which provides offsets for the cheaper scale of foreign operation without taking it out of the pay and out of the food of American seamen.*

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. RANSDELL. I yield.

Mr. CARAWAY. The Senator does not mean to say that there is any material difference between the cost of operating a British ship and the cost of operating an American ship, so far as wages and food and maintenance are concerned, does he?

Mr. RANSDELL. My understanding is that there is a very material difference.

Mr. CARAWAY. I happen to have heard Mr. Rossbottom say the other day that there was not any, and he is operating

ships successfully in competition with the British. If the Senator would read all the testimony, even including that of Mr. Lasker, he would find that there is very little difference. I am just curious to know if the Senator has made all of his speech totally disregarding the testimony, as his last paragraph seems to indicate he did, because if he had read the testimony he would have known that all the witnesses who testified about it were against his position.

Mr. RANSDELL. I do not understand it that way at all.

Mr. CARAWAY. If the Senator will take three minutes to read the testimony, he will understand it so.

Mr. RANSDELL. We had a great deal of testimony——

Mr. CARAWAY. And all of it was agreed that there was practically no difference.

Mr. RANSDELL. I do not understand that to be a fact. If the Senator thinks that way, I suggest that he put the testimony in the RECORD in his own time; but I do not understand it that way. I am always just as courteous to the Senator as I can possibly be, and I have answered his question. I was on the committee, just as he was. I attended a number of the hearings and I have gone into this question as closely as I can go into it. I understand that the British ship furnishes a much smaller space as living quarters than is furnished in our ships; I understand the cost of constructing ships in Great Britain is very much less than in America, and hence the overhead is a great deal less than it is in this country. I understand, from the best evidence I am able to examine, that the food furnished the British sailors is not as good or as expensive as the food furnished our sailors, and that the wages also are less. I admit that some of the witnesses differ in regard to that, but the preponderance of the evidence, as I understand it, proves those facts.

Mr. CARAWAY. Let me ask the Senator another question, because I want to get the facts. If the Senator has in mind somebody who was informed, who made a statement different from that I have made, who was the witness? Evidently I have overlooked him.

Mr. RANSDELL. I have not that testimony before me.

Mr. CARAWAY. I remember so many who testified to the contrary.

Mr. RANSDELL. We had a great many witnesses in regard to that. Certainly the Shipping Board gave evidence of the kind I have indicated. All of the conclusions of the board lead to that end. The people I have talked with lean that way, and those are the facts as I find them. The conclusions are exactly as I have stated, and I do not think the Senator can disprove them.

Mr. CARAWAY. If the Senator did not feel as if it would be an intrusion on his time I could tell him of some who testified to the contrary.

Mr. RANSDELL. I would prefer to have the Senator bring that out in his own time.

Mr. CARAWAY. Very well.

Mr. RANSDELL. To resume the line of my remarks, if we pass the shipping bill, however, Britain serves notice on us—the British Government may be obliged to "do something," and decidedly so if our vessels are able to best theirs in competition. And, in that case, we are assured "the results will be lamentable."

There is the threat—bald, naked, unmistakable. Shall we haul down the American flag from our ships because of that? Shall we continue to do as we are doing now, stand idly by and see foreign vessels drive our own ships out of our own trade? Shall we cower at Britain's bluff or shall we give aid to our own ships in our own trade, preserve our rightful place on the seas, and safeguard our commerce and provide for the national security?

With whom shall we stand? On the one side we have the strange medley of radicals and foreign-born laborers masquerading as Americans; and the forces of international money, also under an American mask, joining hands with our foreign rivals to scuttle the American merchant marine. On the other side are the representatives of real American industry—the men who fought for us in the World War, the Americans on our ships—and not a foreign element of any description. I have said it before and say it again with the highest respect for the Senators who differ in opinion from me that a vote against the shipping bill is a vote against America and a vote for the aliens to whom the destruction of our commerce and our national safety will be all the greater triumph because it is wrought by ourselves.

Mr. President, the shipping bill has been before the Senate now—intermittently of course, because of the necessity of passing the appropriations measures—for more than two months. In that time the debate has brought forth many interesting angles of the American shipping question, some of them informative, others, I regret to say, most misleading and fallacious. It is of the latter that I propose to speak to-day frankly and dispassionately and without intent to offend those Senators who have put forward arguments I may question. The time has come, it seems to me, that the situation should be so clarified that there can be no question as to the issue. Believing this, I should be remiss in my duty as a Senator if I did not attempt to correct some of the many misapprehensions about the shipping bill, its purposes, and its probable effect upon the Nation at large.

It is a regrettable thing, Mr. President, that in our membership to-day we have not one single active shipping man. I doubt if that fact is known to the Senate, but, nevertheless, it is true that we have not one active shipping man amongst the membership of this body. Not one Senator, sir, can speak with the valuable first-hand information gained from actual shipping experience. We have our lawyers, our farmers, our bankers, our manufacturers, our business men, but not one shipping man. That fact alone is an important handicap in considering shipping legislation. Our great rivals on the seas, however, have in the British Parliament 41 actual shipping men as members. And I am informed that, officially connected with the British Government, there are more than 150 other shipping men in the several departments that concern shipping. It is due to this reason, perhaps, that needed action to foster British shipping is readily obtainable abroad, no matter what move any other nation may make.

This condition is due to generations of neglect of our own merchant marine. Frankly our ship-minded people are in the minority, because this important branch of American industry never has received the Government aid it deserves on account of its relation to the welfare of the whole country. American shipping, fighting the hardest battle of all our industries, has been compelled to fight that battle alone and unaided. What has been the result? I need only point to the less than 10 per cent of overseas commerce carried by American ships in 1914 to provide the answer and to reiterate that out of the Senate membership of almost 100 there is not one shipping man.

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

The PRESIDING OFFICER (Mr. ODDIE in the chair). Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. RANSDELL. I am delighted to yield.

Mr. CARAWAY. There are just about as good shipping men as is Mr. Lasker, whose advice we are asked to follow, and who himself testified that he did not know anything about running ships.

Mr. RANSDELL. That may possibly be. I have no doubt the Senator from Arkansas would be just about as capable of legislating in regard to shipping as Mr. Lasker is in regard to running ships, but Mr. Lasker, at least, tried his level best to do something, and I do not know of any effort the Senator from Arkansas has made to bring about the passage of legislation on this subject, which seems to me to be of colossal importance.

Mr. CARAWAY. Let me ask the Senator another question. If the Senator from Arkansas had taken as much time in discussing the shipping bill as has the Senator from Louisiana—this is his third speech, I think?

Mr. RANSDELL. The fourth.

Mr. CARAWAY. And as the Senator from Washington [Mr. JONES] has taken, there would not have been any time to pass the shipping bill or any other legislation whatsoever.

Mr. RANSDELL. Possibly not.

Mr. CARAWAY. There are 96 of us, and the Senator is making his fourth speech on that very question, all of them alike and prepared, and the Senator whom he is criticizing—myself—has not taken a minute on it.

Mr. RANSDELL. I have devoted a great deal of time, I will say, not alone on the floor of the Senate but outside, in committee and elsewhere, to try to assist in framing some sort of legislation on the subject. I will say to the Senator that the combined time of all my four speeches was not anything like as much as that consumed by a single speech made in opposition to the measure. I have not taken very much time.

Mr. CARAWAY. If the Senator will pardon me, I am, of course, glad to hear him talk. He is always interesting and instructive.

Mr. RANSDELL. I thank the Senator for the compliment.

Mr. CARAWAY. I really wanted to get a vote on the matter, but as between the Senator from Washington and the Senator from Louisiana there has not been time to discuss anything or do anything except to listen to their speeches, four of the Senator from Louisiana and six of the Senator from Washington.

Mr. RANSDELL. If the Senator would listen carefully he would hear many things that would do him a lot of good.

Mr. CARAWAY. There is no question about that; but the trouble is the Senator from Louisiana is saying the same thing the fourth time over.

Mr. RANSDELL. The Senator may think so, but if he would read the speeches he would learn differently. I shall send copies of the speeches to the Senator, and will assure him there is a great deal that is new and a great deal of value in every one of them.

Mr. CARAWAY. Let me ask the Senator a question. He is discussing the same facts. How does he get something new from the same facts?

Mr. RANSDELL. The Senator must know that this shipping is a great big affair, one which cost upward of $3,000,000,000, an enterprise such as has been interesting mankind since Noah built the ark, the first ship of which we have any record. Shipping was an important business in all the world before we had highways, railways, airplanes, or anything of the kind. Shipping has been an art in all the ages. Recently we spent over $3,000,000,000 for ships to get our boys across the sea and to carry commerce to our allies. An asset of that value is far-reaching and comprehensive, and it takes time to cover it in a discussion of this sort. It can not be treated in a few minutes.

Mr. CARAWAY. If the Senator will pardon me, I remembered the fact that Noah built the ark, but I did not remember that he got a subsidy.

Mr. RANSDELL. I do not know just what aid he got from on high.

Mr. CARAWAY. He got no cash subsidy, did he?

Mr. RANSDELL. But I imagine that the authority which told him to build that boat and to carry all those animals on it, two of each kind, encouraged him a great deal, and if it did not give him money it gave him something that was equivalent to money—an absolute monopoly in the shipping of the earth.

Mr. CARAWAY. I thought the question of a subsidy was up, and I thought perhaps the Senator, who is such an authority on that question, might perhaps know.

Mr. RANSDELL. There are sometimes equivalents of a money subsidy. Noah enjoyed one of them—a monopoly of transport. If the Senator had been in the Chamber a while ago he would have known that I stated that I was very much in favor of a discriminating duty and would prefer it to direct aid. The distinguished Senator from Tennessee [Mr. McKELLAR] has a discriminating duty proposition; that is, it amounts to that. He does not call that direct aid, but a rose by any other name smells as sweet to me. If shipping is going to get money under the proposal of the Senator from Tennessee, we may go ahead and operate against our British rivals——

Mr. McKELLAR. Oh, Mr. President——

Mr. RANSDELL. Pardon me just a moment. If we could get a merchant marine under the discriminating duty proposed by the Senator from Alabama [Mr. UNDERWOOD], just as we got it in 1789 when we enacted our first discriminating duty law and built up a marvelous American merchant marine, which carried more than 90 per cent of all our commerce and a great deal of the commerce of other lands as well as our own, we could then go ahead notwithstanding our foreign rivals. I now yield to the Senator from Tennessee.

Mr. McKELLAR. In the first place, I want to say that the Senator is evidently mistaken in the purpose of my substitute, because it does not provide that the shipowners shall get anything at all out of the matter except cargoes at the usual rates. They get no subsidy, cash or otherwise. It is a mere aiding in the matter of getting business for the shipowners. The Senator complains that nobody on this side of the Chamber has offered another plan.

Mr. RANSDELL. A plan to build up shipping.

Mr. McKELLAR. I shall ask unanimous consent to take a vote on my substitute, which the Senator says he indorses. I wonder if the Senator would object to that?

Mr. RANSDELL. As soon as I finish speaking, I shall not have any objection to that at all. The Senator occupied six or eight hours on the matter three or four days ago. His voice is mellifluous and sweet, and it was with a great deal of pleasure that I listened to him. I do not intend to take very long, and I would like to give expression to the few thoughts that I have on the subject.

Mr. CARAWAY. Mr. President, will the Senator yield to me again?

Mr. RANSDELL. I yield.

Mr. CARAWAY. What I was getting at was that the Senator is taking the rest of us to task for not permitting the ship subsidy bill to be voted on, and here now he will not even give the Senator from Tennessee a chance to get unanimous consent to vote on his substitute until he—the Senator from Louisiana—can make his speech.

Mr. RANSDELL. The Senator is trying to place me in a false position. I had not taken very much of the time of the Senate until it had been demonstrated beyond the possibility of a doubt that the opponents of the shipping bill had succeeded in killing it. Then I thought I might say just a little bit before the funeral oration was actually preached by the Senator from Arkansas or some of the other opponents of the measure. I wanted to say a few words before the sick man was actually dead. He is not quite dead yet, although I admit he is not far from it.

Mr. CARAWAY. I thought we set aside Sundays for pronouncing eulogies over the dead.

Mr. RANSDELL. The Senator will have a chance. I am going to finish in a very little while.

With the passage of the pending shipping bill, however, it is easy to see that in a few years there would be in America a competent shipping community and, with the bill in full operation, hundreds of active shipping men where there are only a few to-day. The far-reaching provisions of the shipping bill, with its mandate to foster new trade routes and new lines and to discourage monopoly in water transportation, promises to broaden the present limited shipping industry into a great national business, one that will rival our great railroads in the extent of commerce handled and bring to America its rightful share of its own ocean-carried commerce, with its annual reward of hundreds of millions of dollars.

It is said that we should hold our Government-owned ships until a better market for them could be obtained. Unless the shipping bill is passed no such market can be obtained, for the operating differentials against American ships will be just as existent five years from now, or even greater, as they are to-day. One of our southern Senators suggests that the ships be tied up in southern ports instead of northern harbors. I am from the South, but I would urge no such action, for it is a well-known fact that the warm southern waters deteriorate vessels of all kinds far faster than the cooler northern ports with their lesser marine growths. And while on this angle of holding our Government-owned ships indefinitely, let me say that a ship out of service—out of commission, I believe the seafarers call it—runs down far faster than one that is in constant use, well manned, and intelligently kept in repair. There is still another side of this that should be considered.

Our ships—the people's ships—are not being replaced as they wear out; instead, in its efforts at economy in repairs, the Shipping Board is compelled to withdraw run-down ships from service and use others from the reserve fleet. That can only result in one thing, the elimination of the fleet eventually. Mind you, this is no criticism of the Shipping Board. That body of able men only is carrying out the expressed orders of the Congress to keep down operating losses as much as possible, orders emphatically given in the passage of the appropriation bills. Turn these ships over to private owners at world-market prices for tonnage, make up the operating differential by the direct aid, and we would see this Government-owned fleet, or the bulk of it, in the ocean-carrying trade earning hundreds of millions yearly for our citizens and being replaced from time to time with vessels of more modern design and of more economical type before a decade had passed.

One of my able friends on the other side has said that the policy of the shipping bill has been "overwhelmingly repudiated." I must disagree with the Senator and would point out in justification of my belief the memorial presented to Congress a few days ago, a memorial signed by representatives of the Nation's leading industries, many States and cities. I would point to the more than 200 resolutions passed by leading chambers of commerce and other commercial bodies in almost every State in the Union and would call the attention of Senators to the fact that not one commercial organization has gone on record against the shipping bill.

It also has been said that "three-fourths of the people" are against the bill. I must confess I can not see that when the business men of the country are so unitedly in favor of it, when American laboring men working on the sea go so far as to secede from the parent labor organization, and the representatives of American labor—not international labor, mind you—appear before the joint committee holding hearings on the bill and testify that they favor it. I can safely say that real American labor is for the shipping bill (the record shows that), but that international labor, as well as international finance and international politicians, are against it. It has been said that the farmers of this country stand 30 to 1, 40 to 1, even 60 to 1, against the bill, and so-called polls have been produced to prove this. In

this connection an Ohio farm paper recently conducted a poll of its readers on this very question and the vote was 49,000 and odd in favor of the bill as contrasted with 84,000 and odd against, a mere matter of less than 2 to 1.

Much has been said about the low price the ships would bring after the bill is passed as compared with their original cost. Grant that. They would bring a comparatively small amount—10 per cent, or perhaps 20 per cent. But what other war material, bought at war prices, brought any more than that? In one or two scattering instances, perhaps, some articles sold for something near what the Government paid for them; but taking the average run of salvaged war material, I think it is safe to say that it has not realized a bit over 5 per cent. In the case of the ships it is wholly imperative that they be disposed of speedily, because their value lessens faster and faster each year they remain idle. Shipping men tell us, too, that the industry is in process of a great change, the Diesel engine supplanting the old reciprocating engine. This may be likened to the change from horse-drawn vehicles to automobiles. This parallel is especially apt, for the Diesel engine is an internal-combustion engine, with oil furnishing the power direct. Hundreds of our ships are capable of being transformed into Diesel-engined ships at once, but if we do not sell them to owners who will improve them this way the now stanch hulls will rust and they soon will be fit only for the junk dealer.

It has been said that we would have ships sailing the ocean empty. I wish some one could tell me how this could happen under scaled payments provided in the bill. In respect to cargo carriers, it is estimated by the experts that the direct aid will barely cover the wage differentials. If the ship were to sail empty, who would be paying its coal bills? Not the American people under this bill, and certainly not the owner. No! This bill avoids just that very thing, and the American people are only asked to pay for what they will get; no more, no less—the equalizing of operating costs of American ships with their standards of American living, American wages, and American ideas of safety over the cheaper operating costs, with their lower standards of living, lower standards of wages, and lesser safety due to more lax requirements of foreign navigation laws and smaller crews, often of orientals.

There has been a great outcry that the direct aid would go to the Shipping Trust. *The Shipping Trust.* Where is it? Who is its head? From whence spring its octopuslike arms? I have studied American shipping for some time, and I have yet to find an American shipping trust. Our paltry tonnage in the overseas trade is scattered in ownership among threescore companies or individuals. Our pitifully small privately owned fleet in overseas commerce is fast being driven from the seas, as I pointed out to the Senate only recently, and unless aid comes to it quickly it will disappear forever.

Much to-do has been made about the passenger liners getting so much more under the shipping bill than do the cargo carriers of slow speed. Suppose they do. What of it? Why shouldn't they? A slow cargo boat, burning little coal and less oil, with few in its crew, costs little to run when compared with the swift passenger liner with its large crew, fuel costs mounting in arithmetical progression as each additional knot is added to its speed. A 12-knot vessel does not cost half as much to run as a 24-knot ship. We all know that, so it is only fair that some of the extra costs of having speedy ships be made up, for it is those speedy ships that we need the most in our American merchant marine. Every maritime nation in the world seeks to have speedy vessels in proportion to its cargo carriers, so that the well-balanced fleet may carry a share of all its own business, freight and passenger. It is in the swift passenger ships that we are weak; hence the graded scales of payment according to speed. It can not be too strongly emphasized how vital these fast ships are to the national defense, more especially since the naval treaty has been negotiated. More than once I have pointed out to the Senate that the 5-5-3 ratio would mean less than nothing to the United States unless we possessed an adequate fleet of fast liners comparable to the fleet now owned by Great Britain and being rapidly built by Japan. If for no other reason than this, the shipping bill should be passed, and I could not speak on this subject without again bringing this fact to the attention of the Senate.

Mr. President, on this subject I wish to say that I have especially inquired from several of the highest officials of the Shipping Board, including three of the commissioners and several of the most prominent experts. They all tell me that the bill is so framed in its direct-aid provisions as to equalize the increased cost of the fast vessel over the cost of operating the slow vessel by giving it a larger amount of pay; that, beyond question, no favoritism is shown to the fast vessels. They are put on terms of absolute equality, so far as the direct aid is concerned. As in that particular, there is great misconception on the part of very many people I take pleasure in correcting it.

In further explanation I ask to print in 8-point type as part of my remarks a letter on the subject from a prominent official of the Shipping Board.

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

The matter referred to is as follows:

[Interoffice memorandum.]

UNITED STATES SHIPPING BOARD,
February 12, 1923.

From: R. T. Merrill.

Subject: Justification of higher rate of subsidy for higher speeds.

The subsidy, as you stated, was designed to compensate for two differentials under which American ships suffer—(a) higher first cost, which is reflected each year in the carrying charges or capital charges; (b) higher wages paid to crew.

The subsidy was also designed to reflect the value of the ship to the Nation, and the measures of this value were taken to be (a) the activity of the ship, (b) her size, (c) her speed.

Laymen do not always grasp the cost of speed, not only in operation but in first cost. Careful tabulation was made of the cost of building ships to make different speeds, which resulted in the following table of cost per gross ton:

	Cost per gross ton.
10-knot cargo ship	$120
12-knot cargo liner	150
15-knot combination liner	225
18-knot combination liner	325
20-knot and above express passenger liner	400 to 475

The owner pays from 15 to 20 per cent of his first cost in carrying charges each year—i. e., interest, insurance, and depreciation or amortization.

The formula finally decided upon after much scientific study of the matter with experts of the merchant service, naval architects, and officers of the Navy was as follows:

$$(\text{Size}) \times (\text{days at sea}) \times (\text{speed})^3.$$

As days-at-sea times speed-per-day equals distance covered, the formula was written:

$$(\text{Size}) \times (\text{distance}) \times (\text{speed})^2.$$

This formula gave the rate of change of compensation, or the curve of compensation rate. The actual amounts in the rate were determined by comparison with actual cases. These checked very closely.

For example, bids were gotten in this country and abroad on the *George Washington.* It was found that the average of the bids differed by $1,875,000. Fifteen per cent of this—which would represent the annual excess carrying charge the American owner would have—is $281,250. The wage differential was $58,000, based on the same crew paid the British wages. The total handicap, then, for this type vessel would be $339,250. The subsidy for this size ship worked out $307,000 per year. In the case, for example, of the *Resolute* the first cost handicap was $195,000 per year and the wage differential $33,000, or a total of $228,000. Subsidy for this ship would have been, under the American flag, $210,000.

It is possibly not relevant, but as a matter of interest I compared our curve with that which was produced by the British Admiralty committee convened in 1902 to determine a proper rate of subsidy for British ships, and whose findings were the basis on which the Cunard subvention and loan which resulted in the construction of the *Lusitania* and the *Mauretania* were made. The rate of change of compensation per knot, or, in other words, the increase in the angle of tangency to the curve, was almost identical with our own. Naturally the actual amounts were lower than ours, because of the British costs of construction and wages. This merely checked, to my mind, the correctness of the different increments which we had allowed for the higher speeds.

I hope that this is the information that you desire, and, needless to add, I am entirely at your service if you wish something further along this line.

R. T. MERRILL,
Director Bureau of Research.

Mr. RANSDELL. Mr. President, while on the subject of the relation of the shipping bill to foreign affairs there comes to my mind another phase that should have the most careful consideration. This is in relation to the British debt, and I wish to call attention to this fact in connection with it:

If we do not pass the shipping bill and by so doing permit the American merchant marine to sag back to the ignoble posi-

tion it held in 1914, when we carried only one-tenth or less of our overseas trade, we will be making a virtual gift to England of the annual interest she is to pay us on our $4,600,000,000 war loan. Ocean freights paid in the fiscal year 1921–22 on American overseas cargoes aggregated $510,000,000. Britain's share of this totaled $170,000,000, or about one-third. With the elimination of the American merchant marine by failure to pass the shipping bill, it is safe to assume that Britain would resume her old position of carrying more than 60 per cent of our foreign commerce. Do a little figuring, Senators, and you will find that she will take from us in ocean freights another $136,000,000 in addition to the $170,000,000 she got last year. The debt interest under the agreement is $138,000,000 annually for the next 10 years, so you can easily see we would be taking that amount from Great Britain with one hand and paying back to her in ocean carrying an almost equal amount.

That payment is only for ocean freights. It does not take into account the other items of the invisible trade balance Great Britain annually piles up against us, the money spent abroad by tourists, the money we pay in marine insurance, interest on investments here, and so on. Our old mother country is a wise old lady, and no doubt this possibility entered into her calculations for the future.

Previously I referred to the unanimous indorsement of commercial organizations of the shipping bill. I have before me, and ask that they be printed in the RECORD in 8-point type, as an appendix to my remarks, the opinions of 18 prominent Americans on the shipping bill. These views were sent to the recent convention of the National Merchant Marine Association, held in this city on the 7th instant.

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

(See Appendix 2.)

Mr. RANSDELL. Mr. President, seven of these expressions are from governors of widely scattered States; five are from members of the Cabinet, and the others are from such men as Henry J. Allen, former governor of Kansas; Gen. John J. Pershing, head of our Armies; Admiral W. S. Sims; Julius H. Barnes, president of the Chamber of Commerce of the United States; John E. Edgerton, president of the National Association of Manufacturers; and Charles M. Schwab, a man known to all in America.

Mr. President, I desired to read to the Senate a statement I have here containing extracts from the press of several of the Southern States; but trust I may be permitted to print them with a very few running comments, without reading them, as an appendix to my remarks, in 8-point type.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See Appendix 3.)

Mr. RANSDELL. I will now conclude by asking permission to print as an appendix to my remarks a letter from Mr. Elliott Goodwin, resident vice president of the Chamber of Commerce of the United States, addressed to me, dated the 13th of this month. It is a reply to an article which appeared in the CONGRESSIONAL RECORD some days ago, and referred in a rather critical way to the National Merchant Marine Association, of which I have the honor to be president. I ask that this be printed also in 8-point type.

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

(See Appendix 4.)

APPENDIX 1.

(Paper by Senator WESLEY L. JONES of Washington, chairman of the Senate Committee on Commerce, read at the annual convention of the National Merchant Marine Association, Wednesday, February 7, 1923, Washington, D. C.)

There may be no farmers here to-day, but I want to discuss the shipping bill from the farmers' standpoint. I was raised on a farm. My people have been and are farmers. I have two small orchards, and everything I have to sell comes from the farm. If I have any selfish interest to serve it is the farming interest, and so I consider this question from the standpoint of the actual farmer. I am one of them in interest and association.

Special appeals are made to the farmer to get him against the shipping bill. Why I do not know. It has seemed to me that they think the farmer less patriotic, more ignorant, and more swayed by prejudice than others. This is not so. No man is more genuinely American, no man is more generally intelligent, no man is more fair, just, and reasonable than the American farmer, and when he knows the situation and understands the bill and the purpose of it he will come as nearly forming a correct judgment of it as any set of men in the country. They tell him that it is framed to put money into the pockets of the wealthy shipowners. This is not true, and those who say it know it is not true. There are but a few present owners of American ships who will get any of this money, because there are but a few of them. About $4,000,000 of this money will go to present owners of American ships. It does not go to them as a profit. It goes to them to equalize the difference in the cost of running their ships with the cost of running the ships of their competitors. If we do not give it we may expect them to get less and less in number as they are now.

Most of it will go to men who will buy or build American ships and operate them in competition with already established foreign ships or lines. It will go to them not as profit, but to put them on an equality with their competitors. It will lead to American transportation instead of foreign transportation for the products of the American farm. What American farmer does not think that is a valuable thing to have? It is well worth the comparative small cost. Not only does it furnish him transportation at reasonable and stable rates, but it establishes shipyards furnishing employment to labor and a market for his products and the employment of capital and labor in many different ways.

A favorite charge is that this bill will aid the Shipping Trust and the subsidy will go to fill its coffers. They never name the trust. They never give its headquarters except at Wall Street. As a matter of fact there is no American shipping trust. There are a few large companies that own ships. They no doubt have interlocking directorates and in that sense may be called a trust. They almost wholly carry their own products in their ships and under the express terms of our bill would get none of the subsidy. We know the tonnage under the American flag. Its ownership is known, down to the individual ship.

There are 452 ships of 2,518,206 tons privately owned in the foreign trade. Of these there are 268 of 1,664,750 tons carrying oil in bulk or otherwise devoted exclusively to carrying cargoes owned by the owners of the ships. Under the shipping bill there would be no compensation paid on those ships. This leaves 104 vessels of 853,456 tons operating in the foreign trade. Of these 65 are passenger ships of 338,014 tons and 119 are cargo vessels of 515,442 tons. Forty-four of these passenger ships of 183,031 tons and 61 cargo ships of 180,568 tons are engaged in the West Indian and Caribbean trades, leaving 21 passenger ships of 154,983 tons and 58 cargo ships of 334,874 tons engaged in the ocean overseas trade. But this is not all of these 65 passenger ships. Twenty-one of 99,383 tons and of the 119 cargo ships 31 of 162,538 tons are vessels owned by persons who use them largely for carrying products of their own. Assuming that these ships would be used to the extent of one-half of their capacity for carrying the products of their owners, we have a total of 288,322 tons of passenger ships and 434,173 tons of cargo ships eligible to a subsidy under this bill, or 722,495 tons in all. This would take in round numbers $3,500,000 a year.

Of the 17 overseas passenger ships, five belong to the International Mercantile Marine Co., on the North trans-Atlantic route; two belong to the Oceanic Steamship Co., now running between San Francisco and Australia and receiving a special postal pay or subsidy nearly three times what they would receive under this bill; two belong to the China Mail, running between San Francisco and the Orient; one belongs to Stephenidis and runs between New York and Constantinople; and the other four run between the Atlantic and Pacific ports for the Pacific Mail, but are considered foreign going because they touch at Mexican ports. From this it will be seen that our privately owned shipping in the foreign trade is small in amount.

The United Fruit Co., the United States Steel Co., and W. R. Grace & Co. are large owners of these ships, it is true. They may be more or less connected with each other. They can maintain their ships and do maintain them in competition with foreign ships largely because they carry the products of their other businesses. This bill is not for aid of these large companies, but it is intended to promote the establishment of new companies who will compete with these companies as well as with foreign companies. This bill is in the interest of smaller capital units in the shipping business. It is intended to give those who may want to go into shipping a fighting chance to compete in foreign trade.

It seems to me that this demonstrates to a mathematical certainty that there is no such thing as an American shipping trust that will be benefited by this bill. The shipping trusts of to-

day are under foreign flags. They will benefit by the failure to pass this bill. They hail with delight the opposition to it. Those who oppose this bill are fighting the battles of the foreign shipping trusts and placing at their mercy the American farmer and the American business man. It is done innocently, of course, but the results are none the less certain and disastrous. To save a few dollars now for a few years they will put our farmers for years to come at the mercy of alien shipping that will take from him in carrying charges all the traffic will bear, all under the guise of friendship for the farmer. I want my farming interests saved from such friendship.

They say the farmer is opposed to a subsidy in principle. Official representatives of farm organizations say this. It sounds like the declaration of a Democratic platform. I can see how these men can speak for their Democratic members but they can not speak upon principle for their Republican membership. The Republican farmer, and there are millions of him, believes in the principle of protection to American industry. The fundamental principle of this bill is the principle of protection and the application of it to the shipping industry, and the Republican farmer who opposes this bill because of opposition to the subsidy principle repudiates the formulation of his party faith.

Now, I want to consider this measure from the standpoint of the farmer's selfish interest. I want to speak as one farmer to another.

What instrument does the farmer need above all else? He must have cars to transport his products to the domestic market. If he can not get them, his crops waste away and he faces poverty and bankruptcy. His surplus crops seek foreign markets. These can be reached only by ships. If there are no ships there is no market for this surplus and this very fact reduces the market price for his whole surplus. If foreign ships alone are available to take his crops to market he must await their pleasure or convenience and he must pay such freight as they see fit to charge. If there must be any delay in getting to market he will suffer it, instead of his farmer competitor of the country that has the ships. If British ships are to serve American and British farmers and they are not sufficient to serve both promptly, who will be served first? The British farmer, of course. If special rates are needed to get a certain market, who will get those special rates? The British farmer, of course. I do not think that it is good for my interests as a farmer. Do you, my farmer neighbor, think it is good for you? I would rather have American ships, not only to keep the rates down, but also to give me a preference if a preference is needed either in prompt sailings or in special rates. Neighbor, do not you think so, too? Ponder this well. This is not all. I think that shipping is more important to me as a farmer than it is to anyone else. Why? Because of the character of farm products. If they can not be carried to market they rot and waste away. If there are no cars to take them to the domestic market they are soon a total loss. If cars carry to the port and there are no ships to carry them to market they waste away and my loss is a double one. If I were a miner I would lose by a lack of cars or ships for my coal, but I would not lose the coal because it would keep indefinitely. So, if I were a manufacturer, I might lose my market for a time but my product would keep. As farmers we need ships. Our interests will be better served by American ships. They can not be had under present conditions without some aid to equalize conditions for a time until we can establish ourselves in competition with a well-intrenched merchant marine. The profit to us will be many times the actual cost to us.

During the last 21 years we have exported farm products of the value of over $33,000,000,000. Foreign ships carried about $28,000,000,000 of it, leaving $5,000,000,000 for American ships. During the same period we imported farm products worth $21,000,000,000, of which over $17,000,000,000 was carried in foreign ships, leaving $4,000,000,000 for our ships. In other words, during those 21 years alien ships carried $45,000,000,000 worth of our agricultural commerce. It is estimated that the cost of such service under normal conditions would be from 5 to 15 per cent. Estimating it at 10 per cent, alien ships received $4,000,000,000 during that period for carrying that class of our foreign commerce.

These ships pay none of our taxes. They bear none of our burdens of local, State, or National Governments, nor can they be taken in case of a national emergency. They received for the services rendered over $190,000,000 a year. Estimating 10 per cent of this as a profit, they have been paid from the people of this country an actual subsidy of $19,000,000 a year, and our farmers and other citizens have borne all the burdens of Government, including those of a great war. Over $26,000,000,000 of this business has been done since the war began. The high rates which the people had to pay before American ships were built went largely to alien ships owned or controlled by great trusts, over which we had no control. If we had built a merchant marine our farmers and business men would have been saved hundreds of millions of dollars that went into the coffers of those foreign shipowners, and would have been saved hundreds of millions of tax burden in the State, and, in addition, much of this money would have been spent at home in the development of our interests and the employment of our own labor, thereby adding greatly to the domestic market for the farmers' products.

The farmers' grange is a fine organization. It has declared against a subsidy. It evidently favors an American merchant marine. How does it propose to get it? It says if our laws put our people at a disadvantage those laws should be repealed. As a farmer I would not stand for that any more than would the labor of the country, and my farmer neighbor would not either. What does it mean? It means substantially that we should not permit our ships to be manned with Chinese, Japanese, Hindus, Lascars, living under conditions that they accept and are used to. Does the grange really favor that? I do not think so.

We want a merchant marine.

The farmer, the business man, and the laborer agree in this.

The measure we urge is a concrete proposal to establish what we all want. We will not pay out the money unless we get results. That is a certain fact that must not be overlooked. If the payment of $30,000,000 is required, there will be 7,500,000 tons of ships flying the American flag and carrying the products of our farms, our mines, and our factories all over the world in an ever-expanding commerce.

APPENDIX 2.

OPINIONS OF PROMINENT AMERICANS ON THE NEED OF AN ADEQUATE AMERICAN MERCHANT MARINE READ AT THE ANNUAL CONVENTION OF THE NATIONAL MERCHANT MARINE ASSOCIATION, WASHINGTON, D. C., FEBRUARY 7, 1923.

Warren T. McCray, Governor of Indiana: "I am very much interested in the proposition of the merchant marine and am using what influence I have in that direction. I think it is highly important to the commercial interest and the general prosperity of the United States that this measure should carry."

Edwin P. Morrow, Governor of Kentucky: "I desire to express my sincere belief in the movement to establish a merchant marine and my faith in the attainment finally of the purposes of this movement. I believe in the capacity of America to hold its own in world trade with any land and on any sea. Once the great business of a merchant marine is put upon its feet and permitted to meet competitive conditions, American-made goods being carried in American ships under the American flag will move over the face of the waters of the world, and we will be in a position to meet economic and industrial conditions as they arise in the future. I believe most heartily and most earnestly in a merchant marine and in every reasonable plan to secure it."

John M. Parker, Governor of Louisiana: "It is a pity to see the greatest producing nation on earth dependent upon foreign bottoms for the transportation of our agricultural and manufactured products, and my personal judgment is strong that every possible effort should be made to assure a national merchant marine which would be a splendid investment and of untold value to agriculturist, producer, and manufacturer, and my sincere hope is Representatives, Senators, and the National Government will appreciate the benefits certain to accrue quickly to State and Nation by assuring transportation for our products."

E. Lee Trinkle, Governor of Virginia: "It is needless for me to say that, like all other Americans, I am intensely interested in having an adequate trade fleet under our flag. I hope this meeting may result in much good, and as a result of it our flag will be seen in many ports, carrying our products back and forth to all parts of the world."

Albert C. Ritchie, Governor of Maryland: "Every true American desires to know that the flag of his country sails on every sea. In the past, with a great continent awaiting development, it has been but natural that the ambitions of our youth and the minds of our business men should have been turned inland. The time now has come to look toward the sea."

"In my judgment the possibilities of profit will not alone accomplish the fine object you have in mind. We must develop a seafaring people, and prove them to be as efficient on sea as they have been on land. If I were to venture a suggestion to-day it would be to begin a campaign of education of our American youth in order to reawaken in them the love of the sea. With thoroughly capable and efficient men to man and manage our ships many of the economic difficulties now in the way would be solved."

William D. Denney, Governor of Delaware: "I am heartily in sympathy with the American merchant marine movement, and you have my best wishes for its success."

Charles R. Mabey, Governor of Utah: "President Harding said recently, in referring to aviation, 'The history of civilization is largely the history of communication.' This is true, then, of every form of transportation. It is therefore palpable that the United States should spare no effort to retain the volume of shipping which is her just portion and constantly endeavor to keep her ranking position among the great nations of the world in commerce and navigation."

Henry J. Allen, former Governor of Kansas: "We of the Middle West are interested in good roads—in transportation—for we realize that without transportation our products are practically worthless.

"Inasmuch as a healthy foreign market is essential to American farm and commercial prosperity, we realize that our highways must extend out over the plains to the sea and over the sea to foreign shores.

"The Federal Government in times past has found it necessary to grant aid to farmers in the form of the homestead law, reclamation projects, irrigation enterprises, and other valuable and constructive things. It has granted aid to the railroads and paved roads, since farms without railroads and highways would be dead and unproductive property. It seems to me, therefore, that we ought to take the next necessary step and grant encouraging aid to the merchant marine which travels the extended highways of the Middle West out across the seas. This policy seems all the more advisable since the granting of this aid would actually reduce the expenses of the Federal Government by eliminating the burden now imposed by the maintenance of Government ships.

"I believe that before long the majority of the people of this section will come to a full realization of the necessity of keeping an American merchant marine on the high seas and will rally to the support of this clean and legitimate project which means so much to the ultimate prosperity of the whole Nation."

Charles E. Hughes, the Secretary of State: "I greatly regret that the demands of the department are such that I can not attend the convention of the National Merchant Marine Association. It gives me pleasure to comply with your request for a brief word with respect to the essential national interest involved in the maintenance of a national merchant marine.

"I do not see how anyone can be blind to this interest. An adequate merchant marine effectively maintained would not only promote the commerce but would support the influence and prestige and constitute a bulwark of the safety of the Nation. It would testify to the national capacity in one of the most important spheres of human endeavor with which initiative, hardiness, enterprise, and the ultimate resources of national strength and distinction have always been associated. It is a sphere of effort to which we are called by our seafaring traditions of the past, our extensive coasts, our enormous capacity for production, and our vast foreign trade.

"The question now before us is not whether we should enter upon this activity but whether we should abandon it. We now have a great merchant fleet at our command and an unprecedented national opportunity. To forego this opportunity would be a great national misfortune. It would be to confess incompetency and to make an abject surrender. The question is simply whether American enterprise is equal to this task with a fleet which awaits its bidding. The question is reduced to a practical one of method, and this has received the most competent expert attention in the formulating of the measure which is now before Congress. I believe that this proposal to maintain a national merchant marine deserves, and I trust it will have, the support of your association."

Andrew W. Mellon, Secretary of the Treasury: "All patriotic Americans wish to see our country restored to her rightful place on the sea, and I, for one, have an abiding faith that American genius and energy will find a way to build up and maintain a real American merchant marine."

John W. Weeks, Secretary of War: "Human progress has been possible largely through development of commerce, and to-day transportation is one of the vital needs of society, equally important to all professions and trades. For a nation to endure with success through the disruptions of war and the competition of peace demands that it be able to retain effective control over its essential commerce on sea as well as on land.

"We have been taught many times that we can not with impunity neglect our own merchant marine. A most recent lesson in this respect threatened the defeat of our purposes in the World War. A continuation of such neglect would perpetuate the danger of humiliation and defeat for our aspirations and our ideals. We would face this danger not only as a participant in war but also in the preservation of neutrality during wars in which we were not involved and yet during which we must maintain our foreign trade relations.

"It was with my deep regret that I declined an invitation to attend the annual convention of the National Merchant Marine Association. I desire to emphasize my assurance that your proceedings will command my closest attention. It is my hope and belief that your discussions will bear the fruit of success for your purposes."

Hubert Work, Postmaster General: "I realize the desirability of encouraging and fostering an American merchant marine, and I hope that your meeting will be successful from every standpoint.

"Our policy in the Post Office Department is to provide for the transportation of our mail on ships of American registry, except when the holding of mail for such ships would seriously delay its expeditious move abroad.

"In addition to this preference in the matter of allocation of our foreign-mail traffic, we also pay to the American steamers carrying our mail abroad more than twice as much money per pound as we pay to foreign steamers rendering the same service. The extent to which we in the Post Office Department favor American shipping is best reflected in the figures for the past fiscal year, which show that we have paid to American-owned shipping companies $4,034,719, while during the same period we only paid to foreign-owned shipping lines $1,858,191."

Edwin Denby, Secretary of the Navy: "Domestic industrial needs, overseas trade expansion, and naval requirements, as well as a strong sentimental impulse, all tend to make necessary the creation of a merchant marine to carry the American flag and show the peoples of the earth the outward symbol of our strength and commercial greatness. I am one of those who has always stood for Government aid to shipping for the sake of the whole country, and I still earnestly believe in such aid."

James J. Davis, Secretary of Labor: "If the United States is to retain its exalted position among the nations of the world, it must continue to have its flag carried into the foreign ports of the seven seas. The activities of the National Merchant Marine Association should for this reason have the support of every American in its efforts to build up the American merchant fleet.

"Through the State Department we maintain a corps of ambassadors, ministers, and consuls in all parts of the civilized world. We are proud of this fine set of representative Americans and their achievements abroad. Yet the real contact between the American industrial and commercial interests—and we pride ourselves upon the excellence of these institutions—and those of foreign nations is most often made effective by those who carry our flag across the seas and wave it at the doors of maritime nations.

"America, too, boasts of its high state of civilization, its high standard of citizenship, and the excellence of the institutions which are a part of its ideal of comfort and happiness for individuals. The standard for the American seamen, their working conditions, their hours and wages should be representative of the ideals we maintain at home. Unless the life and work of American seamen can be made as attractive as the average vocation within our territorial limits, we can not expect to attract the worth-while representative youth of the country to follow the sea and carry our flag with honor into the far corners of the earth.

"Every ship is an envoy and every member of its crew an ambassador carrying the message of American standards and efficiency to the commercial interests abroad. It is just as important that this corps of American agents be truly representative of America as that our diplomatic emissaries be of the highest type of American manhood and citizenship.

"I trust that Congress will soon devise some method of insuring that our merchant marine continue honorably to carry the Stars and Stripes into every port of the globe."

Gen. John J. Pershing, United States Army: "Your invitation for me to participate in the convention of the National Merchant Marine Association is very much appreciated, and it is a matter of genuine regret that I can not accept.

"On several occasions recently I have strongly urged the necessity for developing an adequate American merchant marine in discussing the national defense. The latter is the issue to which my official position and my lifelong service dedicate my support and championship. For this reason I do not feel free to make a special issue of any other question, much as I deplore the tragedy of our present position on the high seas among the nations of the world."

Admiral William S. Sims, United States Navy: "In my capacity as a naval officer, my interest is naturally first a mili-

tary one, and the more so because, as a commander of our naval forces in Europe during the Great War, I, of course, realized very keenly that the question of cargo ships was of no less than vital importance; that the chief mission of the allied and associated navies was to afford those essential vessels the maximum possible protection; and that the success of the armies depended upon continuously maintaining adequate sea lanes of communication.

"Had the flow of supplies over these lanes been interrupted or the available tonnage reduced below that necessary to sustain the armies and the civil populations of the Allies, no conceivable military force could have saved our cause from defeat, since no navy or no army, however powerful, can operate against an enemy without adequate and continuous supplies amounting to many thousands of tons a day; and when the bulk of those supplies are of necessity sea borne, the imperative need of merchant shipping in war is apparent.

"We all depended for these supplies largely upon the shipping of the Allies. Had we been alone in a war against a powerful enemy, we would have been fatally handicapped by our lack of shipping. It follows that if our present merchant marine is allowed to disappear through deterioration, the aggressive power of our fleet must disappear with it, for under these conditions it could no more carry out war operations than an army could advance against an enemy without railroads and motor lorries continuously supplying its necessities; it could not proceed beyond half its steaming radius from its land bases of supply; it would be nailed down to our coast. The interdependence of the navy and the merchant marine in war is complete.

"As for the necessity for a merchant fleet for trade purposes, it would seem that from a purely economic point of view there could be no doubt of its advantages to our country. The millions of freight on our increasing exports must be paid to shipping. Quite independently of the difference between foreign and domestic freight charges, it would seem apparent that at least a reasonable proportion of this great sum should be expended in the country in maintaining and developing our own ocean carriers and our shipbuilding and its allied industries.

"Every manufacturing city in the United States is in reality a seaport in the sense that its exports must flow to and across the sea, and all are directly interested in any measures that will enable them to send their cargoes to their foreign destinations under the most favorable conditions."

Julius H. Barnes, president Chamber of Commerce of the United States: "The greatest trading Nation in the world today must depend on foreign carriers for its transportation to its overseas customers. Maintaining at home a wage scale and a standard of living higher than its world competitors, but protected by tariff imposts, it nevertheless expects that standard of wage and of living to compete on the open seas against lower standards, which produce lower operating costs. It is illogical, and the failure of this policy is being demonstrated month by month.

"A surplus-producing country ourselves, and particularly raising annually a surplus of grain, the agricultural community should, in its most intelligent self-interest, favor the establishment of an American fleet with every facility for lifting the export surplus from our market so that it will not unduly depress as well the home market, which, because of its own protection on a higher standard of living, is well able to pay profitable farm prices.

"There is, besides, the broad question of encouraging the creation and maintenance of privately owned American fleets available in time of emergency. It is inconceivably dangerous that in the event of war we must largely depend on foreign carriers to transport our own troops and supplies.

"Every proper encouragement should be extended to equalize the unfair competition against American carriers in the open ocean routes."

John E. Edgerton, president National Association of Manufacturers: "Transportation has built the world; it has built the United States. It does the pioneering; it makes great production possible; it produces and sustains prosperity.

"Just as our railroads have pioneered for industry throughout our great Nation, so our American merchant marine—our railroads across the sea—must pioneer for American industry in the markets of the world.

"Our greatest prosperity will come when our complete production is consumed, and that will be when our surplus goods are being bought fully in the large consuming countries of the world. Our foreign trade is slowly recovering its pre-war level and soon must develop to even a higher level because of the impetus given it by the war.

"We should have an adequate merchant marine sufficient to meet the present needs and gradually expanding commensurate with out overseas trade. Under the restrictions of our present laws the American shipper is at a disadvantage in competition with the shippers of other nations. Our Government must give real aid to our shipping, just as other foremost nations have done, whether that aid be in the form of more liberal laws, bounties, bonuses, or a flat subsidy. The manufacturers believe that in the present emergency of a deteriorated merchant marine the Government should grant a subsidy, but that such subsidy should definitely provide for a proper return to the Government after a reasonable profit has been made by the shipping companies.

"Unless our Government takes a definite interest in its merchant marine, supports it, and backs it up with determination in every quarter of the globe, we shall always be subject to unequal competition in delayed cargoes, port complications, and discriminations that are bound to be imposed, intentionally or otherwise, when our producers are forced to ship in vessels of another country."

Charles M. Schwab, chairman Bethlehem Steel Corporation: "Unfortunately, I will be in Europe at this time, but if you have the opportunity I wish you would convey to the members of your association my best wishes for success in their efforts to place the merchant marine of this country on a sound and profitable basis.

"I am convinced that a strong merchant marine is essential to the business prosperity of the country. This country has attained a foremost position in business and industry throughout the world, and there is no reason why we should be compelled to have our merchant ships built in foreign shipyards and our manufacturing products and other goods shipped under foreign flags.

"To abandon our merchant marine at the present time would be disastrous, to say the least. It would throw out of work thousands of trained men skilled in the art of shipbuilding, who would have to commence anew to learn other trades.

"Hundreds of shipyards, built up at a cost of millions of dollars, will have to be scrapped. But by far the greatest injury would come to our country in placing our foreign commerce in the hands of our foreign business rivals. For this is certain to happen if this country is compelled to ship its goods under foreign flags.

"Nor is there any doubt in my mind that the same American enterprise and aggressiveness, which have made this country the workshop of the world, will soon place our shipping and shipbuilding on a profitable basis, and a basis which will mean increased prosperity to the country, if our shipping interests receive the same cooperation from our Government that the merchant marine of other countries receive from their governments."

APPENDIX 3.

[DEMOCRATIC PRESS ON THE SHIPPING BILL.]

If the Democratic press of the South properly reflects the sentiment of that section, and they are in intimate contact with their Democratic readers, a strong sentiment exists in the South for the bill, for leaders in southern press opinion have been vigorous in their advocacy of the measure.

Taking first my own community, the three Democratic newspapers of New Orleans I know are earnestly for this measure; and these New Orleans papers are among the leaders of editorial thought in the South. The Times-Picayune does not hesitate to say that it hopes "the Democratic Senators will not fall into the obstructionist pit that the hostiles on the majority side have digged for their own feet"; further saying that the bill "should be permitted to go to final vote with a reasonable promptness. And unless some better plan is presented for development of an American merchant marine on a permanent footing, it seems to us that sound and constructive statesmanship counsels congressional consent to a test of the plan proposed by the administration." The Times-Picayune is very clear in its editorial opinion as to the marine bill being a national rather than a party question when it says, "the issue is not one of the kind that should be fought out upon party lines." The Times-Picayune says that discussion on the merits will be helpful but that "the attempt to force partisan line-ups and to 'play' politics with a question of greater national importance than many of us realize should be discouraged by thoughtful citizens." Among the editorials in the Times-Picayune they touch upon the obligation of the party, saying that "Unless the party has a sound and defensible alternative course to offer, their undertaking to destroy the plan presented by the

administration will impress open-minded observers as bad statesmanship."

The New Orleans Item in a thoughtful editorial touches concretely upon the economic effect, and after reciting the experience of the southern section as a result of artificial discrimination the Item says that if the Government surrenders "control of the movement of this vast commerce, represented in the products of the Mississippi Valley, at the sea line, then we surrender our assurance that it will not be taken from us under stress of war or under stress of that competition in peace time." The Item says, "We must keep the flag on the seas, that the farms be kept prosperous, the mines and factories busy, the boats moving on the waterways, the trains upon the railroads, and the trucks and wagons on the country roads"; closing the editorial by saying it is the duty of the southern people "to see that all Members of the House and Senate at Washington from the Southern States support the proposed shipping measure."

The New Orleans States, whose publisher has been widely identified as an aggressive member of the Democratic Party, says that "In a situation such as now confronts the Nation individual Democrats ought not to be held to rigid obedience to party tenets. A real emergency exists, and it ought to be met as best accords with national interests. As a hidebound Democratic paper the States does not hesitate to say that patriotism must rise above party policies." Realizing the importance of this issue as a nonparty measure and saying that it speaks as a party newspaper, the States says that the Democratic Party "owes a patriotic duty which the lessons of the war seem to impose on Americans," the States being for a subsidy "because only thereby can the American flag be kept on the seas and the Republic be provided with essential marine reserves for national defense."

The States, after asking the question, "Do we want to go back to the old conditions under which foreign flags dominated our foreign commerce?" proceeds to make answer to that by saying it does not believe "any American does. Yet it is inevitable that this will be the consequence of our failure, at least temporarily, to pass the subsidy bill." The States, speaking as a strictly party journal, asks of the Democrats in Congress, "What is going to be their excuse if for the want of governmental support the American flag disappears from the seven seas? Is the party to take the responsibility of destroying about the only asset which came to us from the war? If the subsidy is not passed, we shall ultimately see the marine we developed out of the war completely dissipated and the American flag disappear from the seven seas. It would be a matter for profound regret that the Democratic Party, under whose administration we once possessed the greatest merchant fleet in the history of the world, should take the reactionary position of opposing this subsidy on grounds which once but in this emergency do not presently exist."

No one can question the democracy of the newspapers in the great State of Texas, such as the San Antonio Express, the El Paso Herald, the Galveston Tribune, and the Fort Worth Record, papers that are not only published on the seaboard but in the interior. The San Antonio Express, referring to the charge that the subsidy would cost a large sum of money, makes the ironical statement that this is "frightful! But before the war what was the annual cost of carrying 91 per cent of American exports and imports in foreign bottoms?" The Express does not hesitate to state unequivocally that "Congress should heed President Harding's advice and pass the ship subsidy bill promptly, as it is the only way to insure that 50 per cent of import and export trade shall be carried in American ships. Otherwise foreign craft will drive them from the seas."

The El Paso Herald sees in the situation a fear that the fleet may pass into foreign hands, and says that "this is a real danger. Our ships can not compete without a subsidy, even as many foreign lines are subsidized."

The Fort Worth Record, a paper of large circulation and influence, insists that the issue should be approached "from a national and economic angle," which it indicates is not the angle with which some of the Texas Representatives approach the question, for the Fort Worth Record says that "the Texas delegation in Congress is inclined to play politics rather than face the issue on its merits." The Record does not lay this blame altogether on the Democratic Members from Texas, but says that "many of the Republican majority are doing the same thing," proceeding further to say: "That is equally against the public interest. Facing the matter as one of business and common sense, Congress should either provide a better plan or play ball."

The Galveston Tribune, published in one of the great ports of the Gulf, points out one very elemental thing when it says that "one dominating fact appears to have been largely overlooked in arguing against the subsidizing of an American merchant marine, and that is the proposition is not one for helping any particular individual or body of individuals but is for the good of the entire Nation. The people want a merchant marine, they demand it, and in offering a subsidy as a means to an end the suggestion is one way in which it can be brought into active service."

Another one of the Gulf States which is keenly interested in port development and a merchant marine is the great State of Alabama. Last November the voters of that State voted the immense sum of $10,000,000 for the construction of ship terminals at Alabama's only seaport, Mobile. This vote of the people was so overwhelmingly in favor of this port development that the vote against it was negligible. This indicates the interest of the people of Alabama in the movement of Alabama commerce in American ships for the protection of the Alabama cotton farmer and manufacturer. They want an open gateway to the sea and they stand behind their desire by the huge sum of $10,000,000 to develop port facilities at their only seaport. Published at the capital of Alabama is a newspaper, the Montgomery Advertiser, which is widely quoted. It is a stanch Democratic newspaper, but it does not hesitate to say that "It seems to be a simple solution of the problem facing the administration in disposing of the fleet of ships and in obtaining by private ownership and operation a mercantile fleet under the American flag which will be an adjunct to the Navy, if war should again confront the Nation, and also supply the vital necessity of extending American trade throughout the world in time of peace."

The Birmingham News, published in a city destined to be one of the great cities in the Central South and whose policy is vigorous for progress, says that "The question of subsidy or no subsidy actually is reduced to this: Have Americans pride enough and business sense enough to want to deliver the goods sold to Europeans and Asiatics in our own boats?"

The News shows discriminating judgment and utters a wholesome truth when it says that the bill "is a matter of business strategy, of investment to safeguard our future development in world markets. And to those who may object to the idea of a ship subsidy it is only necessary to refer to the building of the great transcontinental railroads, when princely grants of the public domain and bonds of cities, counties, and States were voted the projects in order to help get them functioning, to reap the tremendous interest the country has obtained later in the way of development and general wealth. The situation is much the same to-day as regards the merchant marine. If we do not lend a strengthening arm our young merchant navy can not float alone; if we abandon the seas to our rivals it will come back to us in cold smokestacks and furnaces and closed-down manufactories for lack of foreign outlet at a fair chance."

The Birmingham Age-Herald, the Mobile Register, and the Mobile News-Item—one published in the great industrial city of Alabama and two published in the only port of that State—are newspapers controlled and directed by Frederick I. Thompson, the commissioner on the United States Shipping Board from the Gulf division. Therefore it could be expected that these newspapers would stanchly support the pending marine bill, for Mr. Thompson's position, as a Democrat, in advacacy of this bill is as well known as is such advocacy of the measure by the other two Democrats on the board—former Senator George E. Chamberlain, of Oregon, who served with such distinction in this body, and Admiral W. S. Benson, of Georgia, who made a distinguished and enviable record during the World War. It can be asserted that the belief of these Democrats in this bill is one born of conviction and study of this question, and not from any thought of their political position, for the intention of Mr. Chamberlain and Mr. Thompson to voluntarily retire as commissioners of the Shipping Board, regardless of the fate of this bill, is well known.

The Birmingham Age-Herald says that "It would be folly for this Nation to come into position where, with great and costly cargoes to export, it must be at the mercy of foreign steamship lines which may be controlled by competitors in the world's markets, for rates made by the foreign competitor could alone be made to ruin our commerce. Therefore the producing centers, above all others, have their welfare at stake. We have not yet forgotten how tragically we were made to realize during the war the fact that a merchant fleet is an indispensable adjunct of the Navy. The very safety of this Nation may depend upon what action Congress now takes on this pivotal question."

The Age-Herald cites particularly the actual situation with respect to the movement of cotton from Alabama and shows how beneficial an American merchant marine would be to the Alabama cotton planter through the fact that formerly the Alabama

cotton planter on export movement from the cotton farms was at the mercy, as to steamship rates, of the British interests, which was as much the interests of the British spinner as the British steamship operator, saying that "It is conceivable that under a combination of the British spinner and the British steamship operator the farmers of Alabama could be penalized in the movement of their export cotton from the port of Mobile, which is now guarded against in the service rendered the Gulf by American flagships, and which protection should be continued, but which can only be continued through the subsidy bill unless the Government would embark on a policy of Government operation in perpetuity, a policy not consonate with the merchant marine act, 1920."

The Age-Herald in a subsequent editorial touching upon the local benefits that would accrue to the State of Alabama says that "It is imperative and to the national advantage that this question come to a vote and that the vote be favorable."

The Mobile Register, a newspaper that in its entire life for more than 100 years has stood unflinchingly for the Democratic Party, says that "Unless the measure is approved, there will continue for some time a direct levy for the maintenance of the fleet. Therefore, the subsidy offers a business way out of shipping." The Register further says, "To cry 'subsidy!' is no argument. The questions are: Do we want American goods to be carried in American ships? Do we need American ships to serve as transports and naval auxiliaries if we are again compelled to go to war? If the answer is yes, then the merchant marine bill must be passed and our merchant fleet given a helping hand. The fact remains that if we want the ships we must encourage private ownership. On the face of it, the proposition looks good business, and there may be cause to regret that the only piece of broadly national and nonpartisan legislation the Republicans have brought forward under this administration is being opposed by the Democratic minority and what appears to be filibuster tactics are being directed against this measure." The Register, speaking as a member of the Democratic Party organization, says that "The Democratic Party must meet the issue of an American merchant marine with the same true courage that is exhibited by the President, whose program is that the present measure be adopted unless its opponents submit a better measure. Certainly there should be no delay in reaching a decision. The alternative is, as the President well says, one of national humiliation."

The Mobile News Item, also a Democratic journal, says that "There is but one common-sense course open. The need of the hour and the duty of Congress is adoption of the merchant marine bill, so that the way can be paved for a privately owned American merchant marine that will compare favorably and compete equally with the ships of any other nation."

In Georgia, another State with several important ports, is published a newspaper whose journalistic achievements is known to every Senator in this Nation, and that newspaper is the Atlanta Constitution, whose editor, Mr. Clark Howell, is a Democratic national committeeman from the State of Georgia and everywhere recognized as one of the influential members of his party. The Constitution says that the measure "is a reconstruction problem, and should be appraised carefully and broad-mindedly as such. And whatever may be the views of any individual member of the Senate, to be expressed by his vote, under the circumstances certainly there can be no justification for deliberately blocking a fair vote simply to play politics." The Constitution further says "The pending bill is intended to cure an economic problem, and it should not become a political football."

The Atlanta Georgian points out that "Democratic newspapers, Democratic organizations, and individuals have urged it"; and the Georgian in vigorous language asks "Who is it behind the lot of propaganda against the bill?" and seems to give the answer when it says that "You will find the source to be the Anglo-New York papers, which are the voice of the house of Morgan." "Why does Morgan want the American ship subsidy bill defeated?" asks the Georgian. "Because Morgan has bet on the British merchant marine. His 'American' International Mercantile Marine Co. has 12 per cent of its tonnage under the American flag, 88 per cent under the British flag. Morgan doesn't want American steamers to take away the millions of freight money which his British ships are earning in carrying our exports. Morgan is the shipping agent—as he is the fiscal agent—of the British Government in America."

Farther up the south Atlantic seaboard is North Carolina, and one of the leading papers in that State is the Charlotte Observer. The Observer says that "under the plan proposed we are to have an American marine in the best sense of the word," closing with the expression that "it is going to be a great day for the country when our merchant marine is restored to its ancient prestige."

At Richmond, the historic capital of the Confederacy, the Times-Dispatch, a leader in thought and southern journalism, says that "The continued existence of a disposition on the part of Democrats in Congress to oppose the plan of Government aid, principally on the ground of traditional prejudice against any form of subsidy, has operated for more than 50 years to deprive America of a merchant marine. It seems that the wiser policy for the Democrats to pursue would be to give support to the President's plan," the Times-Dispatch closing its editorial with the statement that "The Democratic minority faces a great opportunity to render effective service for the common good."

The Times-Dispatch in another editorial says that "If the mercantile fleet is to be kept alive it must be subsidized for a few years at all events; there seems to be no escape from this." The foregoing expression was from a newspaper published in the interior.

Senators know the high position of Norfolk and Newport News in the ports of the United States. The Norfolk Ledger-Dispatch says that "The country is confronted with a necessity which can not be met in any other way than by a subsidy. The Nation's commerce and the national defense both demand it"; the Dispatch going further and saying that "It is easy to understand the opposition to the principle of subsidies; it is not difficult to understand the opposition to this proposed subsidy, though the Ledger-Dispatch believes the arguments supporting it are convincing, even in the face of the arguments opposing it." "But it is beyond our understanding," says the Dispatch, "at least, how a majority of Democrats can bring itself to say to a minority of Democrats no matter how small a minority: 'You shall not vote for this bill, no matter what you believe will be the consequences to the country of its rejection, because we have decided it is not good party politics for Democrats to vote for it.'" "Unless we do grant a subsidy in some form," says the Ledger-Dispatch, "we must prepare for the time when the seas will be swept clean of our merchantmen, when our commerce will be hampered, and when our Navy will be crippled. We need an American merchant marine to meet the demands of our commerce and to fulfill the requirements of national defense." Speaking directly against the rumor that there would be an effort to delay a vote on the bill, the Ledger-Dispatch says that while discussion is good "there comes a time when discussion is not for the purpose of information but for obstruction."

The Newport News Press says that newspaper is "opposed to any Government aid to private enterprise," but that it had "given the question of the merchant marine careful study and it has become a conviction that it is as truly a necessity of this Republic as a navy. So believing, we are for the most practicable way, whatever that may be, to secure for the United States a merchant marine adequate to all our demands and capable of competing with the ships of the world on the high seas." The News Press further says that "Objections are raised to the only bill in Congress to aid American shipping, but no other means of relief is even proposed. The opponents of the bill offer nothing to save the merchant marine from wreck."

In the building of the great industrial South one of the chief exponents of that section's progress has been the Manufacturers Record, of Baltimore. That publication has been a conservative force fighting for the industrial and commercial development of my section. It perhaps would be proper to close this summary of what leading newspapers of this Democratic section think of the pending bill with an editorial from the Manufacturers Record. I have attempted here to reflect southern sentiment as indicated by their chief journalistic spokesmen. But I have been unable to gather all expressions that have been in favor of this bill.

Under the heading "Why the South should favor subsidy for an American merchant marine," the Manufacturers Record says:

"Of all sections of this country the South preeminently should be active and aggressive in favor of the development of an American merchant marine, and this can only be brought about by an adequate subvention or subsidy to American ships. The South has three-fifths of the coast line of the United States; it has vast potentialities for the development of foreign commerce. For the fiscal year 1921 the total exports through southern ports amounted to $2,294,000,000, which largely exceeded the total value of exports from the United States for any year prior to 1913 and were nearly double the total value of foreign exports for the entire country as

late as 1900. For the same year the value of imports at southern ports amounted to $391,489,000, giving a total commerce in and out of over $2,800,000,000. The exports from five leading southern customs districts for that year amounted to $1,867,000,000, as compared with a total of $356,000,000 from the entire Pacific coast. The exports, for instance, from Galveston for that year were $550,000,000 or nearly $200,000,000 more than the total exports for the entire Pacific coast. The exports from New Orleans that year were $614,000,000, or nearly four times the total exports from San Francisco, or $240,000,000 more than the combined exports from San Francisco, Los Angeles, and San Diego. These figures, startling as they are, as indicative of the enormous expansion at southern ports, are merely suggestive of the possibilities of foreign commerce through these ports. They do not, of course, include the enormous coastwise commerce to and from all the southern ports. They merely serve to show what the South is beginning to do in the way of exporting its own products through its own ports and how the West is also seeking an outlet through the South. Every dollar of foreign trade through southern ports is an argument in favor of the development of our own merchant marine.

"It seems scarcely conceivable that the people of this country, with its resources so boundless as to stagger the mind, with a growth already great enough to give us one-half of the world's railroad mileage, one-half of the world's coal and iron and steel output, with other things in proportion, should for one moment be satisfied to permit our flag to be driven from the high seas.

"'Commerce follows the flag,' is an old saying as true to-day as when uttered. Unless our flag floats in all the ports of the world the respect for it will be lessened on the part of other nations, and our power to command the trade of other countries will be greatly decreased. The ships of every other nation give first attention to the trade of their own people regardless of all denials which may be made by foreign shipowners. As a German steamship line some years ago in fighting the efforts of this country to develop a merchant marine was found by congressional investigation to be carrying on its pay roll a Washington agent of one of the leading press associations in order to mislead the public as to the need of an American merchant marine, so influences of many kinds are at work to-day to mislead the people of the country and to fill many newspapers with propaganda, the origin of which some of them do not themselves understand, against the necessity of a subvention for the upbuilding of a merchant marine. Without a merchant marine this Nation would lose many of its commercial potentialities and would be, in time of peace and in time of war, at the mercy of other countries, and its flag would be despised by the peoples of many nations because it did not have the courage to see that the Stars and Stripes floated in every port and on every sea.

"The South, of all sections, should unite in favor of legislation for the maintenance of American shipping against the foreign shipping interests, which are vigorous and aggressive in trying to prevent the passage of such a measure."

APPENDIX 4.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, D. C., February 13, 1923.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

DEAR SENATOR: An article was, according to the RECORD, read in the Senate yesterday which, in attacking the Chamber of Commerce of the United States, lugged in the organization of which you are president, the National Merchant Marine Association, by the ears. Of course, you and your organization had nothing to do with chartering a ship, American or British, to carry delegates of the Chamber of Commerce of the United States on a trip to the principal ports of the Mediterranean and then landing them in Naples in time for the general meeting of the International Chamber of Commerce—I doubt if you ever heard of it—but in placing the position of the National Merchant Marine Association in its proper light before the Senate, I would ask you, in fairness to this organization, which has no representative in the Senate, to have this letter read in answer to what was presented yesterday.

The article accuses the Shipping Board of stating "rank nonsense" and the Chamber of Commerce of the United States with "inconsistency."

Out of the mussy thought of this statement one is able to work out a presumption that it was intended to criticize the national chamber for supporting (as it has been supporting) whole-heartedly the ship subsidy bill while at the same time members of this chamber sail on a mission on a British ship. Here is the alleged "inconsistency," in spite of the fact that the author states that he was informed by an official of the Shipping Board that they did not have a ship available. This is declared to be "rank nonsense," because "Great Britain always has a ship available where there is any business," and attention is called to the fact that "the Shipping Board has hundreds of ships tied up and idle."

The statement of a few facts is all that is necessary:

First, the Shipping Board has no passenger ships tied up, except several that could only be put in condition at an excessive expenditure that the board has not felt justified in incurring, and passengers are not carried on freight ships.

Second. The Shipping Board has but few passenger ships, anyway, in comparison with foreign fleets. The "hundreds of ships," referred to in the article, consist of 97 per cent of cargo ships. To be exact, the Shipping Board has 40 passenger ships, both in and out of commission, and 1,324 cargo ships.

Third. Not a Shipping Board passenger ship has gone to the Mediterranean this season, nor since the early part of 1922, and the Shipping Board is not in the touring or cruising business.

Fourth. The Chamber of Commerce of the United States made inquiry of the Shipping Board to ascertain if an American vessel was available for this trip prior to deciding on another vessel, and none was forthcoming.

Fifth. The insinuation that a British ship was selected because British ships are "wet" and American ships are "dry" is absolutely false, for prior to October, 1922, American ships were as "wet" as British ships, and the contract for the *Caronia* was closed in June, 1922.

These five facts leave the article with nothing upon which to base its unworthy insinuations.

Very sincerely yours, ELLIOTT H. GOODWIN,
Resident Vice President.

APPENDIX 5.

[The address submitted by Mr. JONES of New Mexico to follow the speech of Mr. RANSDELL is as follows:]

THE FARMER AND THE TARIFF.

STABLE FOREIGN MARKETS NECESSARY FOR AMERICAN FARM PROSPERITY.

(Address of Hon. Cordell Hull at Topeka, Kans., February 22, 1923.)

It is a most pleasing privilege to visit the historic State of Kansas on this interesting occasion. I am deeply thankful for the high honor and courtesy implied by your kind invitation to be present to-day and to participate in the patriotic observance of Washington's Birthday. For more than a century and a quarter, lovers of liberty here and everywhere have delighted to pay highest tribute on every suitable occasion to the life and services of Washington, who was the outstanding advocate and defender of liberty, justice, and equality. During the month of February in every year the names of two patriots and champions of human rights—Washington and Lincoln—are on every American tongue. Their services to their country and to humanity have rendered their names immortal. Lincoln gathered his political philosophy almost entirely from the Declaration of Independence written by Thomas Jefferson. The people of this generation could pursue no wiser course than to apply the fundamentals for which Washington and Lincoln stood to our present-day conditions. I doubt not that if these two world-renowned patriots were alive to-day they would be among the principal critics of the course of our governmental affairs at Washington during the past two years, and among the principal champions of the great fundamentals of the policies for which the recent Democratic administration stood. There is no more appropriate time than this occasion offers for us to take stock of the present and to plan for the future.

The Harding administration has now consumed one-half of its allotted time, and with these first two years have gone three-fourths of its entire opportunities for accomplishment. Past experience teaches that the first two years practically tell the full story of whether a national administration is a success or a failure. Failure during the first half of its existence spells even greater failure during the remainder. If the Harding administration is a success, the administration of John Tyler was a howling success. If the wholesale failure either to perform preelection promises, or to meet the reasonable expectations of the people, or to make the Government function with any sort of efficiency, or to maintain prosperity, constitute success, the Harding administration will stand out in history without a parallel.

If it was the better part of wisdom that the affairs of this Nation should drift during the past two years for the complete lack of vision, initiative, leadership, and constructive service at Washington, the Harding administration is entitled to all praise for its exercise of almost supreme wisdom. If

the consistent championship of Newberryism, Daughertyism, Nat Goldsteinism, if the character-assassinating midnight raid on the innocent officials of the Bureau of Engraving and Printing, and the private exploitation of the Tea Pot Dome exhibit a suitable standard of public morals and decency, the Harding administration has earned the lasting admiration and thanks of the country for its superb moral examples. If the espousal of a wholly unsound position on every great economic question, both domestic and international, constitutes statesmanship, the Harding administration has risen to greater heights of statesmanship than any of its predecessors.

The demoralized condition of the present Republican administration during the past two years owes its origin to the false, insincere, and partisan attitude assumed toward all vital questions by the Republican national leadership in control during 1919 and 1920. During that period Republican leaders made no effort to formulate any definite, affirmative policies, either foreign or domestic. Their sole policy was one of negation, criticism, denunciation, and misrepresentation of the Democratic national administration, which had put forth a practical, timely, and comprehensive program of reconstruction and readjustment embracing all essential phases of both domestic and foreign affairs. The logical outcome of this blind and bitter attitude of partisanship, selfishness, and greed for power was a radical departure from the true party course suggested by statesmanship and patriotism, resulting in irreconcilable elements in the Republican Party, which have made it impotent as an agency of government during the past two years.

In order temporarily to discredit and break down the Democratic administration, the Republican Congress felt constrained by every sort of opposition and impediment to deadlock the Government during 1919 and 1920, thereby defeating or indefinitely delaying most of the great Democratic program of postwar readjustment and rehabilitation, nationally and internationally. During this tragic period Republican national leaders boasted that only they had the "best minds" and the supermen who could conduct the Government with capacity, efficiency, dispatch, and credit.

At this stage and since there were only two policies that the United States could pursue in relation to domestic and world affairs—"isolation" or "international cooperation." They were and are separate, distinct, and irreconcilable. The Democratic administration, rejecting isolation as shortsighted, disastrous, and even absurd, boldly and resolutely proclaimed the principle of international cooperation to the extent of America's responsibilities and enlightened self-interest.

Republican leaders during 1919 and 1920 pursued the one plan of defeating even the fundamentals of the Democratic proposals and of confusing and beclouding the whole situation, thereby hopelessly mystifying the American voters. They talked in many directions. They offered cryptic solutions, leading everywhere and nowhere. These Republican leaders, after the November election of 1920, awakened to the fact that they had jockeyed their party into a definite position of opposition to the entire principle of international cooperation and of support of the absurd policy of isolation. This calamitous consequence meant that the Harding administration would have nothing to do with world problems of reconstruction and readjustment to the extent of any sane or practical international cooperation—economic, social, moral, or political. This, in brief, is the underlying cause of the humiliating failure to meet every big opportunity which the Harding administration presents today. President Harding glibly announced in 1920 that "government is a very simple thing after all," and his political associates joyously indulged in every shade of jazz politics during this period. The inevitable result has been that during the past two years the Harding administration has been wholly unable to extricate itself from the policy of drifting, facing both ways—or rather every way—muddling, lack of purpose, and inertness.

The Republican Party in control of the Government has degenerated into various discordant groups and irreconcilable elements, with every sort of divergent views and cross purposes, with the natural result that innumerable blocs, such as the "farm bloc," the "labor bloc," the "soldier bloc," and the "business bloc" have been forced into existence in bitter protest against the incapacity and inability of the Harding administration to function. This is in striking contrast with the situation presented by the Democratic Party and its administration during its first two years beginning with 1913. A great national, unified, cohesive party in charge of the Government proceeded speedily and without the asking to enact a long list of wonderfully constructive legislation in the interest of the farmer, the laborer, the business man, and the American people as a whole.

That band of Republican political conspirators who undermined and broke down the only program that has yet been offered for the satisfactory dealing with our domestic and international affairs has much to answer for. They held the Nation and the world by the throat in 1919–20. This was the most disgraceful period of partisanship in our history. The direct result of their assault on the program and policies of the recent Democratic administration, of their failure to offer any substitute policies, and of their championship of the abominable doctrine of aloofness, has involved greater losses upon the people of America than America's total cost of the World War. They decreed, in effect, that America should turn away from Europe, although Europe is our biggest debtor and our best customer; that America should embrace the doctrine of isolation—economic, moral, social, and political—although we send our commodities to every country in the world, and receive commodities from every country in the world; that America is not a part of the world, although every banker, business man, and economist agree that domestic prosperity and international prosperity go hand in hand. Even many Republican national leaders, who for four years have talked, gestured, and done nothing, now admit that our domestic welfare is bound up with that of Europe and the world. Secretary Hughes, in a speech on December 29, said:

"The economic conditions in Europe give us the greatest concern. It is idle to say that we are not interested in these problems, for we are deeply interested from an economic standpoint, as our credits and markets are involved. We can not dispose of these problems by calling them European, for they are world problems and we can not escape the injurious consequences of a failure to settle them."

Secretary Hoover, in a speech made July 13, 1921, said:

"We are mightily concerned in the recuperation of the entire world. The hard times that knock at every cottage door to-day come from Europe. No tariff, no embargoes, no navies, no armies, can ever defend us from these invasions. The recovery of our foreign trade can march only in company with the welfare and prosperity of our customers."

It has, notwithstanding, been a matter of supreme indifference to arrogant Republican national leaders that the farmers and other producers of substantial surpluses in this country are wholly dependent upon sound reciprocal foreign markets for their chief prosperity at home, and that the American farmers to-day are the principal victims of European chaos. At no time during the past two years has the Harding administration recognized the economic fact that the American farmers are more vitally interested in the economic stability of Europe than all other classes combined.

What is the condition of the American farmer, his place in the general economic situation, and what are the remedies for the staggering losses he has recently suffered through the disruption of his foreign-trade markets? The farmer should at all times have suitable and adequate long and short term credits and cheaper transportation. Cooperation in transportation, distribution, and marketing, is a most important factor in making farming a success. The one big thing which the farmer needs, however, and has needed during the past two years and more is suitable foreign-market conditions. The vast surpluses of the American farmers have been going to waste during much of the past two years, while the 300,000,000 people in Europe were either hungry or actually starving for want of our surplus foodstuffs.

Had America extended even moral and economic cooperation to our European customers so as to stabilize the credit, exchange, and general economic conditions, our farmers would have had a steady flow of all their surplus products to markets abroad at top prices, with the result that the need for credits at home would not have become at all acute. Credits alone will not bring prosperity to the farmer. The restoration of his foreign-market facilities is the key to American farm prosperity. This outstanding fact should by this time be burned deeply in the memory of every American farmer in the light of his sad experience during the past two years.

Lower costs for the necessities of life is a second great need of the American farmer. If under such artificial stimulants as the Fordney-McCumber high tariff the prices of what the farmer must buy are increased to a much higher level than the prices of farm products, as is the situation to-day, the farmer's condition becomes desperate. There have been some increases in the prices of certain farm products during past months, but the prices of commodities the farmer must buy have also gone up in almost the same proportion, with the result that the

farmer has experienced but slight relief from the awful conditions created by the slump in farm prices in 1921. The prices of commodities, for example, advanced 14 per cent during the months prior to October, 1922. These surprising advances were chiefly due to the unspeakable Fordney-McCumber high tariff law, which took effect September 22, 1922.

The American farmers comprise about 26 per cent of our total population, own almost one-third of the wealth of the country, and more than 30 per cent of our population derive their living from the soil. The gross value of agricultural production for 1919 was $23,783,000,000; for 1920, $18,263,000,000; for 1921, $12,366,000,000; for 1922, less than $15,000,000,000. The American farmers exported $4,107,000,000 worth of agricultural products during 1919, $3,466,000,000 during 1920, $2,119,000,000 during 1921, and a much less amount during 1922. It is thus seen that from 12 to 20 per cent of our agricultural products must find suitable foreign markets.

The big fact in this connection is that the foreign prices for this surplus constitute the chief factor in fixing the domestic prices of the farmer's products. This economic law applies to every industry in America which produces a substantial surplus above domestic consumption. The price of wheat in Chicago and Minneapolis, for example, has for generations been governed by the world price in Liverpool. The domestic price of cotton is controlled by the world price in London. The price of American wool for 50 years has, with few exceptions, hovered closely around the world prices in the London markets, notwithstanding an absurdly high tariff rate at home.

The farmers of America, for further illustration, received good prices for wheat, corn, meats, and other farm products at home during 1919 and 1920 because similar high prices were being received in Europe for all their surplus. When the European market went to pieces late in 1920 and in 1921 through failure of America to cooperate in maintaining stable exchange, credit, and trade conditions, a great price slump immediately occurred in farm products at home. Here was demonstrated the direct connection between stable foreign markets and American farm prosperity.

Republican politicians sometimes attempt to minimize the value and importance of our agricultural exports by pointing to the much larger quantity the farmers sell at home. For example, they omit the vital fact that 20 per cent to 25 per cent of our wheat must be exported, 8 per cent to 15 per cent of our meat products, 60 per cent of our cotton. It is clear that with no stable foreign markets for these classes of surplus these three great industries would collapse in America on account of congestion, stagnation, and slump in domestic prices. The destruction of these three industries would work havoc not only to other branches of agriculture but to the entire industrial situation in America. Another grossly misleading suggestion which Secretary Hoover publishes from time to time is that the quantity of agricultural exports during the past two years has in some instances been greater than that of 1919 and 1920, and that therefore the farmer should be immensely pleased. The fact that the farmer has been receiving panic prices for this larger quantity of exports during 1921 and 1922 is carefully overlooked, although the farmer is interested in the prices received rather than the quantities sold.

Our farmers could ship their entire annual production to Europe and other countries and dispose of it by gift, or at a nominal price, and, according to the philosophy of Secretary Hoover, they should be immensely gratified with the large volume of their foreign trade. According to Hoover, the American farmer was better off engaged in the work of raising and exporting wheat at $1.30 a bushel in 1921 and 1922 than raising and exporting wheat at $2.60 to $2.80 a bushel in 1919 and 1920; or that it was better that he should receive two-thirds as much for 20,000,000 tons in 1921 as he received for 16,000,000 tons sold abroad in 1920.

All these facts confirm the economic truth recently proclaimed by an able Republican, "that American business can not be permanently prosperous, American labor can not be permanently employed at good wages, and the American farmer can not hope to get adequate prices for his products until there is economic stability and recuperation in Europe." The great problem in Europe since the war was to secure our surplus foodstuffs and raw materials in order promptly to go to work to the end that she might produce and thereby maintain her credit situation, strengthen her Government finances, balance her budgets, and in other essential ways progress toward normal conditions. Failing to secure these necessities at the critical stages on account of the Republican doctrine, practice, and preachment of isolation and aloofness, Europe slipped back in the opposite direction and gradually lost her chief purchasing power. Republican leaders, to the extent that they are now suggesting any international proposals for the restoration of sound and permanent conditions of prosperity in America, suggest in principle the same methods and remedies proposed by the Democratic administration in 1919 and 1920 before our farmers, laborers, and business men had suffered the awful panic losses of 1921 and 1922 and before Europe had approached economic ruin. Hon. Nicholas Murray Butler, extreme Republican partisan that he is, was recently forced to admit, almost in so many words, that if the fundamentals of the foreign policies of the Democratic administration had been carried out, it is highly probable that the conditions of peace, economic and other affairs, would have been much improved by this time.

The American farmers, who were the first and chief victims of Republican isolation and Harding normalcy, fell for the claptrap and vagaries preached to them by Republican leaders during 1919 and 1920. The manner in which politicians, scheming alone for power, thus duped this great body of patriotic, well-meaning American farmers can not be characterized as an ordinary crime.

The value of all farm property increased from $40,991,000,000 in 1910 to $77,924,000,000 in 1920. Prior to 1913, when the Democratic administration began, the farmers of America had an annual savings of nearly $1,200,000,000. These annual savings were increased until they became $5,000,000,000 in 1917 and $7,000,000,000 in 1918. From 1913 to 1920, inclusive, the annual savings of the farmers must have averaged more than $3,500,000,000 each year, or an aggregate of $27,000,000,000, as compared with an aggregate pre-war level for the same period of $8,800,000,000. The Republican industrial panic not only swept away most of these increased savings but operated to reduce the values of farm property some 25 per cent. In the face of this unheard-of economic disaster to the farmer then taking place, President Harding's administration assumed control of the Government in March, 1921, without a single suggestion on its program, except a tariff, for the relief of the farmers against imminent industrial ruin. No steps were taken until the Democrats in Congress, aided by a few western Republicans, furnished the votes which forced the passage of legislation during the latter part of the year for the revival of the Federal Finance Corporation, with the result that it did not resume operations until October, 1921, after the farmers' economic situation had been virtually destroyed. At this stage of incalculable losses the farmers were suffering, President Harding, Secretary Weeks, and other Republican leaders in control, took pains to denounce so-called farm blocs at every opportunity. The farmer must suffer in silence under stand-pat Republican rule. It mattered not that in December, 1921, corn sold 28 per cent below the pre-war level; hogs, 22 per cent; beef cattle, 11 per cent; while household goods sold at 118 per cent above the pre-war level; building materials, 103 per cent, and clothes, 85 per cent above. And there has since been no substantial improvement in this relative disparity of price levels, because, as I have already indicated, the prices of what the farmer must buy have increased almost in proportion to such increases of certain farm products as have occurred during past months.

The fact is most significant that the Harding administration has been content to invoke three important Democratic agencies for farm relief, namely, the Federal reserve system, the farm-loan system, and the War Finance Corporation, and the two latter after the chief losses had been suffered. They have offered nothing new except some kind of additional credit legislation which they threaten to enact during this month. This latter proposal excludes any plan or purpose to restore foreign market conditions or to secure cheaper freight rates for the farmers. With the exception of a tariff nostrum, this is the sum total of the shameless record toward the farmer made by the national Republican leadership, whose party has been in overwhelming control of Congress for four years, and of all branches of the Government for two years.

Republican leaders not only fooled and almost destroyed the American farmer in the manner already pointed out, but they unsuccessfully endeavored to fool him with an absurd tariff remedy during 1921 and 1922, as they had successfully done for 40 years prior thereto. While millions of farmers were drifting into bankruptcy or toward industrial ruin in the spring of 1921, the Republican Congress and administration prescribed a dose of high tariff protection as a sure and immediate cure. This they could not avoid doing for the reason that they had preached this quack remedy to the farmer for two generations. A so-called farmers' emergency protective tariff law was enacted in May, 1921, carrying virtually prohibitive rates on the chief farm products. The high rates of 35 cents a bushel on wheat, 15 cents a bushel on corn, 25 cents a bushel on potatoes, 25 per cent on meat products, and 30 per cent on cattle, were imposed upon the Republican theory and assurance that they would in-

crease prices in corresponding amounts and immediately restore permanent farm prosperity.

Under the operation of these new tariff rates no sophistry or claptrap was ever more completely exploded than the old Republican fraud that the tariff would bring the farmer prosperity. The value of farm products fell off 33⅓ per cent in 1921 despite this so-called emergency tariff. Wheat was selling at $1.53 a bushel when this tariff law was enacted in May, 1921, but it went down each month following until it reached virtually $1 in December. For many months after the passage of this law wheat was higher in Canada than in Minnesota.

The American farmer discovered that tariffs had no remote effect on prices of wheat, corn, cattle, hogs, and so forth; that our large surplus of each is marketed abroad, if at all; and that the prices received there fix prices at home. Farmers discovered that our 200,000,000 bushels of wheat exports for 1922, for instance, met Canada's 340,000,000 bushels of wheat exports in the world market at Liverpool, where ours competed with that of Canada, and where the prices received operated as a chief factor in fixing domestic prices both in the United States and in Canada. The Federal Trade Commission made an exhaustive investigation of wheat prices for 1920 and in its report said:

"To say that the price of American wheat is normally fixed by the export demand is substantially true, in general, and has been especially true this season."

Corn was selling at 58 cents a bushel in May, 1921, but constantly declined until it reached 30 to 46 cents six months later. Instead of the prices of agricultural products rising by the full amount of the tariff, or any amount, they fell almost double the amount. Potatoes till this day are worth almost nothing. The same low level of prices on all farm products thus highly "protected" continued for an indefinite time. This "farmers'" tariff was enacted upon the ridiculous theory of excluding imports of farm products, although the world had and has none to send here but was and is crying for every ounce of our surplus.

The complaint among the farmers at the utter failure of the Republican tariffs soon became so loud that President Harding, in his message to Congress on December 7, 1921, was obliged to confess that the Republican tariff humbug, so long practiced successfully upon the farmers, had been completely exposed. In this message he said, "Something more than tariff protection is required by American agriculture." In vain the Democrats proclaimed, during this period of unparalleled distress to the farmers, that tariffs were not the remedy but that the restoration and maintenance of sound foreign-market conditions, lower freight rates, and adequate credits were the measures of relief which the farmers' condition imperatively demanded. The Harding administration ignored these pleas until after the great losses befell the farmers, and even since they only suggest belated credits as a remedy.

The American farmer can render himself a more lasting service and do more to promote his permanent prosperity than any other agency can effect, if he will but ignore the false Republican propaganda and make an impartial investigation of the effect of protective tariffs on American agriculture. Recent tests of such tariffs should completely satisfy the farmer, but the sooner the farmer decides that he has been the victim of Republican protective tariffs for two generations, and in no sense the beneficiary, the sooner will he return to stable conditions of prosperity. A protective tariff, speaking generally, is immoral and dishonest, because its sole purpose is to increase prices artificially, in certain instances, thereby enabling one citizen to levy unjust tribute from another. There is some dishonest plausibility for the practice of this unjust and unequal policy by a provincial country, but a high protective tariff system in America at this time flies in the face of every sound economic law. It will be the chief domestic issue in 1924.

It is economic suicide for any important commercial country, producing vast surpluses which must be exported and sold in the markets of the world, to maintain a system of high protective tariff taxation. The operation of such system creates an artificially high level of costs of production, with the result that surpluses thus produced can not be shipped and sold in world markets in competition with similar products manufactured in countries not afflicted with such tariffs and such artificially high production costs.

The tariff record of the Republican Party, under the control of its reactionary leadership, reeks with bad faith, duplicity, corruption, and misrepresentation. Their position has been based on wholly unsound economic law, and upon the practice of selfish extortion by legal sanction. The high tariff system was originally invoked upon the plea of protection of infant industries. At a later stage, when the full-grown industries rendered this excuse absurd, the theory was modified so as to pretend to seek the protection of American labor. In 1908, after American labor and the public generally had unanimously decided that the manufacturer was retaining for himself all or most all the tariff benefits, Republican reactionary leaders adopted a new formula which declared for a tariff measured by the difference between the cost of production at home and abroad, plus a reasonable profit to the manufacturers. This bald demand for excessive tariff profits became ridiculous during the four years that followed and brought forth from Colonel Roosevelt bitter denunciation and a demand that labor's share of tariff benefits should thereafter be inserted in the pay envelope.

The present-day Republican reactionary leadership does not offer any definite tariff rule or formula, except some vague reference to the difference in the cost of production at home and abroad. Business, industrial, and general economic conditions during and since the war have rendered it utterly impossible to ascertain either domestic or foreign production costs. The result under the Harding administration has been that high-tariff rates have been written without rhyme or reason, and have only been limited by the greed of the manufacturers who contributed to the Republican campaign fund in 1920.

The American farmer has suffered unmeasured injury from typical Republican high-tariff systems of the past for the reason that it was and is impossible for him to derive any tariff benefits from the production and sale of such staple products as wheat, corn, oats, hay, cattle, and hogs. Republican politicians, however, have pursued the policy of giving the farmer high rates on these products, and in turn demanding that the farmer stand for rates far higher on most all finished manufactured products, which rates, in most instances, have the effect of greatly raising the prices which the farmer, in common with all other consumers, must pay. The farmer, for example, has already learned from recent experience that high tariffs have had no effect on the staple products just named. Let me cite an instance where it does have a serious effect on prices to the injury of the farmers and all other American consumers. The Fordney-McCumber tariff law increased the tariff on sugar 76 per cent over the Underwood law. Under the operation of existing sugar rates the American people each year pay $98,500,000 into the Federal Treasury, and at the same time pay $98,500,000 into the pockets of the beet and cane sugar manufacturers. The price of sugar was promptly raised to a figure corresponding precisely with the increase of the tariff.

A small group of large woolgrowers in the Rocky Mountain States were given a tariff of 31 cents a pound on scoured wool, which carries with it a potential tariff advantage of $34,200,000, and assures to the Treasury $33,000,000 of tariff taxes. These, however, are the least items in the transaction. The producers and manufacturers of woolen cloth and like products caused high compensatory tariff rates to be inserted in the woolen schedule for their benefit, under the operation of which the American public is compelled to pay them $130,000,000 in tariff profits over and above a reasonable profit. In other words, the American people are taxed at least $200,000,000 under the operation of the woolen schedule of the Fordney-McCumber law, only $33,000,000 of which reaches the Treasury.

Similar high tariff rates and resulting tariff extortion applying to hats, clothing, cutlery, iron and steel products, women's wear, gloves, corsets, and most all other necessities of life, have been heaped upon the backs of the American people under the present outrageous system of Republican high-tariff taxation. The very minimum of cost of the Fordney-McCumber tariff to the American people in the way of excessive prices is $3,500,000,000. Almost every month the Aluminum Trust, the Woolen Trust, the drug and chemical concerns, and most all other industries that were favored by this tariff outrage are marking up prices, and will continue to do so for some time to come.

The conservative American Farm Bureau Federation is reported in the press to have carefully figured out the net gain to farmers from all agricultural duties, which they place at $29,900,000. The farmers and those who derive their living from the soil, on the other hand, according to most conservative calculations, will pay to the manufacturer of all the articles they must buy to wear or use near $900,000,000 in excessive tariff prices. These tariff benefits accruing to the manufacturer in excess of a reasonable profit include such rates as 60 per cent on undecorated china, 60 per cent on window curtains, 90 per cent on laces, from 75 to 400 per cent on pocketknives and other cutlery, 75 per cent on cotton gloves, 70 per cent on toys for the children, from 30 to 50 per cent on hosiery, 40 per cent on umbrellas, and 45 per cent on cotton underwear.

It is thus seen that in order to get $450,000,000 of tariff taxes into the Treasury each year the American consumers must pay not less than $3,500,000,000 in excessive prices to the domestic

manufacturer. The present tariff system on dutiable merchandise averages near 40 per cent. The annual output of our manufacturers should now approach $45,000,000,000. If they should only increase prices on an average of 6 per cent under the tariff, they would reap a bounty of $2,700,000,000, to say nothing of the effects of corresponding increase of prices by retailers. The farmers must now realize that since virtually no corn, wheat, cattle, hogs, or meats are brought to this country under any conditions a tariff of 1,000 per cent on each would not increase his prices.

No nation is better equipped in natural resources, production, and transportation facilities to compete with all the world than America is to-day. A competitive tariff for revenue carrying such rates as would insure reasonable competition, prevent domestic monopoly, and at the same time not destroy or seriously injure any industry which it may be economically profitable to conduct, offers the only sound policy of customs taxation. Our benighted stand-pat Republican leaders can not realize that a wonderful change in our financial, commercial, and industrial affairs has taken place during recent years; that we are a great creditor Nation, with a foreign debt of $15,000,000,000; that we possess nearly one-half of the world's gold supply, a wonderful merchant marine, a productive output of 30 to 40 per cent above the capacity of the country to consume; the most improved machinery, the highest skilled labor, and by far the largest output per man of any other country. Reactionary Republican leaders still cling to the old high tariff, which is based upon the modern absurdity that commerce is not chiefly exchange of commodities; that we will sell but not buy; that our debtors can pay us in gold which we and not they possess; that our merchant marine should only carry freight in one direction—everything going out and nothing coming in—and that our increased productive capacity of more than 30 per cent, involving an annual income of $15,000,000,000, should be cut down to equal our home consumption, thereby throwing a vast amount of capital, farm lands, and labor out of employment. Under the blighting threat of this archaic policy our foreign trade fell from $13,200,000,000 in 1920 to nearly $7,000,000,000 in 1921, and to $6,000,000,000 in 1922. A high tariff here is a challenge to every law of international trade. It hopelessly obstructs the flow of commerce both ways. It prevents Europe, for example, from paying us for our surplus foodstuffs, raw materials, and manufactures with any kind of barter in the known absence of both cash and credit. This high tariff says: "If we can not sell our surplus abroad for cash, we shall not exchange goods we do not need for goods we do need."

The most casual observer must conclude, in the light of the economic developments of the past few years, that America can not sell unless she is willing to buy, and that our future prosperity lies beyond the seas. The farmer must now see that his products sell both at home and abroad at world prices, which he does not fix, plus the cost of marketing, while manufactured products sell in America at prices the manufacturer himself arbitrarily fixes, which is added to both the cost of marketing and the high-tariff benefits.

The Harding administration occupies a wholly unsound position on every economic question, both domestic and international. The present Republican policies of inordinately high-tariff protection and of commercial isolation will forever prevent the recovery of the purchasing power of Europe, will suppress our foreign trade, and will operate as a most serious handicap to satisfactory business conditions at home.

The American people are now realizing that the so-called accomplishments of the Harding administration are but commonplace when compared with its many really big duties and opportunities for service and its bigger failures. They can only turn to the great historic Democratic Party for relief—a party which when in power always stood for definite policies, both foreign and domestic; a party which always proclaimed a clear-cut program, and, with vision, constructive ability, and aggressive leadership, prosecuted it to a conclusion.

Mr. CAPPER and Mr. POMERENE addressed the Chair.

The PRESIDING OFFICER (Mr. ODDIE in the chair). The Senator from Kansas. Does the Senator from Kansas yield to the Senator from Ohio?

Mr. CAPPER. I just want a very few minutes.

Mr. POMERENE. The Senator has been recognized. I thought there was an understanding that I was to be recognized at the conclusion of the remarks of the Senator from Louisiana; but go ahead.

Mr. CAPPER. I just want a very few minutes, but I will yield to the Senator.

Mr. POMERENE. No; go ahead.

Mr. CAPPER. Mr. President, the ship-subsidy propagandists have declared that the farmers are for a subsidy.

I have received resolutions and memorials from more than 300 farm organizations and letters from more than 500 individual farmers protesting against the passage of the shipping bill. Not one farmer has written to me in favor of this measure, and, so far as I am able to learn, no farm organization has gone on record for this legislation.

The subsidy propagandists have declared that the farmers are for a subsidy. The truth is that the Farmers' Union, the National Grange, the Farm Bureau, the Society of Equity, and every other big farm organization in the country is on record against it. Some time ago the Iowa Farm Bureau Federation and the Iowa Farmers' Union took a poll of their membership on the question. The total number of farmers for the measure was 491; the total number against it was 14,000. That shows how strong the farmers are for a ship subsidy. They have fought this un-American policy every time it has shown its head.

The subsidy propagandists are all things to all men. In the West they tell the farmer that a bonus for shipowners will assure him a foreign market. In the East they tell the manufacturer that a subsidized American merchant marine would enable him to sell a 40 per cent surplus of manufactured goods in South and Central America, and that these ships returning would bring back cheap wheat and meat from Argentina and Brazil, sugar from Haiti and San Domingo, besides coffee, cocoa, and raw materials like rubber and tropical woods, whereby these manufacturers would have cheap raw materials and food for their big industrial population on the eastern seaboard, and so be enabled to compete more successfully with Germany and Britain.

With this country's advantages in natural resources and its advantages in machinery and in more efficient, more industrious, and more sober labor, we should be able to compete with the rest of the world without an artificial stimulant like a ship subsidy; but if we are going to use our own raw materials and these natural resources, we have got to have the farmer, and we can not put him out of business and keep him, too.

The subsidy propagandists also hold out the lure of cheaper shipping rates to farmers and manufacturers, although one of the reasons for asking a bonus for shipowners from the public is because lower rates are made by foreign ships than our American shipowners are willing to meet. Advocates of the subsidy allege discrimination by these foreign carriers against American products. The American farmer's foreign market is mainly in the manufacturing countries of Europe, which are not competitors of the American farmer but are eager for his products. If there is discrimination shown against American products in favor of foreign exports, it would logically be aimed at goods of American manufacture with which foreign countries compete in trade. It is a question whether any serious discrimination is practiced. It has not cut much of a figure in the subsidy debate.

But suppose we should embark on this subsidy proposition. Where would it end? If the ocean shipping business is unprofitable just now, so is wheat and potato growing and other kinds of farming. Far sounder reasons could be advanced for subsidizing the farming industry. Samuel Rea, president of the Pennsylvania Railroad, in a letter to the Pittsburgh Chamber of Commerce, makes the point that he sees no reason why the Government should not subsidize the railroads, although declaring himself personally a disbeliever in the theory of subsidies.

Reference often is made to the fact that England supports a ship subsidy. The amount, all told, comes to $3,000,000 a year and is chiefly for mail service. The United States Postal Department pays our shipowners more than that for mail contracts.

However, suppose this country should subsidize its shipping: What is to hinder England, Japan, and others from soon being at our heels with other subsidizing measures. In a contest of this kind one subsidy would be quite likely to lead to another. Possibly our great ship companies hope for something like this to happen. One of the clinching arguments of the ship subsidists is: "If we do not pass the subsidy bill we can not sell these war built ships." Suppose we pass the subsidy bill and sell these ships, what will we get for them? Two hundred million dollars. The subsidy would cost us $200,000,000 in three years or less, and we would only have begun paying it. What is there to that argument? We might better sink the ships.

During hearings on the bill Chairman Lasker of the Shipping Board conceded that the direct charges on the Treasury would amount to $52,125,000 a year. This is an underestimate if we

consider the probable sum that the bill's exemption from income taxes allows shipowners and the innumerable indirect aids provided. The subsidy, if enacted, may easily cost the American taxpayer $75,000,000 a year, or $750,000,000 in 10 years. As a consumer of funds and revenue it has unlimited possibilities. On its face, it provides for paying a subsidy almost double the total of mail pay, construction bounties, subsidies, and subventions paid to shipowners by all other nations combined. Their combined total is only something like $46,000,000 a year.

Mr. President, in dealing with the ship subsidy bill as legislators it becomes us to consider the facts deliberately from the viewpoint of the general public we are here to serve. Behind its front of fair promises the ship subsidy bill is, in my judgment, a most astounding piece of legislative legerdemain and iniquity. In effect it proposes to tie the hands of this and other administrations, of Congress, and of the public, and to deliver all three bound and helpless to the shipping interests, to be dealt with about as these gentlemen see fit. I am utterly opposed to the payment by the Government of a subsidy to any private interest. It is a dangerous principle.

A ship subsidy would be of decided advantage to the speculators, who are willing to take a chance when the Government puts up the money; but of what advantage could it be to the public, which sank $3,000,000,000 in building the emergency fleet during the war, and which since has been putting up $50,000,000 a year to operate a small part of that fleet at a loss, while the rest of the fleet lay rotting in idleness?

The losses a ship subsidy in all probability would bring on this country can not be calculated; but I can not see how the subsidy can do anything more than to pile up immense costs against the Government, and start an international subsidy war with circles of international subsidies and a very harmful series of raids or attempted raids on the Treasury by industries here at home.

Why throw good money after bad? Have we not lost more than $3,000,000,000 of public money in a merchant marine that can not operate?

I fully appreciate, Mr. President, the need of developing our merchant marine; but I believe a better way can and will be found than is proposed in the pending measure. Therefore, I shall oppose it.

Mr. POMERENE obtained the floor.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. POMERENE. I yield, if it does not take me off the floor.

Mr. WALSH of Massachusetts. I appreciate the courtesy of the Senator. I should like the attention of the Senator from Washington [Mr. JONES].

I ask unanimous consent that before the vote on the pending motion to recommit is taken a vote shall be taken upon the substitute bill offered by the Senator from Tennessee [Mr. McKELLAR]. I understand that this substitute bill is identical with the pending ship subsidy bill reported by the committee except that it strikes out the provisions of the bill which provide for a subsidy, and substitutes instead preferential tariff rates in favor of American goods carried in American ships. This was President Madison's policy that built up our merchant marine before the war. I ask unanimous consent that such a vote be taken before the vote on the pending motion, which is to recommit the bill to the committee. We can do much to assist our merchant marine by preferential tariff duties at this time.

Mr. JONES of Washington. I could not consent to that under the circumstances. We have had no opportunity to vote on any of the amendments to this bill heretofore, and we have come now to a motion to recommit, and are about ready to close the matter, and I think we had better close it.

Mr. WALSH of Massachusets. I simply wanted to say that the challenge has been made here that nothing constructive has been offered. Here is a constructive measure proposing a means and method of helping the American merchant marine, and I wanted to put myself on record as in favor of preferential tariff duties. At least we should consider the advisability of preferential tariff rates to assist in developing our merchant marine regardless of our views on the principles of a subsidy.

Mr. JONES of Washington. Of course, if the Senator will permit me just a second, I would have been glad if we could have reached a point where we could consider all these proposals made, including the proposal made by the Senator from Tennessee, but apparently we have not been able to reach that point.

Mr. McKELLAR. If the Senator from Ohio will permit me, I will say to the Senator from Massachusetts that the other day, in a colloquy between the Senator from Washington and myself, he expressed very great approval at some such provision as that contained in this substitute, providing for a differential.

Mr. POMERENE. Mr. President, I am opposed at the present time to the recommitment of the ship subsidy bill. On perhaps two occasions recently I have voted against displacing the bill. My reason for the votes I have cast, and the one I will cast on the pending motion, is, first, that this legislation is of such paramount importance that I think we should not permit anything else to take its place; secondly, because I am opposed to a filibuster.

I came to the Senate 12 years ago ardently opposed to the filibustering program which had been adopted theretofore to defeat legislation. I was then told that I would change my views in that behalf before I had been long in the Senate. Since I have been here I have witnessed a number of filibusters. I saw the Republicans in 1915 defeat the merchant marine bill which was championed by a Democratic President and Democratic Members of the Senate.

I am now witnessing a filibuster by some Democrats and some Republicans to defeat the pending ship subsidy bill, which likewise has for its purpose the establishing of a merchant marine. In 1916 I favored the then pending shipping bill and was opposed to the filibuster. Now, I am opposed to the pending bill in its present form, but I am likewise opposed to the filibuster which has been engaged in for the purpose of preventing a vote upon the bill, if not for the purpose of preventing its legitimate consideration.

Minorities in a legislative body have their rights and so have majorities, and one of the rights and responsibilities of a majority is to legislate. Full and fair opportunity to be heard should be given to the minority under any and all circumstances, but in my humble judgment no minority at any time, under any circumstances, has the right in a test of physical endurance in the expiring days of a Congress to prevent legislation simply because they are opposed to it.

It would be just as consistent for a minority in a popular election to seek to prevent the declared choice of a majority from functioning as it is for the elected minority in a legislative body to prevent the majority from functioning. This is my view frankly and dispassionately expressed; and without committing myself irrevocably, because I can not anticipate the developments of the next few days, my firm conviction is that this subject of a merchant marine should be kept before the Senate and not be displaced, so that it can be thoroughly discussed with the hope that Senators may come to a vote and vote their real convictions. And even if the discussions should continue so long that there will not be time enough to get a final vote upon the merits of the bill, I am certain it will be illuminating and lead to a right solution of the problem, if not at this session at the next session of the Congress.

Since the ship subsidy bill has been before the Senate I have heard various arguments made for and against a filibuster. Some Senators who have heretofore favored it are against this one. Others who favor the present filibuster have been against others of like character. Fine discriminations have been drawn between proper and improper filibusters, but reduced to their final analysis, what the distinguished Senators who use them seem to mean is this: They are for the filibuster when they are opposed to legislation which is at the time before the Senate, and they are opposed to the filibuster when they favor legislation pending before the Senate. A filibuster is either right or it is wrong, and it ought to be controlled under any and all circumstances to the end that legislative bodies can function.

Recognizing the right of every Senator to his own views, I trust they will respect my right to mine. In my judgment, there is no more important subject that can engross the attention of Congress than the consideration of our merchant marine and its proper settlement. It is not going to add anything to the enlightenment of the American people to now postpone or defer the discussion of this subject.

Personally I am opposed to ship subsidy. I do not believe it can be made a success. I think it will prove, if adopted, a snare and a delusion.

Mr. KING. Would it interrupt the Senator to make a suggestion or ask a question relative to the filibuster part of the address to which he has just referred?

Mr. POMERENE. No.

Mr. KING. I suggest to the Senator, apropos of his discussion of the filibuster, if he does not differentiate between the situation which exists to-day, where the present Congress was not elected upon the ship-subsidy issue, and the situation presented by the new Congress which will come into being on the 4th of March, which was elected upon that issue; at least, that constituted one of the controversial questions in the campaign? If the President of the United States should call Congress in

extraordinary session on the 5th day of March for the consideration of this subject, as I think he should——

I think I can say to the Senator that on this side of the Chamber there would be but limited debate, and within three weeks a ship subsidy bill could be finally brought to a vote in the Senate of the United States.

Mr. POMERENE. Mr. President, the Senator from Utah must answer that question to suit himself. I answer it to suit myself. I have certain responsibilities that are with me, and will remain with me for a few days. The ship subsidy was not an issue in the State of Ohio. It was referred to occasionally, but it was not discussed generally.

TIME TO ACT IS NOW.

Some plan ought to be adopted and its consideration ought not be deferred. Every day's delay adds to the loss to the Government. The President has told us that the annual loss under Government operation is $50,000,000, not taking into consideration the depreciation, insurance, or interest on invested capital. And if we were to keep them in mind the total loss to the Government, due to the present lack of policy, will require us to add one hundred millions to the fifty millions of loss the President referred to in his address to Congress, to say nothing of the wooden and concrete ships built during the period of the war.

Prior to 1856 we had one of the two greatest fleets of merchant ships in all the world. About the year 1856 it began to decline. During the Civil War 100 of our merchantmen were sunk by enemy cruisers, and 600 were sold to companies flying foreign flags, principally the British flag.

In 1789 we began to encourage shipbuilding and ship owning in the United States. At that time we had only 124,000 tons of shipping. We carried only 17 per cent of our imports and 30 per cent of our exports.

In 1795, as a result of this legislation, our tonnage had increased to 529,500 tons, and then we carried 92 per cent of our imports and 88 per cent of our exports. By the year 1800 our tonnage had increased to 667,000 tons. We then carried 91 per cent of our imports and 87 per cent of our exports. In 1810 our tonnage had increased to 1,000,000, and we carried 93 per cent of our imports and 90 per cent of our exports.

In the year 1913 our tonnage was only 938,000, being about 100,000 tons less than we had in 1810, though our population had increased from 7,239,881 in 1810 to more than 91,972,266 in 1913, and in that year instead of carrying 93 per cent of our exports and imports we were carrying only 12 per cent, and we were paying Great Britain $175,000,000 to carry our commerce for us on the high seas.

Capt. W. W. Bates, former United States Commissioner of Navigation, in his American Marine, published in 1892, declares that in the 30 years preceding we had paid $4,500,000,000 to foreign ships for ocean transportation, or on an average of about $150,000,000 a year. This sum was almost equal to the total cost of the Civil War.

We have 1,442 steel ships with a total tonnage aggregating 7,000,000 gross tons. We are only operating 421 of these vessels. One thousand and twenty-one are tied up. These operations were continued during the past year at a loss of $50,000,000, but this loss does not include depreciation or interest on investment or insurance.

What shall be done with them?

Shall we permit them to rust out or wear out while foreign bottoms are carrying, according to Mr. Lasker, 71 per cent of our exports and probably an equal proportion of our imports, at a cost to the American producer annually of one hundred and fifty to two hundred millions of dollars which is paid to shipowners flying foreign flags? Certainly no American who takes pride in his country and its accomplishments can indorse such a policy.

Shall we sell this fleet which cost us, in round numbers, $3,000,000,000 to foreign shipping companies and have it operated under foreign flags and again be placed at the mercy of foreign merchantmen, as we were during the World War, when ocean freight rates were increased to American merchantmen as much as 1,200 per cent? Certainly the most productive Nation in the world can not and will not tolerate a repetition of that folly.

Shall we continue Government ownership and operation of these ships in the face of the tremendous losses which we have suffered due to Government operation, and in light of the experience which we had with Government operation of the railroads for a period of 26 months, during which time the Government incurred a deficit of $1,800,000,000, which must be paid by the taxpayer? Dreamers and theorists may so desire, but practical men never.

Or, again, shall the Government continue to operate these ships in competition with foreign-owned ships, which are constantly being aided to a greater or less degree by subsidies, subventions, bounties, or other preferential privileges, and in competition with privately owned American ships, and meet the deficit out of the Public Treasury and at the same time bankrupt the privately owned American ships? Certainly that course is not fair either to the taxpayers of the country or to the private owners of American registered ships.

PREFERENTIAL FREIGHT AND TARIFF RATES BETTER THAN SUBSIDY.

What, then, shall be done? Perhaps a year ago in answering certain constituents, some of whom favored and others opposed the subsidizing of the American merchant marine, I said:

> I am for an American merchant marine. I never have liked subsidy, and I do not like it now. I want a merchant marine without subsidy if I can have it, but I want a merchant marine.

Interpreting these words, I meant then and I mean now, if there is no feasible way of building up and maintaining a merchant marine except a subsidy I would favor it, but I am not convinced that there is not another and better way in which to build up this merchant marine so that it will not only rival but surpass the merchant marine of even the British Empire. On the contrary, I think it has been clearly proven that a subsidy would not be a success, and particularly the plan presented to us in the pending bill. I am therefore opposed to it.

I take it that the far-flung British Empire has the right to build up and maintain her merchant fleet in any way that may seem wise to her people. This she did for many years, if not for centuries, by preferential freight and tariff rates, subsidies, subventions, and by other policies which suited her purpose. I shall not pause now to discuss them. Now she gives subventions to her fast ships, but none to her slower ships.

In 1815 the Congress of the United States, in the so-called limited marine reciprocity act, and later in 1828 by the so-called free freighting act, agreed to suspend our preferential tariff rates theretofore given to American bottoms provided other nations would grant the same privileges. Great Britain did not see fit to accept this proposition until about the year 1849, at a time when she felt that with her iron merchant ships she could dominate the shipping of the world, and it was then mutually agreed between these nations that preferential rates should be abolished. Shortly thereafter Great Britain inaugurated her subvention policy, which at least was violative of the spirit of the treaty between the two nations.

It is my judgment, after a pretty careful examination of the statute of 1828, that there is now no binding contract between the British Empire and our country, because, while under the statute of 1828 we offered reciprocal ship privileges to other nations when they signified their intention to grant the same to us—Great Britain did consent in 1849 to do so—yet the statute of 1828 provided that such an agreement should not take effect except upon the issuance of a proclamation to that effect by the President of the United States, and no such proclamation was ever issued.

Will subsidy solve the problem? If other nations have adopted it, is that a reason why we should adopt it, or proof that we can build up and maintain our merchant marine if we do adopt it? If we attempt to meet their subsidy by a subsidy, can not they add to theirs?

If funds are paid directly out of the Treasury of the United States into the coffers of the ship companies, will not one of its effects be to destroy their initiative? Does the payment of this bonus to the ship give a guarantee that it will get the cargo to carry? Will it not, therefore, be better to devise some scheme which will give greater assurance of success?

Various Congresses have attempted subsidy before. They have never succeeded in having the plan adopted, and the probability is that it will not now be adopted, and if it should be adopted we will not know that it will be a success until we have tried it out. Because it is now unpopular does not necessarily demonstrate that it might not be a success, but even if it should be a success, it seems to me that we ought not to adopt it until all other means shall have failed.

I am not unmindful of the fact that our distinguished President is earnestly advocating this measure, and that it is being pressed with vigor in the Congress of the United States, and very often by men who are at heart opposed to it. The two ablest speeches that have been made in the Senate in favor of ship subsidy were by the Senator from Washington [Mr. JONES], the chairman of the Commerce Committee, a Republican, and the Senator from Louisiana [Mr. RANSDELL], a member of the same committee, a Democrat.

SENATOR JONES ON SUBSIDY.

The Senator from Washington, in his report on the merchant marine act of 1920, quotes a letter from Admiral Benson (p. 6, No. 573, May 4, 1920) under date of April 19, 1920, to "Sena-

tor W. L. JONES, chairman of the Senate Committee on Commerce," in which he says in part:

Other nations have by direct subsidy guaranteed the operation of their fleets in world competition. We believe it unnecessary for the United States to adopt a like policy.

On page 9 of this report, the Senator from Washington said, with respect to the abrogation of our treaties:

For many years the United States has been prevented from doing what was clearly to its advantage to do in order to build up the merchant marine by restrictions imposed upon it through commercial treaties. There can be no more opportune time to abrogate these treaties and make new commercial arrangements if they are deemed advisable than now. France has already notified of her desire to abrogate her treaty with us, and we should put ourselves in a position where we can do whatever we deem necessary to promote our commercial and marine welfare.

For these reasons—

The Senator said in the report—

we have made provisions for this by directing the President to give the notice necessary to abrogate such treaties.

From a colloquy between the Senator from Washington and myself last December, when the shipping bill was under discussion, I quote as follows:

Mr. POMERENE. We had a splendid merchant marine up until about the time of the Civil War.

Mr. JONES of Washington. In a speech I made when the Underwood-Simmons bill was up I took up the shipping history of the country in five-year periods and showed when we reached our apex and when we began to decline, and I convinced myself at any rate that our declining shipping was due to and began largely with our repeal of the discriminating-duty clause. While it did not reach the final conclusion probably until the Civil War, it was going down, at any rate.

Mr. POMERENE. In the merchant marine act which the Senator introduced there was some provision to that effect, was there not?

Mr. JONES of Washington. Does the Senator refer to the act of 1920?

Mr. POMERENE. Yes; which permitted discrimination.

Mr. JONES of Washington. I will state what it did. It directed the President to abrogate the treaties which had prevented our adopting a policy of that kind. It did not of itself undertake a policy of that kind. It simply directed the President to abrogate the treaties, and then Congress would have the power to act.

Mr. POMERENE. The Senator has stated the legislation more accurately than I did, but is the Senator of the opinion that if those treaties were now abrogated, so that there could be some differential in tariff rates on goods carried in American bottoms, it would meet the situation?

Mr. JONES of Washington. I am firmly convinced of it.

Mr. POMERENE. Does not the Senator think if negotiations were begun with the other nations of the world that some modification of those treaties could be made so as to permit it?

Mr. JONES. I think so, if we would take a pretty firm attitude; but two administrations, one Democratic and the other Republican, have refused, I might say absolutely refused, to carry out that policy. (Page 355, CONGRESSIONAL RECORD, December 13, 1922.)

Mr. POMERENE. A moment ago the Senator said that no other concrete suggestion had been made with reference to this shipping problem, and I think he is right about that; but I inferred, from the way in which the Senator made the statement, that he perhaps had some other suggestion or plan in mind, though it may not have been matured. Am I right about that or not?

Mr. JONES. No, Mr. President. I had considerable to do with the framing of the merchant marine act of 1920, and I am going to say frankly that I believe that if that measure had been carried out and could be carried out as it was passed, there is very little of this bill that we would need; but that, apparently, can not be done.

Mr. POMERENE. In the judgment of the Senator—and I know he has given many months of very careful, close study to this problem—if that plan had been carried out, would it be necessary to provide for these subsidies?

Mr. JONES. I do not think so.

Mr. POMERENE. I assume that because the Senator suggested the plan which is contained in the commerce act of 1920, he at that time thought that that plan would meet the situation, and that it would be preferable to the subsidy plan.

Mr. JONES. I did, although that bill was not like I wanted in many particulars. I want to say frankly to the Senator that I never have been very friendly to subsidies as such. I have felt for many years that the policy of discriminating duties would be far more effective toward building up the American merchant marine than subsidies; but it seems that it is impossible to get that, and I am so earnestly in favor of doing something to build up the American merchant marine that, as I said yesterday, I have reached the point where I will vote for any measure that gives any reasonable promise of establishing upon a permanent basis an adequate American merchant marine. (CONGRESSIONAL RECORD, December 13, page 355.

SENATOR RANSDELL ON SUBSIDY.

In a colloquy with the distinguished senior Senator from Louisiana I said in part:

But my history informs me that before the Civil War we did have a merchant marine, and it was a merchant marine of which we were very proud.

Mr. RANSDELL. The Senator's history also tells him that we had a discriminating duty at that time, and the merchant marine was built up on a discriminating duty. If we could have the discriminating duty now, I would infinitely prefer it to this. I would put this subsidy bill aside in a second if we could enforce the discriminating duty provided for in existing law.

There are no two men in the Senate for whom I entertain a higher regard than for the able and distinguished Senators from Washington [Mr. JONES] and from Louisiana [Mr. RANSDELL]. Both of them have given great study to this problem. If they spoke to me out of the fullness of their convictions in favor of subsidy, even though I did not accept their judgment, I could say, "Almost thou persuadest me to believe." But when these great Senators extend their hands and appeal to me to vote for a subsidy which their own judgment does not approve, and when they frankly tell me, as they told the Senate, that they infinitely prefer some plan of discriminating duties or traffic rates, I can not help but say, "The hand of Esau, but the voice of Jacob."

These two advocates of ship subsidy do not stand alone in their vigorous opposition to subsidy, even though they here advocate it and intend to vote for it.

REPUBLICANS FAVOR DISCRIMINATING DUTIES.

In these closing hours of the Sixty-seventh Congress I shall not take the time to quote Democratic authority upon the subject, further than to say that the declarations of the party have been uniformly against subsidies, but always in favor of rebuilding our merchant marine. On the other hand, the National Republican Party has never declared itself in favor of subsidies.

The Republican national platform of 1896 declared:

We favor restoring the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in foreign trade so that American ships, the product of American labor employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans, may regain the carrying of our foreign commerce.

In his letter of acceptance William McKinley said with reference to this plank:

The declaration of the Republican platform in favor of the upbuilding of our merchant marine has my hearty approval. The policy of discriminating duties in favor of our shipping, which privilege they had in the early years of our history, should be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas is fully attained. We should no longer contribute directly or indirectly to the maintenance of the colossal marines of foreign countries but provide a complete and efficient marine of our own. (Discriminating Duty Policy, p. 22.)

When the Wilson-Gorman tariff bill was pending in the Senate in 1894 Senator Frye offered an amendment on June 21, 1894, providing for a discriminating duty of 10 per cent ad valorem in addition to the duties imposed by law on all merchandise imported in vessels not of the United States, and it further provided that this duty should not apply on goods imported in foreign bottoms after January 1, 1896, and the notice of this provision should be given all nations before the 31st day of December next.

(Page 6, above pamphlet.)

In discussing these amendments Senator Frye said their effect—

would be to give notice to all the nations of the world of a discriminating duty of 10 per cent in favor of all goods brought into the country in American vessels, and that notice will abrogate all treaties hitherto made which stand in our way.

In the same speech he further said:

I believe and have always believed that the true method of revival is through discriminating duties; that the fathers were right; but I have always been restrained by these treaties. (Page 12.)

Again he said:

The American merchant marine would have been where England's is to-day if it had not been for the treaties made with those countries and our accepted reciprocal legislation.

Now, Mr. President, in that same debate the Senator from Massachusetts [Mr. LODGE], the present leader of the majority, said:

If it would not interrupt the Senator, I should like to ask him in that connection if Great Britain has not pursued by indirection the same method; that is, by the rates on insurance at Lloyd's and by premiums on iron steamships, of discriminating in favor of our tonnage down to the present day?

I have read from the CONGRESSIONAL RECORD of June 20, 1894, page 6571.

My contention is that while Great Britain and the other nations have observed the letter of the conventions they have violated their spirit.

Senator Stewart, of Nevada, a Republican, said:

These treaties—

Meaning the treaties giving reciprocal rights or privileges—

have been substantially violated. We are under no obligation in consequence of these treaties, because all of the important nations which entered into them have subsidized their carrying trade, which is a violation of the principle, and we ought to take some notice of it, at least.

In February, 1896, Senator Elkins, of West Virginia, the father of the present Senator ELKINS from that State, introduced a bill providing for discriminating duties.

In the speech which Senator Elkins made he said:

From these records it appears from 1789 to 1800 the carrying of our imports in American ships increased from 17½ per cent to 92 per cent, and our exports from 30 to 88, and from 1800 to 1810 this ratio was substantially maintained, making the average of our foreign commerce carrying in American ships for the period from 1800 to 1810 91½ per cent of our imports and 87 per cent of our exports.

As a result of this and other supplemental legislation of the same kind, in 1810 our share in the carrying trade of the world was about as great as that of England.

I may say that Senator Elkins presented a bill to reenact the same kind of discriminating duties which were originated by the fathers.

Madison, in the First Congress, introduced the bill providing for discriminating duties and tonnage charges. He built up the merchant marine and the Navy so successfully that with it we won the War of 1812; and it was at least a coincidence that James Madison was President of the United States when war was started.

I think a careful study of the national platforms of the Republican Party justifies the statement that it has never declared in favor of a subsidy plan, and that wherever it has declared itself specifically it has been in favor of discriminating duties.

REVERSAL OF POLICY.

This policy of discriminating rates continued undiminished until 1815. Then Congress began to reverse its program, and by a statute approved March 4 of that year was begun the "limited maritime reciprocity." This was the first direct attack on discriminating duties.

In 1828 the "free freighting act" was passed in the interest of foreign shippers. Treaties were entered into in pursuance of the provisions of this act, and they have substantially destroyed every advantage which we had derived from the original legislation of 1789 and the acts supplemental thereto.

In building wooden ships, prior to the perfection of the iron ships, we beat the world. In 1840 Great Britain began to build iron ships, and by the year 1849 felt that her iron ships as then improved would place her merchant marine in a better position than that of any other country.

In 1849 she entered into a convention with the United States, accepted the reciprocity provisions of our law of 1828, and from the time this agreement was made American shipping began to decline and British shipping to advance. Having obtained this reciprocal agreement, the British Empire adopted a policy of ship subsidy, which was perhaps not a direct violation of the treaty obligations growing out of the reciprocity policy, but it had indirectly that effect. They violated the spirit, even if they did observe the letter, of their agreement.

For the information of Senators, I want to remind them that while this convention was entered into, the statute of 1828 provided that this reciprocal agreement should not go into effect until so declared by a proclamation of the President of the United States, which has never, even to this day, been issued.

Senator JONES, the chairman of the Commerce Committee, with great ability and insistence is pressing this subsidy bill for a vote; but I do not forget that this same distinguished Senator—and I say it with all due respect, because I have a very high regard for both his ability and his high purpose—was the chairman of the committee in 1920 when the Jones Merchant Marine Act was passed.

Section 34 of that act declared in substance that in the judgment of Congress, treaties or conventions which restrict the right of the United States to impose discriminatory duties on imports entering the United States in foreign vessels and in vessels of the United States, and which restrict the right of the United States to impose discriminatory tonnage dues on foreign vessels and on vessels of the United States, should be terminated; and the President was authorized and directed, within 90 days, to give notice to the several governments that all parts of existing treaties which imposed such restrictions on the United States should terminate on the expiration of such periods as might be required for the giving of such notice by the provisions thereof.

If this was the view of Congress on June 5, 1920, when the act was passed, why should we reverse our step before we take it? This bill, passed by Congress and approved by President Wilson, was the decree of the American people, through their representatives, declaring in favor of discriminatory duties and tonnage taxes. True, President Wilson and President Harding both refused, for reasons which seemed to them sufficient, to carry out the mandate of Congress, and—I say it with all due respect—I do not believe they were justified in ignoring the provisions of that statute. Neither President Wilson nor President Harding was willing to give notice of the denouncement of these treaty provisions against discriminatory rates because they feared that such a course would lead to unnecessary involvements and embarrass our relations abroad. I do not believe this fear was or is justified; and, in any event, the failure to serve the notice was a violation of the law.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. POMERENE. I yield.

Mr. FLETCHER. I wish to suggest that perhaps immediately following the act of 1920, and shortly after the great world upheaval, when conditions were disturbed and upset all over the earth, there might have been reasons as early as that after the Great War for withholding the denunciation of these conventions or disturbing commercial relations; but it would seem that two years after that, when we are getting reasonably settled down to normal conditions, the same reasons might not obtain that obtained in 1920.

Mr. POMERENE. Mr. President, that may be so. I do not want to speak unkindly about either of these Presidents, because I have not only a very great respect but a real affection for both of them. I think they made a mistake. That is my judgment. I think any Executive makes a mistake when he fails to enforce the statutes. In my judgment there is only one course to pursue. If he does not approve the spirit of a statute or its mandate, then he should ask Congress to repeal it.

TREATIES.

According to a report made by the Acting Secretary of State in 1919, preferential freight rates would affect 27 treaties made with 25 nations. All of these treaties save 7—with Argentina, China, Kongo, Costa Rica, Great Britain (treaty of 1794), Liberia, Panama, and Tripoli—specifically provide that they may be denounced upon notice, some within six months, others within twelve months.

It will be observed that there is only one of these seven nations that has a merchant marine, and that merchant marine carries nearly all of the commerce of the other six. Does anyone imagine that we would have any trouble in making a suitable arrangement with Argentina or China or Kongo or Costa Rica or Liberia or Panama or Tripoli? And bear in mind, please, that in 20 of these 27 treaties, at least, there is a provision to the effect that after a certain number of years, on the service of a notice of either 6 or 12 months, these treaties may be abrogated. Clearly, therefore, it was within the contemplation of the signatory powers that the economic conditions might so change that either party would be justified in asking for a denouncement of the treaties.

Time and again the United States, as well as other nations, has served notice of the abrogation of treaties. I doubt if any nation in the world has not done so. This fact is known to every student of international law. Of course, no treaty should be denounced except upon reasonable notice and for reasonable cause. As nearly all of these treaties specifically provide for abrogation upon notice, it is conclusive proof that the powers when signing and ratifying them fully realized there might be such a change in economic or international affairs as to require their modification or denouncement.

And now, Senators, let me pause to observe that every student of the law knows that as between the different nations a treaty is a contract. I think I am not wandering into the realm of imagination when I say that it is almost a partnership agreement—a partnership, if you please, at will, if there is no limitation therein. I understand, of course, that exception may be taken to that position; but when we supplement that thought with the further fact that every nation has at times denounced treaties, I think we are entitled to the privilege of doing it now, if necessary to carry out the purposes of our great Government.

I shall not pause to discuss these treaties which do not require the provision of notice save to say as to Great Britain that when she saw fit to adopt a policy of subsidizing her merchant marine she must have known that it was in effect a breach of faith.

If it shall be contended that Great Britain was justified in adopting her subsidy and subvention policy because of changed economic conditions, and notwithstanding our reciprocity agreement, in order to maintain her supremacy on the sea, the United States can with like effect declare to the world that we kept our treaty obligations both in letter and in spirit, notwithstanding Great Britain's course, until less than perhaps 11 per cent of our oceanic commerce was carried in American bottoms and our merchant fleet was reduced to about 100,000 tons less than we had in 1810.

The World War came on, and at an expense of $3,000,000,000 we built our merchant marine of 7,000,000 tons. (See p. 416, Stat. Ab., 1921.) Economic conditions have changed throughout the world. We can not depend upon the carrying capacity of other nations. We built this fleet in order that we might help ourselves and our allies to win the war. We can not and we will not scrap it. We can no longer see ourselves at the mercy of other countries, and we propose to adopt a policy which our people will approve and which will help us to maintain ourselves upon the high seas. We know that in the past we did develop and maintain our merchant marine to its highest

point of efficiency through the policy of preferential rates, and we ought not longer to deny ourselves the right to maintain this fleet by any plan that will meet the approval of our people.

When those who believe in discriminating charges favoring American bottoms urge legislation for that purpose they are met with the cry that it will provoke retaliatory measures by other nations. I do not believe it; but, if it does, we will meet it like men.

Whether this be true or not, will the power to retaliate on the part of foreign nations be lessened by the present plan? If we can vote thirty millions a year for subsidy, can not Great Britain increase the amount of her subsidies or subventions? To my mind it is absurd even to talk about retaliation. Let the American Nation assert itself, and this question will be solved.

I do not doubt, sirs, that if President Wilson had served the notice for the abrogation of these conventions and treaties, as he was required to do under the Jones Act, we would be over the crest of our difficulties. The same may be said of President Harding, had he carried out its provisions. I say it, with all due respect, that it was the duty of both these Presidents to comply with the law, and not to set up their individual judgments against the lawmaking power of the country. If either one or the other felt that the law was wrong, he should have advised its repeal.

Mr. President, is there a more opportune time to serve this notice of abrogation of these treaties than now? We are no longer a debtor Nation. We are a creditor Nation. We have a larger commerce than any other nation in the world. That commerce is ours, just as much as our manufacturing interests are our property and our concern. True, we want to buy from and sell to other nations; but we do not want to buy from them or sell to them one-half as badly as they want to buy from us and sell to us. A little bit of determination on the part of the Executive branch of the Government will settle this question.

Mr. President, I do not believe in the method of direct aid presented here. I do believe in a method of indirect aid, such as I have indicated, by discriminatory duties and tonnage charges. It can be brought about, and I want to make this appeal to Senators: Why should we not adopt the system under which we built up our merchant marine until it became the pride of the salted seas, rather than adopt a new method which is an innovation?

Mr. President, we talk about subsidies, subventions, bounties, and so forth. They are adopted in other countries. Just at present—and I want to make that clear if I have not thus far—Great Britain does not have a subsidy of this kind. Great Britain now has subventions, mail contracts. I have before me an extract from a speech made by the Undersecretary of State for Foreign Affairs in the debates in the House of Commons May 22, 1922, in which he says that the total annual payments made by the Government of Great Britain to their shipping interests amount to only £600,000, about $3,000,000 in our money.

I have on my desk here—I shall not take the time to refer to them—other statements indicating that the entire amount of money that is voted by the British Empire and her colonies for the purpose of encouraging the building of ships and the maintenance of their merchant marine will not exceed $10,000,000. I do not lose sight of the fact that some of these colonies spent more for the purpose of building their merchant marines during the period of the World War.

A statement upon this subject was made by Mr. E. T. Chamberlain, of the Department of Commerce, and was introduced in the CONGRESSIONAL RECORD by Congressman EDMONDS, and will be found on page 224 of the CONGRESSIONAL RECORD under date of November 28, 1922. Anyone who wants the details can get them by referring to this number of the CONGRESSIONAL RECORD.

Mr. FLETCHER. Mr. President, will the Senator allow me to interrupt him there?

Mr. POMERENE. I yield.

Mr. FLETCHER. I simply wish to suggest that that statement classifies as subsidy the entire cost of the building of the ships for Australia, and also for Canada.

Mr. POMERENE. Oh, Mr. President, the Senator is exactly right, and I do not know why a public official should make a statement of that kind if he intended to have it believed that it was simply to cover the amount of money which was being expended for subsidies or subventions or bounties. Let me give a few further figures as indicating the amount of the subsidies.

France during the year 1922 spent for shipping purposes, including even some construction activities, navigation bounties, mail subventions, and so forth, only $4,924,650; Norway, $2,700,000; Denmark, $229,256; Sweden, $1,108,984. The statement as to Italy is not entirely clear. It was a budget estimate of 1922–23, but the figures for Italy are given as $28,576,000; that was under war contracts, however. Japan spent $4,833,411; Brazil, $2,956,160; Spain, $3,300,214.

Now, we come in, and in one fell swoop attempt to authorize the payment out of the Public Treasury of $30,000,000 a year, more, I dare say, than is expended by all these nations combined, except perhaps Italy, for subventions, subsidies, ship bounties, and all.

I have always been firmly of the opinion that we should not drain the Public Treasury if there is any other reasonable method of accomplishing the same purpose, and that is my judgment now.

I can imagine what a tremendous effect it would have if the President were to serve notices on the other nations of the world that we were going to abrogate these treaties and conventions. That would be half the battle, and after a little flurry, there would be no trouble of any kind, and we would see the beginning with the greatest merchant marine of the world.

Mr. FLETCHER. Mr. President, may I inquire of the Senator what he would think of a provision like this? I submitted an amendment on January 3 to strike out all after the enacting clause in this bill and insert:

A reduction of 10 per cent shall be made to the several rates of duties specified and imposed by the tariff act of 1922, in respect to all goods, wares, and merchandise which after the passage of this act shall be imported in ships or vessels of the United States.

All treaties and conventions in conflict herewith shall be denounced and terminated in accordance with their terms, and new treaties and conventions shall be entered into, conforming herewith, in their places.

Mr. POMERENE. In my judgment, that would be a better measure than the one that is pending; but, with all due respect, I do not feel it goes quite far enough. Bear in mind that in 1789 and during the earlier years of our history nearly every article of import was subject to a duty, and comparatively few of them—at least, a minority of them—were on the free list. Now two-thirds of the total commerce of the country consists of exports, one-third of imports, and of the imports perhaps two-thirds in bulk or weight are on the free list and only about one-third in bulk or weight on the dutiable list. In my judgment, we could very greatly encourage the building and the maintenance of the merchant marine if we would adopt some system which would place a higher rate on the goods which are on the free list and which are carried to our shores in foreign bottoms.

Mr. JONES of Washington. Mr. President——

Mr. POMERENE. I yield.

Mr. JONES of Washington. When the Underwood-Simmons tariff law was pending I offered an amendment that reads like this:

J. SUBSEC. 7. That upon all goods, wares, and merchandise imported under the provisions of this act in vessels not built or not registered prior to the passage of this act under the laws of the United States there shall be imposed and collected a duty of 10 per cent ad valorem in addition to the duties otherwise imposed by this act, and on such goods, wares, and merchandise as are otherwise admitted free there shall be imposed and collected a duty of 5 per cent ad valorem if imported in vessels not built or not registered under the laws of the United States: *Provided*, That the President is directed to cause to be abrogated, without unnecessary delay and in the manner therein provided, all treaties which contravene this provision; and until so abrogated this provision shall not apply to goods, wares, and merchandise imported in vessels affected by such treaties.

Mr. POMERENE. The Senator was kind enough to call my attention a moment ago to that, and by referring to the RECORD found that I was paired against that amendment.

Mr. JONES of Washington. I was not going to call attention to that.

Mr. POMERENE. I was. I have no recollection about it, and I do not know whether I was here at that time or not. It was tariff legislation, and it may be that I followed the party policy at that particular time.

Mr. JONES of Washington. I did not intend to refrain from calling attention to it because I did not think the Senator wanted to have it brought out, but because I understand the situation about pairs, and every Member of the Senate understands it, while the public outside might not understand it.

Mr. POMERENE. If I was away, I may have given instructions to some one to protect me by a pair; but I do not remember about that. If the Senator will pardon me, I think that the amendment suggested by the Senator from Washington would be preferable to the suggestion of the Senator from Florida, for this reason, that while the amendment of the Senator from Florida would reduce the tariff rates on goods which come in American bottoms, that might serve to reduce the revenue. The amendment which the Senator from Wash-

ington has just read provides for an increase in the duties on all dutiable articles which come in foreign bottoms, and the effect of it would be, if they come in, to increase the revenue.

More than that, I think the suggestion of the Senator from Washington to place a small duty on goods now on the free list which come in foreign bottoms would very materially aid our merchant marine. In other words, by this method we are building a fence about our own commerce, and saying "This is ours for the American merchant marine, flying the American flag, and manned by American men."

Mr. JONES of Washington. I think it would be interesting to put the vote in here on this amendment. The yeas were 8, the nays were 42.

Mr. POMERENE. The Senator from Washington at that time seemed to have been a John the Baptist crying in the wilderness, but he has a great many followers now, and I only wish he were leading along the same lines. If so, I would gladly follow him.

Mr. FLETCHER. Perhaps it was thought that that provision in the bill as it came over was sufficient to cover the situation.

Mr. JONES of Washington. The Senator does not remember the circumstances.

Mr. POMERENE. I do not recall the circumstances.

Mr. JONES of Washington. I call his attention now to this fact, that there was such a provision in the bill as it came from the House, and I think the senior Senator from Alabama [Mr. UNDERWOOD], who was chairman of the Ways and Means Committee at that time, had much to do, of course, with putting the provision in. This provision was in the bill as it came from the House:

J. SUBSEC. 7. That a discount of 5 per cent on all duties imposed by this act shall be allowed on such goods, wares, and merchandise as shall be imported in vessels admitted to registration under the laws of the United States.

The Finance Committee of the Senate, however, reported the bill to the Senate, striking that provision out entirely and substituting nothing for it, and on the vote on the committee amendment the yeas were 41 and the nays were 12. In other words, the committee amendment striking out all reference to the discriminating duties was adopted by the Senate by a vote of 41 to 12.

Mr. FLETCHER. But the act of 1913 did carry a provision for discriminating duties.

Mr. JONES of Washington. It went to conference, and there was a final revision.

Mr. POMERENE. And then it was so modified that it would not apply to any nation with which we had a treaty or a convention.

Mr. JONES of Washington. The Senator is right.

Mr. FLETCHER. In connection with the amendment I proposed, I am inclined to think the Senator's suggestion is sounder on the general proposition, but I could not have the heart to increase the duties fixed in the act of 1922. They are certainly high enough and I only hope we can reduce them.

Mr. POMERENE. I realize what the Senator had in mind. I want now to present, in a very general way, a plan which, in my judgment, will solve the problem and will help us to preserve our present merchant marine and maintain it on the sea. There is nothing new in it, because each of these thoughts has been presented by others in the past, but this is what ought to be done, in my judgment:

First. Provide more favorable tonnage rates for ships of American registry than those of foreign registry.

Second. Reduce the rates of duty on all articles on the dutiable list coming in American bottoms or raise the rates on those coming in foreign bottoms, or both.

Third. If necessary, add a slight duty on all goods on the free list imported in foreign bottoms. As most of the goods on the free list come from countries which do not have merchant ships, this would give a very decided advantage to American ships.

Fourth. On all goods exported give reduced rates on railroads from point of production to port of shipment, providing they are sent in ships of American registry. This would secure to them the tonnage and reduce the cost of transportation for the producer.

May I stop here to observe that the geographic situation in our country is very materially different from that of most other countries, and particularly is that true as applied to agricultural products. In Argentina and Australia, for instance, the distance from the farms to the ports is seldom greater than 250 miles, while in this country of ours our farm produce must be shipped a thousand, fifteen hundred, perhaps twenty hundred miles, or farther, in order to get to a port of export.

Fifth. If necessary grant a decrease in railroad rates on goods imported in American bottoms from the port of entry to the point of destination.

Sixth. Provide by law that after a fixed date all ships belonging to the Government shall be sold or leased, and in no event operated by the Government in competition with privately owned ships.

This plan, of course, would require the denouncement upon notice of all treaties or conventions which provide for reciprocal traffic or tariff rates, and the necessary notices ought to be given.

So far as these suggestions which apply to railroad rates are concerned, they are substantially what is contained in section 28 of the merchant marine act of 1920.

No effort has been made under either administration to carry out the provisions of the act of 1920. I am at a loss to understand why now we should discard what was then the will of the Congress of the United States and adopt a plan of subsidy which would cost this Government $30,000,000 annually without giving us any assurance of success.

We can accomplish the same result for the American merchant marine by indirect aid along the lines I have pointed out. Then why drain the Public Treasury?

During the delivery of Mr. POMERENE's speech,

Mr. RANSDELL. Mr. President, I would like very much to hear what the Senator is saying. He always contributes to a debate by his speeches, and I can not hear him, although I am within a few feet of his desk. I hope we may have order in the Senate.

The PRESIDING OFFICER. The Senate will be in order.

Mr. CURTIS. While the Senator is interrupted, may I ask leave to submit a unanimous-consent agreement?

Mr. POMERENE. Certainly.

Mr. CURTIS. I ask unanimous consent that when the Senate completes its business to-day, it recess until 11 o'clock to-morrow.

Mr. KING. May I ask the Senator at what hour will the recess be taken?

Mr. CURTIS. As soon as the Senator from Ohio concludes his speech.

Mr. ROBINSON. Pending the request for unanimous consent, I will state that a number of Senators have expressed impatience at the inability of the Senate to sound out the calendar. We are rapidly approaching the time when proceeding with the consideration of the calendar will accomplish nothing, especially as far as relates to Senate bills. Some Senators have expressed a desire to have an adjournment taken this evening. I shall not object to the request of the Senator from Kansas if he thinks it best to take a recess, but I call to his attention and to the attention of other Senators the fact that taking a recess will practically end the consideration of the calendar.

Mr. CURTIS. I will state to the Senator that it was my intention to ask to-morrow or the next day for time to go throught the calendar, at least for the disposition of unobjected bills. It is impossible to dispose of any bills where there is a contest. I think, if we take a recess, we can reach some agreement to-morrow morning about the calendar.

Mr. OVERMAN. Can not the Senator have it limited to House bills?

Mr. CURTIS. We will try to reach some agreement in regard to that matter to-morrow.

Mr. OVERMAN. Certainly no further Senate bills need be passed for they would not be considered in the other House. If we could limit the consideration of the calendar to House bills, we could accomplish something.

Mr. POMERENE. This is all very interesting, and if we can get to a unanimous-consent agreement I am willing to yield further; otherwise, I wish to proceed.

Mr. CURTIS. I ask unanimous consent to have the order entered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

After the conclusion of Mr. POMERENE's speech,

RECESS.

Mr. CURTIS. I move that the Senate take a recess under the order until 11 o'clock to-morrow.

The motion was agreed to; and the Senate (at 5 o'clock and 55 minutes p. m.) under the order previously entered took a recess until to-morrow, Tuesday, February 27, 1923, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 26, 1923.*

The House met at 12 o'clock noon, and was called to order by the Clerk of the House.

The CLERK. The clerk will read a communication from the Speaker's room.

FEBRUARY 26, 1923.

To the CLERK OF THE HOUSE OF REPRESENTATIVES:

I have an attack of influenza and so am unable to leave the house, and designate Hon. PHILIP P. CAMPBELL of Kansas to act as Speaker pro tempore until I return.

F. H. GILLETTE.

Mr. CAMPBELL of Kansas took the chair.

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

O Thou who dwellest in the eternities, we would unite our breath with the countless hosts in saying "Holy, holy, holy, Lord God Almighty!" Let us thank Thee deeply and devoutly for the lessons Thou hast written everywhere, and do Thou enable us to heed them. Still, still with Thee in the freshness and promise of another day. Walk with us that we fail not and turn not aside. Strengthened by Thy presence, led by Thy wisdom, cheered by Thy promise, and helped by Thy grace, may we do our whole duty to our country and to our fellow man. Through Christ. Amen.

The Journal of the proceedings of Saturday and Sunday were read and approved.

LEAVE OF ABSENCE.

By unanimous consent (on request of Mr. COCKRAN)—

Mr. CULLEN was granted leave of absence on account of illness in family.

ORDER OF BUSINESS.

Mr. MADDEN. Mr. Speaker——

Mr. FOCHT. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14408, a bill making appropriations for deficiencies.

Mr. BLANTON. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the deficiency bill.

Mr. BLANTON. Mr. Speaker, I make the point of order, if the Chair will permit me to state the point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BLANTON. I make the point of order, Mr. Speaker, that this being the fourth Monday of February, under clause 8 of rule 24, which reads as follows:

The second and fourth Mondays of each month, after the disposal of such business on the Speaker's table as requires reference only, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

I want to call to the attention of the Speaker that the only exception to this rule is found in the last paragraph of the Manual, which reads as follows:

On District days it is in order to go into the Committee of the Whole to consider revenue or general appropriation bills.

That was passed in the Sixty-first Congress. Now I want to submit that the chairman of the District of Columbia Committee has claimed to-day, and that the bill which the gentleman from Illinois seeks to call up is not a general appropriation bill, such as that term is used in this paragraph, but is a special bill, to wit, the third deficiency bill.

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. In a moment. The general appropriation bills are the regular supply bills. The deficiency appropriation bills that come from time to time are not the general appropriation bills. They are special bills of emergency, made necessary by the fact that certain departments have exceeded their authority and have violated the law in expending more money than the Congress had authorized. They are special appropriation bills in effect.

The SPEAKER pro tempore. The Chair is ready to rule.

Mr. BLANTON. I have one other point.

The SPEAKER pro tempore. The Chair is ready to rule.

Mr. BLANTON. Will the Chair permit me to make another point of order.

The SPEAKER pro tempore. No; the Chair is ready to rule.

Mr. FOCHT. May I make a parliamentary inquiry before the Chair makes his ruling?

The SPEAKER pro tempore. Yes.

Mr. FOCHT. I want to inquire, as chairman of the District Committee, Mr. Speaker, whether it is within the power of any official of any committee or any committee to set aside a rule of the House without the consent of the House when the chairman of the committee and the committee are here with a bill, the school teachers' bill and——

The SPEAKER pro tempore. The Chair will answer the inquiry. The House will decide on the motion of the gentleman from Illinois and give answer to the inquiry of the gentleman from Pennsylvania.

Mr. BLANTON. I desire to make another point of order. This should be in order at any time——

Mr. MONDELL. Mr. Speaker, there is a point of order before the Chair and until that is determined no other point of order is in order.

Mr. BLANTON. I have another one that is a better point of order and more conclusive. [Laughter.] I make the point of order that in addition to the House rule which I have read, the Committee on Rules, which makes the order of business in this House, several days ago passed a special rule which makes in order what is known as the teachers' pay bill, and that rule is in the chairman's pocket at this time and is in order to be called up and that makes in order the District business to-day.

The SPEAKER pro tempore. That is not a point of order.

Mr. BLANTON. I appeal from the decision of the Chair.

Mr. CRAMTON. Mr. Speaker, I ask for order in the galleries.

Mr. MONDELL. Mr. Speaker, I move to lay that appeal on the table.

Mr. BLANTON. I appeal from the decision of the Chair——

Mr. MONDELL. I move to lay the appeal on the table.

The SPEAKER pro tempore. The gentleman from Texas appeals from the decision of the Chair about something of which the Chair is not exactly aware——

Mr. BLANTON. That the teachers' pay bill, for which the Committee on Rules has granted a special rule, is in order on this special District day.

Mr. MADDEN. It is not until it is laid before the House.

Mr. MONDELL. Mr. Speaker, there is no opinion to appeal from. There is only one motion before the House and that is the motion of the gentleman from Illinois [Mr. MADDEN]. But if there is a motion before the House made by the gentleman from Texas [Mr. BLANTON] to override the decision of the Chair, I move to lay it on the table.

The SPEAKER pro tempore. The Chair is ready to rule on the point of order made by the gentleman from Texas.

Mr. CRAMTON. Mr. Speaker, pending that, I would like the Chair to admonish the people in the galleries that they are only here as a matter of courtesy, and they are not entitled to attempt to stampede the House. We are entitled to order in the galleries.

The SPEAKER pro tempore. The Chair will enforce the rules of the House, and notifies the people in the galleries that they are here by the courtesy of the House, and that they must observe order. The gentleman from Illinois [Mr. MADDEN] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the deficiency bill, and the gentleman from Texas makes the point of order that the gentleman from Illinois may not make that motion to-day, for the reason that it is the fourth Monday in the month.

Mr. FOCHT. Mr. Speaker, I call for the yeas and nays.

The SPEAKER pro tempore. The rules specifically provide that it is in order to move on this day to go into Committee of the Whole House on the state of the Union for the consideration of a general appropriation bill, and it has always been held, as the gentleman from Texas will find, that a deficiency appropriation bill is a general appropriation bill. Therefore the Chair overrules the point of order made by the gentleman from Texas.

Mr. BLANTON. I appeal from the decision of the Chair.

Mr. MONDELL. I move to lay that on the table.

The SPEAKER pro tempore. The gentleman from Wyoming moves to lay the appeal on the table. The question is on agreeing to that motion.

The question was taken, and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 103, noes 14.

So the motion to lay the appeal on the table was agreed to.

Mr. ZIHLMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZIHLMAN. I want to ask the Chair if the motion of the gentleman from Illinois [Mr. MADDEN] to go into Committee of the Whole House on the state of the Union for the consideration of the deficiency bill is subject to amendment? If so, I wish to offer an amendment.

The SPEAKER pro tempore. It is not. It must be voted up or down.

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BLANTON. Should the motion of the gentleman from Illinois [Mr. MADDEN] be voted down, would it be in order for the Speaker to entertain the motion of the gentleman from Pennsylvania [Mr. FOCHT]?

The SPEAKER pro tempore. Any proper motion would be in order.

Mr. MONDELL. Any other proper motion.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois [Mr. MADDEN] that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14408, the deficiency bill.

Mr. MOORE of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOORE of Virginia. I voted a moment ago to sustain the view of the Speaker because I thought he was correct in interpreting the rules. But is there any possible method of finding out when the teachers' pay bill will be brought before the House?

The SPEAKER pro tempore. The Chair is unable to answer that question.

Mr. BLANTON. Mr. Speaker, I ask for recognition on the motion.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois.

The question was taken; and on a division (suggested by the Chair) there were—ayes 86, noes 46.

Mr. LONDON. Mr. Speaker, I make the point of order that there is no quorum present, and I challenge the vote on that ground.

The SPEAKER pro tempore. The gentleman from New York makes the point of order that there is no quorum present, and challenges the vote on that ground. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll. As many as are in favor of the motion of the gentleman from Illinois will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 172, nays 134, answered "present" 2, not voting 119, as follows:

YEAS—172.

Ackerman	Evans	Knutson	Robertson
Anderson	Fairchild	Kraus	Rogers
Andrew, Mass.	Fairfield	Layton	Sanders, Ind.
Andrews, Nebr.	Faust	Lea, Calif.	Shaw
Anthony	Fess	Leatherwood	Sinnott
Appleby	Fisher	Lehlbach	Snell
Aswell	Fordney	Luce	Stafford
Barbour	French	McFadden	Steagall
Beedy	Fuller	McKenzie	Steenerson
Benham	Funk	McLaughlin, Mich.	Stephens
Black	Gallivan	McLaughlin, Nebr.	Stevenson
Bland, Ind.	Garrett, Tenn.	McPherson	Strong, Kans.
Boies	Gensman	MacGregor	Strong, Pa.
Brown, Tenn.	Glynn	MacLafferty	Summers, Wash.
Buchanan	Graham, Ill.	Madden	Sweet
Burdick	Green, Iowa	Magee	Swing
Burtness	Greene, Mass.	Mapes	Taylor, Colo.
Burton	Greene, Vt.	Merritt	Taylor, N. J.
Butler	Griest	Michener	Temple
Byrnes, S. C.	Hadley	Miller	Thompson
Byrns, Tenn.	Hardy, Colo.	Mills	Tillman
Campbell, Pa.	Haugen	Mondell	Tilson
Cannon	Hawley	Moores, Ind.	Timberlake
Chindblom	Hayden	Murphy	Tincher
Christopherson	Hersey	Nelson, Me.	Tinkham
Clarke, N. Y.	Hickey	Newton, Minn.	Towner
Clouse	Hicks	Ogden	Turner
Cole, Iowa	Hill	Oliver	Tyson
Cole, Ohio	Hoch	Paige	Vaile
Collins	Huddleston	Parker, N. J.	Vestal
Colton	Hukriede	Parker, N. Y.	Vinson
Connally, Tex.	Humphrey, Nebr.	Patterson, N. J.	Volstead
Copley	Humphreys, Miss.	Perkins	Wason
Coughlin	Husted	Pringey	Watson
Crago	Ireland	Purnell	Webster
Cramton	Jefferis, Nebr.	Radcliffe	White, Kans.
Curry	Johnson, Ky.	Rainey, Ala.	Williamson
Darrow	Johnson, S. Dak.	Ramseyer	Wilson
Dempsey	Kelley, Mich.	Ransley	Wise
Denison	Kendall	Rayburn	Wright
Dickinson	Kiess	Reece	Wyant
Dunbar	Kline, N. Y.	Reed, N. Y.	Yates
Elliott	Kline, Pa.	Rhodes	Young

NAYS—134.

Abernethy	Fields	Lineberger	Robsion
Almon	Fish	Linthicum	Rouse
Arentz	Fitzgerald	Logan	Rucker
Bankhead	Focht	London	Sanders, Tex.
Barkley	Foster	Lowrey	Sandlin
Beck	Frear	Lyon	Scott, Tenn.
Bell	Free	McDuffie	Sears
Bixler	Fulmer	McSwain	Shelton
Blakeney	Gahn	Maloney	Shreve
Bland, Va.	Garrett, Tex.	Mansfield	Siegel
Blanton	Gernerd	Martin	Sinclair
Bowling	Gilbert	Mead	Smith, Idaho
Box	Hammer	Montague	Smithwick
Briggs	Hardy, Tex.	Moore, Ohio	Speaks
Bulwinkle	Henry	Moore, Va.	Stedman
Cable	Herrick	Morgan	Sumners, Tex.
Campbell, Kans.	Hogan	Nelson, A. P.	Swank
Carew	Hooker	Nelson, J. M.	Tague
Carter	Hudspeth	Newton, Mo.	Ten Eyck
Chalmers	Hull	Norton	Tucker
Clague	Jeffers, Ala.	O'Connor	Underhill
Cockran	Johnson, Wash.	Oldfield	Upshaw
Collier	Jones, Tex.	Parks, Ark.	Voigt
Cooper, Wis.	Kelly, Pa.	Patterson, Mo.	Volk
Crisp	Ketcham	Paul	Walters
Dallinger	Kincheloe	Perlman	Weaver
Davis, Tenn.	Kissel	Quin	Williams, Ill.
Dominick	Kopp	Rainey, Ill.	Wingo
Doughton	Lanham	Raker	Woodruff
Dowell	Lankford	Rankin	Woods, Va.
Drewry	Larsen, Ga.	Reed, W. Va.	Wurzbach
Driver	Larson, Minn.	Ricketts	Zihlman
Favrot	Lawrence	Riordan	
Fenn	Lazaro	Roach	

ANSWERED "PRESENT"—2.

Pou	Sisson

NOT VOTING—119.

Ansorge	Dyer	Kitchin	Rodenberg
Atkeson	Echols	Kleczka	Rose
Bacharach	Edmonds	Knight	Rosenbloom
Begg	Ellis	Kreider	Rossdale
Bird	Freeman	Kunz	Ryan
Bond	Frothingham	Lampert	Sabath
Bowers	Garner	Langley	Sanders, N. Y.
Brand	Gifford	Lee, Ga.	Schall
Brennan	Goldsborough	Lee, N. Y.	Scott, Mich.
Britten	Goodykoontz	Little	Slemp
Brooks, Ill.	Gorman	Longworth	Smith, Mich.
Brooks, Pa.	Gould	Luhring	Snyder
Browne, Wis.	Graham, Pa.	McArthur	Sproul
Burke	Griffin	McClintic	Stiness
Cantrill	Hawes	McCormick	Stoll
Chandler, N. Y.	Hays	McLaughlin, Pa.	Sullivan
Chandler, Okla.	Himes	Michaelson	Taylor, Ark.
Clark, Fla.	Huck	Moore, Ill.	Taylor, Tenn.
Classon	Hutchinson	Morin	Thomas
Codd	Jacoway	Mott	Thorpe
Connolly, Pa.	James	Mudd	Treadway
Cooper, Ohio	Johnson, Miss.	Nolan	Ward, N. Y.
Crowther	Jones, Pa.	O'Brien	Ward, N. C.
Cullen	Kahn	Olpp	Wheeler
Dale	Kearns	Overstreet	White, Me.
Davis, Minn.	Keller	Park, Ga.	Williams, Tex.
Deal	Kennedy	Petersen	Winslow
Drane	Kindred	Porter	Wood, Ind.
Dunn	King	Reber	Woodyard
Dupré	Kirkpatrick	Riddick	

So the motion to go into the Committee of the Whole House on the state of the Union was agreed to.

The following pairs were announced:

Until further notice:

Mr. Langley with Mr. Clark of Florida.
Mr. Winslow with Mr. Williams of Texas.
Mr. Wood of Indiana with Mr. McClintic.
Mr. Bacharach with Mr. Cullen.
Mr. Connolly of Pennsylvania with Mr. Hawes.
Mr. Little with Mr. Ward of North Carolina.
Mr. Snyder with Mr. Brand.
Mr. Porter with Mr. Lee of Georgia.
Mr. Keller with Mr. Sabath.
Mr. Edmonds with Mr. Thomas.
Mr. Treadway with Mr. Dupré
Mr. Morin with Mr. Kunz.
Mr. Browne of Wisconsin with Mr. Goldsborough.
Mr. Olpp with Mr. Cantrill.
Mr. Begg with Mr. Jacoway.
Mr. Lampert with Mr. O'Brien.
Mr. Cooper of Ohio with Mr. Sullivan.
Mr. Moore of Illinois with Mr. Kitchin.
Mr. Graham of Pennsylvania with Mr. Griffin.
Mr. Frothingham with Mr. Deal.
Mr. Kahn with Mr. Park of Georgia.
Mr. Crowther with Mr. Kindred.
Mr. Longworth with Mr. Garner.
Mr. Freeman with Mr. Drane.
Mr. Davis of Minnesota with Mr. Johnson of Mississippi.
Mr. Mudd with Mr. Taylor of Arkansas.
Mr. Michaelson with Mr. Stoll.
Mr. Stiness with Mr. Overstreet.

The result of the vote was announced as above recorded.

The doors were opened.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. McARTHUR in the chair.

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

H. R. 14408, making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes.

The Clerk proceeded with the reading of the bill, as follows:

EMPLOYEES' COMPENSATION COMMISSION.

For the payment of compensation provided by "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11 and advancement of costs for the enforcement of recoveries provided in sections 26 and 27, where necessary, accruing during the fiscal year 1923 or in prior fiscal years, $475,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee if this item takes care of people outside of the regular service?

Mr. MADDEN. This is the Industrial Employees' Compensation Commission.

Mr. SNELL. What class of employees does it refer to?

Mr. MADDEN. All classes of civilian employees.

Mr. SNELL. Outside of the regular service?

Mr. MADDEN. Yes.

The pro forma amendment was withdrawn.

The Clerk read as follows:

District of Columbia.

Mr. BLANTON. Mr. Chairman, I move to strike out line 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BLANTON moves to strike out line 8, page 6.

Mr. BLANTON. Mr. Chairman, I have moved to strike out in this bill the words "the District of Columbia" because apparently it has ceased to have any place in the legislative program of the House. The people of the District of Columbia have no voice in the selection of their commissioners or in their local affairs.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking to the bill.

Mr. BLANTON. I am talking to my amendment, wherein I move to strike out "the District of Columbia."

Mr. MADDEN. The District of Columbia is too big to strike out by a motion.

Mr. BLANTON. I am trying to do some big things in this House, but I do not always succeed; still I am trying.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the gentleman from Texas is not discussing the bill. The gentleman from Texas will be allowed to discuss under his motion the business of the District of Columbia embodied in this bill and nothing else when the point of order is made.

Mr. BLANTON. Our friend from Illinois is becoming very technical.

Mr. MADDEN. The gentleman from Texas is always technical and I get technical only once in awhile.

Mr. BLANTON. I watched the gentleman from Illinois one day for four hours——

Mr. MADDEN. Mr. Chairman, I make the point of order——

Mr. BLANTON. I am getting back to the bill.

The CHAIRMAN. The gentleman from Texas will proceed in order.

Mr. BLANTON. Mr. Chairman, under the subject "District of Columbia" in this bill there appears certain items for expense under the subhead "General expenses." The general expenses for the District of Columbia pertain to the business of the District of Columbia. No people ought to be taxed to meet the general expenses unless they have some voice in the management of their own business.

The people of the District of Columbia are by this bill required to pay 60 per cent of the expenditures under this subhead. Yet they can not elect their District Commissioners, they can not select the members of their own school board.

Mr. MOORE of Virginia. Mr. Chairman, may I interrupt the gentleman?

Mr. BLANTON. In a moment. They can not elect their Public Utility Commission, which sits here day after day and makes the people pay 8 cents car fare when they ought not to pay but 5 cents under the charter granted the street railways.

Mr. MADDEN. There is nothing in the bill about that.

Mr. BLANTON. I am talking about general expenses.

The CHAIRMAN. The Chair thinks under the term "general expenses" there must be some liberality.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BLANTON. I prefer not to yield now, I prefer not to yield even to the gentleman from Illinois [Mr. MADDEN] if the Chairman can keep me from it. [Laughter.] Now, with regard to these items, the 450,000 people of this District must look solely to the membership of this Congress for their protection and their rights.

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. I will yield to the distinguished gentleman from Illinois.

Mr. MADDEN. Does the gentleman from Texas know that under the rules of the House the pending bill is in order and deals with the entire Government of the United States?

Mr. BLANTON. Yes; and the District of Columbia is only a very small part of the United States.

Mr. MADDEN. If the District of Columbia is greater than all the activities of the Government we ought to go on with that bill, but, if not, let us go on with this bill.

Mr. BLANTON. I am for the Government first always, but I am for the District of Columbia on District day.

Mr. MADDEN. It is not District day.

Mr. BLANTON. No; it has been decided that it is not District day, but there are other items that could have been placed in the bill by the distinguished gentleman without strenuously violating the rules. I do not believe he would have had any trouble if, for instance, he had placed the teachers' pay bill in this bill, and I would have made no point of order against it, and it would have gone through. It would have benefited the people of this District and they would have secured their rights.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

Mr. RANKIN. Mr. Chairman, I would like to have five minutes. I ask the gentleman to make it 10 minutes.

Mr. MADDEN. Oh, the gentleman can take it on the next paragraph.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. RANKIN. Mr. Chairman, I object.

Mr. MONDELL. Mr. Chairman——

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MADDEN. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. BLANTON. Mr. Chairman, I make the point of order that the motion is out of order, because the gentleman from Wyoming had already been recognized, and he can not be taken off his feet without permission.

Mr. MONDELL. Mr. Chairman, I waive any rights that I have in the matter.

The CHAIRMAN. The gentleman from Wyoming waives his rights in the premises. The question is on the motion of the gentleman from Illinois that all debate upon the paragraph and all amendments thereto close in five minutes.

Mr. BANKHEAD. Mr. Chairman, I move to amend that by extending it 10 minutes, the other 5 minutes to be given to the gentleman from Mississippi [Mr. RANKIN].

Mr. MADDEN. Mr. Chairman, I make the point of order that that motion is not in order. He can not specify particularly the person.

The CHAIRMAN. The motion of the gentleman from Alabama is out of order.

Mr. BANKHEAD. Mr. Chairman, I move to amend by making it 10 minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama to make it 10 minutes.

The question was taken; and the Chair being in doubt, the committee divided and there were—ayes 57, noes 71.

So the Bankhead amendment was rejected.

The CHAIRMAN. The question now recurs upon the motion of the gentleman from Illinois that debate upon the paragraph and all amendments thereto close in five minutes.

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were—ayes 76, noes 35.

So the motion was agreed to.

Mr. MONDELL. Mr. Chairman, we all very greatly regret that the short session of the Congress is of such brief duration——

Mr. RANKIN. Mr. Chairman, I make the point of order that the gentleman is not speaking in order.

The CHAIRMAN. The gentleman from Wyoming has not proceeded sufficiently for the Chair to determine whether he is speaking in order or not.

Mr. MONDELL. Mr. Chairman, we all regret that the short session of Congress is not of sufficient duration to enable us to dispose of all of the public business before us, including the business of the District of Columbia. At the short session it is absolutely essential that we shall pass the appropriation bills, and to that work this House devoted itself constantly, earnestly, and faithfully, with the cooperation of both sides of the Chamber, making a record in that regard. We then took up only the absolutely essential and important public business——

Mr. RANKIN. Mr. Chairman, I make the point of order that the gentleman is not speaking in order.

The CHAIRMAN. The gentleman will suspend. The gentleman from Mississippi makes the point of order that the gentleman from Wyoming is not discussing the amendment.

Mr. MONDELL. Only the essential public business during that period——

Mr. BLANTON. Mr. Chairman, I make the point of order that when a gentleman having the floor is called to order, he must cease speaking until the Chair determines the question.

The CHAIRMAN. The Chair is of opinion that the gentleman from Wyoming is discussing matters more general than those contained in the amendment. The gentleman will proceed in order.

Mr. MONDELL. During that period, after disposing of the appropriation bills, the business of the District of Columbia was given more time upon this floor than all of the business of the Army and the Navy, than all of the business of the Banking and Currency Committee; than all of the business of the great Committee on Interstate and Foreign Commerce.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. MONDELL. Mr. Chairman, during that period——

Mr. BLANTON. Mr. Chairman, I make the point of order, respectfully, that even the House leader should obey the rules and the ruling of the Chair. He is not discussing the items of appropriation contained in this bill; and the point of order which the gentleman from Mississippi, Mr. RANKIN, made, which was sustained by the Chair, should compel the gentleman to speak in order.

The CHAIRMAN. The Chair would state that the Chair was very liberal in the latitude which he permitted other gentlemen in the discussion of this matter; and since the attention of the gentleman from Wyoming has been called to it, he feels that the gentleman will proceed in order.

Mr. BLANTON. But two wrongs never make a right.

Mr. MONDELL. Of course, Mr. Chairman, others than the gentleman from Texas are always wrong.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed out of order.

Mr. McSWAIN. Mr. Chairman, reserving the right to object, if the speech of the gentleman from Wyoming is intended as an apology to the people of the District of Columbia, he better have a meeting outside for that purpose.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman may have permission to proceed out of order.

Mr. MONDELL. I object. I do not wish to proceed out of order. I am speaking in order.

The CHAIRMAN. The gentleman from Wyoming objects.

Mr. BLANTON. I reserve the right to object.

Mr. MONDELL. Oh, I object.

The CHAIRMAN. The gentleman will proceed in order.

Mr. MONDELL. Mr. Chairman, the gentleman from Wyoming is proceeding in order to discuss the amendment offered by the gentleman from Texas. The gentleman from Wyoming is discussing the District of Columbia. The District of Columbia has had more time for legislation on the floor of this House since we disposed of the appropriation bills than any one of the great departments of the Federal Government. The District of Columbia Committee has upon its calendars some 12 or 13 bills. For instance, there is a bill for the compulsory attendance of children in schools. Then there is the bill——

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not discussing the appropriations in this bill and is out of order.

Mr. MONDELL. Certainly I am not discussing the appropriations in this bill, and the amendment that the gentleman offered has nothing to do with the appropriations in this bill. The amendment is to the caption, "The District of Columbia," and a discussion of the District of Columbia is in order.

Mr. BLANTON. But we have a parliamentarian from the State of Oregon in the chair who thinks otherwise.

The CHAIRMAN. The gentleman will proceed in order.

Mr. MONDELL. Why is it, Mr. Chairman, that we have delegations here in favor of but one of the 13 or 14 bills from the District of Columbia that are on the calendar? Is there no one in the District of Columbia interested in all of the other legislation affecting all of the people of the District? Is it legislation affecting only a very few of the people that the people here are interested in? Here is a list of the bills reported by the District Committee and not acted upon:

LEGISLATION FROM THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

H. R. 8084. Closing certain streets and alleys in vicinity of Walter Reed Hospital. (Unfinished business.)
S. 2040. Compulsory school attendance of children in District of Columbia.
H. R. 4389. Creating traffic court in District of Columbia.
S. 3136. School teachers' salary bill.
H. R. 14002. Providing tax on motor-vehicle fuels in District of Columbia.
H. R. 13834. Amending insurance laws of District of Columbia.
H. R. 14372. Providing for charges against general fund standing to the credit of District of Columbia in the Federal Treasury.
S. 3296. Authorizing merger of street railway corporations in District of Columbia.
H. R. 12997. Granting relief of Metropolitan police.
S. 2822. Regulating practice of optometry in District of Columbia.
H. R. 11021. For prevention of venereal disease in District of Columbia.
H. R. 7746. To regulate sale of milk and cream in District of Columbia.
H. R. 10275. Authorizing extension of park system in District of Columbia.
H. R. 14184. Authorizing closing of a part of Thirty-fourth Place NW.
H. R. 13237. Authorizing closing of portions of Grant Road.
H. R. 8792. Proposing survey of proposed parkway connecting old Civil War forts in District of Columbia.
S. 3345. Changing name of Keokuk Street to Military Road.
H. R. 12172. Regulating pawnbrokers in District of Columbia.
S. Con. Res. 26. Investigation of needs of office of recorder of deeds of District of Columbia.

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

Mr. BLANTON. Mr. Chairman, I again make the point of order, and I insist upon the point of order.

Mr. FOCHT. Mr. Chairman, does the gentleman from Wyoming want to know why these bills are not here? Simply because the gentleman and his autocratic committee have strangled them.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no Member of the House who is impervious to the rules of the House, and the gentleman from Wyoming is disobeying the ruling of the Chair. I ask that the Chair keep him in order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. MONDELL. Mr. Chairman, I am perfectly willing to argue the point of order if there is a point of order.

The CHAIRMAN. The gentleman will proceed.

Mr. MONDELL. I prefer to argue the point of order if there is any question about my being in order.

The CHAIRMAN. The Chair admonished the gentleman from Texas to keep his discussion within the general principles carried in the present bill under the head of the District of Columbia.

Mr. MONDELL. Will the Chair be good enough to have the Clerk report the amendment?

Mr. BLANTON. The Chair would not permit me to make the remarks I wanted to make, and I still want to make them. [Laughter.]

The CHAIRMAN. The amendment will be again reported, without objection.

The Clerk read as follows:

Page 6, strike out line 8.

Mr. MONDELL. What is line 8?

The CHAIRMAN. The District of Columbia.

Mr. MONDELL. The District of Columbia Committee has some 13 or 14 important bills on its calendar providing for compulsory attendance of children, providing for tax on motor-vehicle fuel, providing for amendment to the insurance laws of the District——

Mr. BLANTON. Mr. Chairman, I make the point of order——

The CHAIRMAN. The gentleman will suspend.

Mr. BLANTON. I do not wish to be contentious, but I do wish the rules of the House enforced.

The CHAIRMAN. The Chair has already ruled that discussion must be confined to the subject of legislation.

Mr. BLANTON. Has the Chair any power to keep gentlemen within the rules?

The CHAIRMAN. The Chair can not tell what the gentleman is going to discuss until he discusses it.

Mr. MONDELL. I would like to have a ruling.

The CHAIRMAN. The gentleman from Wyoming and all other gentlemen must discuss, if points of order are made——

Mr. MONDELL. Under the language which is proposed to strike out, is it in order to discuss the District or not?

The CHAIRMAN. It is in order to discuss legislative matter pertaining to the District carried in this bill, and the Chair has so ruled in respect to the gentleman from Texas who endeavored to broaden the discussion generally.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry. How much time has the gentleman remaining?

Mr. MADDEN. I make a point of order that gentlemen can not submit a parliamentary inquiry and take a gentleman off his feet.

The CHAIRMAN. The point of order is sustained, and the gentleman from Wyoming will proceed.

Mr. MONDELL. Now, nobody appears to be interested in any legislation of the District of Columbia, important as it is, reported here on the calendar, except legislation affecting a few individuals. Have we reached the time when Congress is to be governed in its legislation not in view of the importance of public business but by approval from the galleries?

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment proposed by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

GENERAL EXPENSES.

Plumbing inspection division: For temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, fiscal year 1923, $1,000.

Mr. RANKIN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. I move to strike out the last word. We are proceeding here at a breakneck speed, as the gentleman from Wyoming could have said or should have said, in the closing days of this Congress with a measure still pending that, in my opinion, is of infinitely more importance to the taxpayers of America than the bill we are now discussing. The gentleman from New York [Mr. FISH] has introduced a resolution to investigate the Veterans' Bureau along certain lines. The gentleman from Texas [Mr. CONNALLY] has introduced one asking for a joint investigation—that is, by a joint committee between the House and Senate.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not discussing the item.

Mr. RANKIN. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The gentleman will be heard.

Mr. RANKIN. Mr. Chairman, I am not surprised——

Mr. MADDEN. This is an item for plumbing inspection division. When we reach that part of the bill, why it will be in order.

Mr. RANKIN. I wish to be heard on the point of order.

The CHAIRMAN. All right.

Mr. RANKIN. And in that connection I should like to have a copy of the bill. I wish to say I am not surprised that the leaders on the Republican side object to the Veterans' Bureau being investigated.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not confining his remarks to the item.

Mr. RANKIN. We have the Veterans' Bureau prominently before the House and——

Mr. MADDEN. Mr. Chairman, I insist on my point of order. We are not dealing with the Veterans' Bureau in this item.

Mr. RANKIN. On page 6 we have passed over the item dealing with the Veterans' Bureau, and it is to that item I wish to direct my remarks.

Mr. MADDEN. That has been passed.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks debate must be confined to the subject——

Mr. RANKIN. Mr. Chairman, I most obediently submit to the will of the Chair, because the last word that I moved to strike out, I believe, is "Commissioners," and if there is anyone thing——

The CHAIRMAN. Let the Chair finish.

Mr. RANKIN. This is not to be taken out of my time.

The CHAIRMAN. The gentleman moved to strike out the last word and then engages in a wide discussion. The point of order being made against the gentleman's discussion, the Chair is constrained to sustain the point of order, and the gentleman must discuss the amendment, which is the striking out of the last word.

Mr. LONDON. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. RANKIN. Yes; I yield to the gentleman from New York.

Mr. LONDON. The last word is "dollars," and the trouble with the Veterans' Bureau seems to be in relation to dollars. [Laughter.]

Mr. RANKIN. Yes. Mr. Chairman, if there is any one thing that the American people are interested in at this time, in the dying days of this extravagant Congress, it is dollars, and God knows, I do not blame them. Look at the dollars you are wasting here! Five hundred million dollars is being spent annually by the Veterans' Bureau, or more than the entire Federal Government was costing the people of the United States 20 years ago. You are spending that on the Veterans' Bureau alone. You are spending possibly $200,000,000 a year in waste or extravagance of those dollars we are talking about. The taxpayers must foot the bill.

Mr. MADDEN. Does the gentleman from Mississippi object to that expenditure?

Mr. RANKIN. I do not object, as I have stated on the floor of the House before, to money that is legitimately spent to take care of these men; but every man who has investigated the Veterans' Bureau is bound to know that vast amounts—possibly $200,000,000 or $300,000,000—of the people's money is being wasted or extravagantly spent by this bureau.

Mr. MADDEN. I deny it.

Mr. RANKIN. Give us an investigation, as the Senate is going to do. Make it a joint investigation, and you will see these large expenditures and this waste in the sale of Government material, and cases where $150,000 and $100,000 is being paid annually in various places for office rent, and you will find a great concourse of officeholders that have been appointed—pork-barrel men connected with the Veterans' Bureau. You will find when it is done that millions if not hundreds of millions of dollars are being wasted. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MADDEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is, of course, all very well for gentlemen to get up on the floor and say that between $200,000,000 and $300,000,000 out of the $500,000,000 appropriated for the support of the Veterans' Bureau is being wasted. But I challenge gentlemen to prove it.

Mr. RANKIN. If you will give us this investigation we will prove it. That is all we ask—that you give us the investigation.

Mr. MADDEN. In the first place, we are paying $90,000,000 for premiums to make up the difference between the amount of the premiums paid by the men and the amount that is required to be paid to cover the losses. That is one charge every year. We are paying about $178,000,000 a year for vocational training.

Does the gentleman want vocational training for the men who were wounded in the service? We are paying compensation to the men who were wounded in the service. I will put the figures in. I do not recall them exactly now, and we are paying for hospitalization to an amount that will bring the sum total up to what we have shown is being paid. I do not say that the Veterans' Bureau is being conducted as efficiently as it ought to be or as economically as it ought to be, nor do I say that it is honest in every particular; but I do say that there is no such saving possible as the gentleman from Mississippi says.

Mr. BLANTON. Mr. Chairman, I make the point of order, if the gentleman will allow me——

Mr. MADDEN. The gentleman can make his point of order.

Mr. BLANTON. I make the point of order that we have passed the Veterans' Bureau item and that the paragraphs under the District of Columbia are being read, and the gentleman is now speaking out of order in discussing the Veterans' Bureau.

Mr. MADDEN. I agree that I am speaking out of order, but I am speaking in reply to the gentleman from Mississippi, who was permitted to go on out of order.

Mr. TILSON. Mr. Chairman, I wish to say just a word on the point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut.

Mr. TILSON. I think the Chair has laid down the correct rule as to the limitation of debate under the five-minute rule, and we ought to observe the rule. I do not think that because we have a large gallery to-day it is justifiable excuse for us to act like a lot of schoolboys. [Applause.]

The subterfuge of the gentleman from Mississippi [Mr. RANKIN] and that of the gentleman from Illinois [Mr. MADDEN], for that matter, were after all but subterfuges to evade the rule.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman from Connecticut is not discussing the point of order. He is indulging in personalities.

Mr. TILSON. I was simply illustrating my contention by referring to the remarks made by the distinguished gentlemen from Mississippi [Mr. RANKIN] and Illinois [Mr. MADDEN], thereby showing that they were not discussing matters contained in this bill. They ought to limit themselves to such matters and we ought to leave these side issues alone until we can finish this appropriation bill.

Mr. Chairman, I should like to see the rules enforced in regard to this matter of debate. Whenever a Member is in good faith discussing the bill, all right; but when he resorts to a subterfuge or to any other expedient in order to discuss extraneous matters, then some one should object.

Mr. MADDEN. I will say to the gentleman from Connecticut that I have no desire to discuss any matter that is not pending, but I did not think it was fair to let go what the gentleman from Mississippi said without some response. He said we were squandering from $200,000,000 to $300,000,000 a year in the Veterans' Bureau. I deny it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TILSON. I insist on the point of order, Mr. Chairman.

Mr. BLANTON. Does the gentleman yield?

Mr. TILSON. Yes; I yield.

Mr. BLANTON. Does the gentleman from Connecticut, who knows everything about parliamentary law, know of any rule that will make the majority leader and the chairman of the Committee on Appropriations obey the rule?

Mr. TILSON. I am trying to help the gentleman on his points of order.

Mr. RANKIN. Mr. Chairman, I rise in opposition to what has been said.

The CHAIRMAN. The Chair has something to say on this matter. The gentleman from Illinois [Mr. MADDEN] has the floor.

Mr. MADDEN. I have surrendered the floor.

The CHAIRMAN. The gentleman from Texas made a point of order on the remarks of the gentleman from Illinois, and the gentleman from Connecticut rose to discuss the point of order. The gentleman from Illinois then took his seat, and that vitiated the entire proceeding. The Chair will take this occasion to admonish gentlemen and remind them of the fact that we have under consideration an important bill, and whenever a Member moves to strike out the last word he must confine himself to matters pending before the committee or else get unanimous consent before attempting to discuss other matters. The Clerk will read.

The Clerk read as follows:

For allowance to principals of grade school buildings for services rendered as such, in addition to their grade salary, to be paid in strict conformity with the provisions of 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, fiscal year 1923, $2,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order to ask the gentleman from Illinois some questions. I notice that this paragraph provides for principals of grade school buildings in accordance with the act approved June 20, 1906.

Mr. MADDEN. They are allowed $30 a year for every room under their jurisdiction.

Mr. BLANTON. May I ask where there has been any change in this teachers' act since June 20, 1906?

Mr. MADDEN. Not as to this.

Mr. BLANTON. In any other matters?

Mr. MADDEN. Yes; in other matters but not as to this.

Mr. BLANTON. Why insist on putting this provision in the statute until what is known as the Zihlman bill comes up?

Mr. MADDEN. We do not know anything about the Zihlman bill in bills that we report; we only take cognizance of the law as it exists.

Mr. BLANTON. That being the case, why does the gentleman put $6,000,000 into this bill for raising the turrets on 13 battleships when the bill that provides for it is in a pigeonhole?

Mr. MADDEN. The existing law authorizes us to do it.

Mr. BLANTON. The gentleman thinks that, does he?

Mr. MADDEN. I do not think; I know it.

Mr. BLANTON. That will be left to the chairman when the time comes. May I ask this—I do not care to make the point of order against this paragraph——

Mr. MADDEN. It is not subject to a point of order.

Mr. BLANTON. But the Zihlman bill——

Mr. MADDEN. I am not the father of the Zihlman bill.

Mr. BLANTON. But the gentleman is the high mogul of the steering committee.

Mr. MADDEN. No; I am not on the steering committee. I do not make the arrangements for the conduct of business of the House; I am doing the best I can to take care of the business that comes before the Committee on Appropriations.

Mr. BLANTON. I think that myself, Mr. Chairman, and I withdraw the point of order.

The Clerk read as follows:

For textbooks and school supplies for use of pupils of the first eight grades, etc., including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1923, $15,000.

Mr. CABLE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. CABLE: Page 9, after line 14, insert a new paragraph as follows:

"For salaries of teachers of the Americanization work of foreigners in night classes, at not to exceed $3.50 per teacher per night, $2,730."

Mr. MADDEN. Mr. Chairman, I reserve a point of order on that.

Mr. BLANTON. I make the point of order that that is legislation unauthorized by law.

Mr. CABLE. Will the gentleman reserve it?

Mr. BLANTON. Yes; I will.

Mr. CABLE. Mr. Chairman, in my time I would like to have the Clerk read the following article.

The Clerk read as follows:

AMERICANIZATION WORK FACES LACK OF FUNDS.

The Americanization classes of the District public schools must close April 30 unless Congress passes an emergency appropriation, it was announced to-day.

Closing of the schools will also cause discontinuance of the home-service work, teaching of rules of sanitation and health to the immigrant housewives.

Miss Maude E. Aiton, principal of the Americanization schools, warned of the impending closing in a letter sent to-day to Arthur C. Moses, chairman of the Americanization Association of the District.

Mr. CABLE. I hope that neither the gentleman from Illinois [Mr. MADDEN], who is chairman of the Appropriations Committee, nor the gentleman from Texas [Mr. BLANTON] will insist on the point of order. This amendment provides funds to pay teachers who are engaged in teaching the foreign born so that they may become American citizens. If the amendment fails these night classes must close before the end of the year. The appropriation has been approved by the President through the last Budget and is for important work.

Mr. MADDEN. Will the gentleman yield?

Mr. CABLE. Yes.

Mr. MADDEN. When was it approved by the Budget? It has not come to us.

Mr. CABLE. It went to the Senate. This bill was already printed when the President was ready to transmit this last Budget to Congress.

It was none other than Theodore Roosevelt himself who, realizing that the basis of good citizenship was a knowledge of English, in his last public message, said:

We have room for but one language here; that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one soul loyalty, and that is a loyalty to the American people.

The amendment I have just offered is for the purpose of aiding in carrying out the wish of that great American, that ours shall be a Nation of people of one nationality—Americans—and speaking but one language—English. This can only be accomplished by the education of the alien already here and by basing future immigration upon citizenship qualifications. When we stop to consider that there are 14,000,000 foreign born now in the United States, that less than half are naturalized, that 3,000,000 of the 14,000,000 are not able to speak English, and that an additional 3,000,000 are unable to read English, the size and importance of the work can be appreciated. The law does not compel an alien residing here to become an American citizen. We want no forced citizenship; rather should he return to his native land. For those who wish to become Americans Congress, among other things, has seen fit to prescribe certain qualifications.

In order that the alien may learn what America means and what the privileges and duties of American citizenship are, he must be able to speak the English language. English is the language of the Declaration of Independence, the Constitution of the United States, and the constitutions of the various States, of our laws and city ordinances, of our court decisions, newspapers, periodicals, history, poetry, the ballot. It is our means of communication in business and in society—the language of commerce and industry.

Until about seven years ago no sense of responsibility, no duty or obligation was felt by the American people toward

the foreigner, except by a few. He was turned loose to drift. It was thought that as the privilege of coming here had been extended, the responsibility ended. An elementary education was considered in the same class as the measles—something to which only children are subject. During the war, however, Federal active participation began.

On May 10, 1915, at Philadelphia a reception was held for 4,000 "newly made citizens." The President of the United States, the Secretary of Labor, and other officials of the Nation and State were there. Later Congress passed an act imposing upon the Bureau of Naturalization the duty of sending the names of the candidates for citizenship to the public schools in each particular locality. It also authorized the distribution of free citizenship textbooks to the candidates who attended these public schools. The Chief of the Bureau of Naturalization is Commissioner Raymond C. Crist, as able a chief as there is in any branch of the Federal Government. He believes and spreads the gospel preached by Thomas Jefferson that "Elementary education is an inherent right of all in a democracy."

If this amendment is not agreed to the night classes must soon close. The naturalization courts operate throughout the year, so should the schools continue. The education of the hundreds of men and women will stop. Aside from the board of education, many prominent people, appreciating the need of naturalizing the alien, take an active part in that work. Mr. Arthur C. Moses, a business man of Washington, heads a committee of over a hundred, and devotes a great deal of his valuable time to this particular work. All the judges of the Supreme Court of the District serve on that committee, and there is a board of directors representing various organizations such as the American Legion, United States Chamber of Commerce, D. A. R., Woman's Civic Clubs, Y. W. C. A., Federation of Citizens' Associations, and the like.

I had the privilege of visiting some of the night classes. There I saw foreign-born men and women sitting at desks seeking an education so that they might become American citizens.

Mr. McKENZIE. Will the gentleman yield?

Mr. CABLE. Yes.

Mr. McKENZIE. About what are the ages of the pupils at these schools? I have been informed that last year they had one gentleman over 80 years old.

Mr. CABLE. I would not be surprised at that, but the average age of these students will not exceed 25 years. They work in the daytime and attend classes three nights a week.

Mr. LINTHICUM. About how many pupils attend night schools?

Mr. CABLE. The total enrollment has been something like 1,700 or 1,800 a year, and the classes run from 40 to 50 pupils.

Mr. LINTHICUM. And they need only an additional $2,000?

Mr. CABLE. They need $2,730 to carry on the work for the balance of this year. I trust no point of order will be made on this particular amendment.

Mr. BLANTON. Mr. Chairman, the gentleman has almost convinced me, and I withdraw my reservation of the objection.

Mr. CABLE. Miss Maude Aiton, principal of the work, advises that when the night classes began it was necessary to advertise these schools by printing cards and distributing them among the foreign born. Now, in four years the classes are all overcrowded. Mr. O. T. Moore, chief naturalization examiner for the district, including the District of Columbia, devotes three nights a week to quizzing the advance classes in preparation for their examination in court for citizenship.

STATE EDUCATIONAL WORK.

It is interesting to know of the work carried on in the various States. North Dakota has adopted the slogan "No illiteracy in North Dakota in 1924."

South Dakota Legislature appropriates funds to assist local communities and engages graduates in Americanization work to teach the foreign born. The appreciation shown by the adult pupils is one of the most gratifying features of the work there. At McIntosh the evening school petitioned the board of education to provide for five sessions instead of two per week. A "Finn" rural evening school in Brown County reported a perfect attendance to the entire session. Butter, eggs, cream, and milk were provided the teachers without charge. A banker in Tripp tells of being stopped at 10.10 p. m. by an evening foreign-born school pupil who insisted on reading an interesting lesson by the light of a lamp-post. Matt Lutgen, a "graduate" of the Aberdeen evening school, developed a rather exceptional control over English and appreciation of America, resulting in his being called to address State conferences of educators, Rotary Clubs, and other meetings. I want to quote from M. M. Guhin, who is an active and efficient director of Americanization and civic training. He says:

> What we need is not a better English week but a century of better English in which a generation will arise with respect for the language of America as well as a respect for its flag and its Government.

In Massachusetts also there is a State aid law. The enrollment has increased from 3,000 to 22,000 since its enactment.

Connecticut also bears a part of the expense, paying $4 for each pupil in average attendance of 75 per cent of the sessions in approved schools. The State director has the assistance of a bureau of foreign-language speakers, comprised of American citizens of foreign birth.

In Ohio the need of this education is recognized by law. There is no State aid, but the boards of education realize the need of evening schools and the benefits derived therefrom. The greatest difficulty comes in financing the project. Several cities experimented with the charging of a fee and found it had very little effect in decreasing the number of registrants. Beginning the school year, October, 1922, practically every city charged tuition to the amount of making the schools entirely or partially self-supporting. The result of this fee system has been that attendance is greatly stabilized. There is not the usual discrepancy between enrollment and average daily attendance. Different fees are charged, such as $1 registration, 50 cents a month, $2 for 12 weeks. Mr. E. C. Vermillion is supervisor of the division of Americanization, and is accomplishing a great deal of good in the education of the foreign born.

The State of Utah provides for compulsory attendance upon public evening-school classes of persons between the ages of 10 and 45 who can not use the English language, and maintains an appropriation to carry out this work.

In California a law was passed providing for the establishment of classes of citizenship applicants and it was made the duty of the county clerk to furnish the schools each month with the names and addresses of all such candidates.

The following States have passed laws providing for alien education: Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Idaho, Iowa, Maine Massachusetts, Minnesota, Montana, Nevada, New Jersey, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Washington, Wyoming, and West Virginia.

INDEPENDENT CITIZENSHIP FOR WOMEN.

The present Congress passed a law granting independent citizenship to women. No foreign-born woman becomes a citizen because she marries an American citizen or because of the naturalization of her husband. She must petition and appear in court for her own naturalization. She now has the same right to an education as the man.

Miss Aiton advises that here in the District, when the night classes began, only men attended; now one-third are women. In addition, she is receiving many inquiries each day from women concerning an education for the purpose of becoming American citizens. In many instances the mother can not leave her home and children and go to school, so Miss Aiton has arranged to take the school to her. The teachers go to the various homes and have group classes at stated places and times. There are now 100 women enrolled in home classes, but there should be a thousand here in Washington alone.

I am particularly proud of the work done in Akron, Ohio. Fifty-six classes in that one city have been established. Special lessons have been prepared to meet the home interests of the pupils. There is probably no city that I know of that can boast of reaching as many foreign-born women with as systematic a program. The value of home classes has been so recognized that however much the general budget for education is reduced the women's classes do not suffer for the benefit of any other phase of the program.

In Pennsylvania the immigrant education work functions under the State department of public instruction. Special attention is given to the education of foreign-born women. It is realized that the mothers can not leave the small children and their many home duties to go to the schoolhouse. It is also known that lessons given in the home are of much more practical value in every way; that the presence of the home teacher at once brings about a higher standard of living.

The plan adopted is to secure mature women who have been public-school teachers, who have married and had a family, and are now free to work again. To such a teacher a course of special training is given on work with foreign-born women. These teachers are then introduced into the homes through the children in the public schools. A home teacher is expected to be

affiliated with the school building in the district in which she teaches and to work under the direction of the principal of the building as all other teachers in the building do. Her time is divided into short periods, and she is expected to begin at 9 a. m. to give lessons in the home. At first there will be but a single woman in the class, but as the women get acquainted neighbors congregate in fours, sixes, and eights in one house in the neighborhood to take the lesson in the small classes. The teacher spends about one-half hour in each class and goes twice a week. The women are advanced as rapidly as their ability permits. The teaching covers each subject of human interest, the emphasis at first being put upon the speaking, reading, and writing of English and a fundamental knowledge of the Government as a basis for citizenship duties under the enfranchisement of women.

Under this plan Mrs. Sarah R. Christy, regional director immigrant education of Pennsylvania, writes that one home teacher can reach from 30 to 90 women in a week's work. She also states that in a very limited number of towns school boards with broad vision have financed the home teacher, as they do all other teachers. In other cases women's clubs, missionary societies, and other semiprivate agencies become responsible for the teacher's salary. Pittsburgh has one club of foreign women which grew out of Red Cross work. After the war 25 of these women asked Mrs. Christy to meet with them for the purpose of helping them find a legitimate work to do as a group, and she organized them into the Polish Women's Club of Pittsburgh, which now numbers 250.

"My suggestion for further education of foreign-born men and women," says Mrs. Christy, "is that their education in America be made compulsory, laying the obligation both on the foreign born and on the school authorities."

In Connecticut, Mr. Robert C. Deming, director of the department of Americanization, writes that last year there were 76 classes for women, with more than 500 registered in the daytime, not including evening classes. In his last report, in part, he states:

During the year an attempt has been made to call attention to the problems of the foreign-born women. Students of Americanization throughout the country are thoroughly convinced that we must reach the immigrant mother if we hope to assimilate the foreign born.

INDUSTRIES.

The place of employment offers a good opportunity for the foreign born to learn things American. About 8,000 industries in the United States are cooperating in the education of the foreign born to become citizens. Teachers are employed at the expense of the employer or the board of education to carry on the work.

With reference to work in Massachusetts, Mr. Charles M. Herlihy, state supervisor of adult alien education, writes:

We are quite proud of our factory-class record in Massachusetts—366 classes in 100 different industries, with an enrollment of 5,000 students last year.

These classes are taught by public-school teachers.

AMERICAN LEGION.

The American Legion, under the supervision of Garland W. Powell, national director of Americanization, is endeavoring to promote good citizenship, as well as correcting the evil of illiteracy which is prevalent in our country. The Legion desires to further serve their country in peace time by aiding and assisting not only the educators but all other organizations endeavoring to wipe out illiteracy by creating schools for aliens in order to teach the English language and better understand responsibilities and duties citizenship carries with it.

A night-school movement all over the country has been inaugurated. It seeks to have legislation passed creating schools to accomplish the education of all aliens and illiterates. The Legion schools now in existence teach English, civics, and citizenship. The teachers in these schools in many instances are Legion members who have had experience in educational work. It also has adopted the slogan "Adopt an illiterate and teach him to read and write."

DAUGHTERS OF AMERICAN REVOLUTION.

The national society of the Daughters of the American Revolution aid financially and otherwise in educational work carried on in our country. They maintain a teacher at Ellis Island to assist the women and girls who arrive there. Also the local chapters in a great many cases pay the salaries of teachers, whether for night classes or for home work. An interest is taken in all naturalization classes and they seek to assist the courts in impressing the candidates with the dignity of the occasion, presenting him with literature dealing with our country and with our American flag.

BOY SCOUTS.

The Boy Scouts of America are performing a great service by delivering to the various foreign born who have applied for citizenship invitations to enroll in the various night classes. Over a hundred thousand invitations were distributed in one year.

The foreign-language press also can be an important influence in persuading the immigrant to seek American citizenship. I quote, for example, from the Omaha Bratrasky Vestnik to its readers:

If you want to remain in this country, become Americans; become citizens.

In fact, every patriotic and civic organization, realizing the need of education, is aiding in this work. Colleges, normal schools, and universities in a great many States give a special course for teachers of the foreign born.

Now, why should so much time, effort, as well as money be expended in the education of the foreign born within our country? The answer is found in the fact that illiteracy among aliens is increasing. In 1880 it was 12 per cent; in 1920 it was 13.1 per cent. The answer is found in the census of the population of many of the States. In at least three States 50 per cent of the alien population are unable to speak English.

Again, of the 805,000 immigrants admitted in 1921 more than 264,000 located in New York State and only approximately 180 in the agricultural State of Arkansas. More than 432,000 were of races which, generation after generation, maintain their own customs, languages, schools, and social affiliation almost as intact as if they had remained in their native countries. They form congested communities in large cities that are veritable "alien islands." People living in these settlements are often wholly out of sympathy with American ideals. In all of our 105,000,000 the foreign stock in the United States consists of one-third that number, the foreign born being 13,920,692, and those of foreign mixed parentage 22,686,204, making a total of 36,606,896. More than half of the foreign born in the United States are located in New York, Pennsylvania, Massachusetts, New Jersey, and Illinois, near manufacturing centers.

Take the State of New York. It has a population of 10,385,000. Of this number 2,825,000 are foreign born. Compare this situation with that vast territory south of the Ohio River and all west of the Mississippi, except North Dakota, Minnesota, Iowa, and Missouri. This territory has a population of 45,000,000, almost four and one-half times the population of the State of New York, but the foreign born in New York State alone exceed the foreign born in this entire vast territory. According to the census of 1920 only 20.7 per cent of the residents of the city of New York had fathers and mothers of native parentage.

The present chaotic condition in Europe is partly due to the lack of a common language. In this country we want no language barrier between the people. The problem of the alien which confronts Congress and the country at the present moment is serious. Consider the fact that approximately only 250,000 aliens are enrolled in various classes for the purpose of becoming American citizens. Consider further that there are close to 7,000,000 aliens in the United States. Therefore, 4 per cent only are seeking to qualify themselves for citizenship. In the 96 per cent are found those who seek to perpetuate their own country here, who make up the little Italy, Spain, Greece, and who seek to perpetuate their own customs, language, and laws, resulting in the breaking down to some extent of the unity of our country. It has been suggested that we should Americanize the aliens before they alienize America. This means the earnest cooperation and support of every loyal citizen. A nation-wide program of education should be carried out. The alien should be given every opportunity of obtaining an education for citizenship purposes, and above all carry the education to the alien wife and mother. Give her the chance here in America that she never had in her own country. Education is the foundation of good citizenship. Give these aliens every opportunity to be educated, to take the oath of allegiance to our country and swear to support our Constitution and flag, and to those who reject our offer, let them return to their native land.

Mr. MADDEN. Mr. Chairman, reserving the point of order before I make it, I want to say that it is strange that if this great need exists in the District of Columbia as to this class of work nobody anywhere in official life was able to call it to the attention of the Committee on Appropriations while we were considering this bill, and it has been under consideration for over a month. It seems to me that we are entitled to give consideration to the problems that cost the Treasury money. Nobody anywhere connected with the schools or with any other

branch of the Government has called this matter to our attention, but, regardless of whether they did or not, it is subject to the point of order; and I make the point of order.

Mr. CABLE. Mr. Chairman, I am ashamed to say that this Congress has never seen fit to authorize this kind of work carried on and that the point of order, if the gentleman insists upon it, will have to be sustained.

The CHAIRMAN. The point of order is sustained.

Mr. CABLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

Mr. VESTAL. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Ohio and the gentleman from Indiana request unanimous consent to extend and revise their remarks in the RECORD. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FOCHT: Page 9, line 14, after the figures "1923," strike out "$15,000" and insert "$50,000."

Mr. FOCHT. Mr. Chairman, in endeavoring to familiarize myself with this school situation in the District of Columbia, I was amazed to find that only up to the eighth grade are free schoolbooks supplied to the children. The eighth grade is the point at which the books begin to cost something, when it is a burden to the poor man to buy books for his children, in order that they may have a wider and a higher education, which may be obtained in the junior and the senior high schools. That is one of the reasons why we are here to-day trying to get some consideration for the District of Columbia—not in any grand-stand play to the galleries. I am not here to extol the women of the District because they now have a vote, but I am here to-day to do justice to the children and to do justice to the District, not by trailing behind the Appropriations Committee every year with bills that are subject to a point of order. I am here as the chairman of the committee, with enough intelligence to understand how these bills were not given a fair chance. I want to see the children of the District have free schoolbooks, and I want to see the people here compel their children to go to school, and have compulsory education, the very best that could be had. And I want to say that I think we have not had the consideration that is due the District of Columbia. As chairman of the Committee on the District, I have diligently tried to serve the District of Columbia without asking for anything that is not just.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. BLANTON. I want to know if the gentleman could tell us what is the power that is holding back the teachers' salary bill?

Mr. FOCHT. I do not know anything about that. The only thing I know is this: That for week after week, as chairman of the committee, as a member of the majority party——

Mr. SNELL. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

Mr. FOCHT. Certainly I am. I am discussing the question of money for the schools here, for schoolbooks.

The CHAIRMAN. The gentleman from New York makes the point of order that the gentleman from Pennsylvania is not discussing his amendment. The point is well taken. The gentleman will proceed in order.

Mr. FOCHT. Certainly, I shall be glad to.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. MOORE of Virginia. I want to ask the gentleman a perfectly quiet question apropos of what the gentleman from Wyoming [Mr. MONDELL] said a while ago. He spoke of 13 or 14 bills on the calendar, reported by the gentleman's committee. Is any one of these bills as important as this teachers' bill, which has passed the Senate and is now on the calendar?

Mr. FOCHT. Certainly not; but while others are important you can not do all things first, and when you see half a dozen treated as those bills have been treated, strangled and chloroformed, how are you going to bring the rest of them forward?

Mr. SNELL. I make the point of order that the gentleman must proceed in order.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

Mr. SNELL. Mr. Chairman, I object.

Mr. FOCHT. Now, do not start that with me to-day. This is not the time.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that the gentleman from Pennsylvania be permitted to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. LINTHICUM. How do the salaries of the teachers of the District of Columbia compare with those in other cities?

Mr. FOCHT. Yes; that is the point exactly. I wish to say that the salaries here are far below Chicago and Cheyenne and Boston and Philidelphia and New York, and if you had given us the opportunity to-day you would have been appalled and reluctant to have voted against the increase. Anything else? If I can not go on out of order I want, at least, to retain my good humor and I do not want to filibuster. I belong to the crowd that, as far as consistent, goes along with the intelligent directions of the head of the party, but when an attack is made upon the District Committee in this connection, and statements are made that are not in accordance with the facts, I think I should say a few words on behalf of the committee which has served so well and tried to get the business done, but have not been given the opportunity they should have as a legislative functioning body, and which I personally should have had from the leadership of this House.

Mr. MADDEN. Mr. Chairman, the gentleman from Pennsylvania [Mr. FOCHT] made a very excellent speech, but he did not say anything in favor of his amendment. He offered an amendment to make this item for textbooks and school supplies $50,000 instead of $15,000. There is no justification for that amendment. Nobody wants it except the gentleman. Nobody wants it, and it is not necessary. Fifteen thousand dollars will buy all the additional books they need between now and the 1st of July, and this bill is proposing to make appropriations for moneys needed between this date and July 1. I hope the gentleman will withdraw his amendment.

Mr. FOCHT. Mr. Chairman, does the gentleman feel, inasmuch as only half the children of the District of Columbia are furnished with free schoolbooks, when his State and my State give free books, put them in the hands of all the children, does he feel like denying to the poor boys and girls here that which is given them by his State and my State?

Mr. MADDEN. There is no law that authorizes the provision of free books in the District of Columbia, and every dollar we are appropriating is in violation of the law. Now, the gentleman has been chairman of the District Committee for quite a while, and he could have had a bill providing for free schoolbooks.

Mr. BLANTON. I make the point of order that both of the gentlemen are out of order.

Mr. FOCHT. I will take a vote on that, please.

Mr. MADDEN. I hope the amendment of the gentleman will not prevail.

Mr. FOCHT. I hope it does.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

COAST AND GEODETIC SURVEY.

Damage claims: To pay claims adjusted and determined by the Department of Commerce under the provisions of the act approved June 5, 1920 (41 Stat. 1054), on account of damage occasioned by acts for which the Coast and Geodetic Survey has been found to be responsible, certified to the present Congress in House Document No. 537, $188.25.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have just returned to the Chamber as the item relating to $500,000 for investigational purposes as to developing rubber plantations had just been read. I am somewhat acquainted with this proposal, and I would like to inquire of the chairman of the committee what is hoped to be accomplished by this investigational work that is sought to be covered by this item?

Mr. MADDEN. It is believed that there is a curtailment of the production of rubber throughout the world with a view of increasing the cost to the ultimate consumer. The United States uses 75 per cent of the world's rubber production, and 80 per cent of that 75 per cent is used by the automobile industry in the United States, indicating that 60 per cent of the world's production is used by automobiles and automobile manufacturers in the United States. It seemed to the Committee on Appropriations to be of vast importance to the United States to authorize an investigation of the conditions that would enable the United States to know where a rubber supply could be developed in war time or in time of peace; and in war time, with the present producing territory, the United States is absolutely helpless. We believe that an investigation such as we

provide for here will give the information that will lead finally to knowledge of where Americans can invest in the rubber industry. There is alarm at these conditions. It is feared that there will be an attempt made to cut the present rubber production down to 60 per cent of its present production, and thereby not only take away the rubber that is so essential to the needs of American manufacturers but also increase the price beyond the power of America to pay; and every 10 cents added to a pound of rubber will add $50,000,000 to the rubber bill of the United States. If it should go up to a dollar, gentlemen can see how many hundreds of millions that will add to the cost of rubber to the American consumer. So we believe, and Mr. Hoover believes, that he can supply information as the result of this appropriation which will not only enable America to protect itself and safeguard its interest as to the matter of rubber used but also as to the matter of nitrates and many other agricultural products essential to the successful conduct of agriculture in America.

Mr. STAFFORD. Mr. Chairman, the Secretary of Commerce has now in his possession, and has had for several months, a brief furnished him by one of the leading tire manufacturers of the country with detailed information of the available rubber supplies that grow in the East Indies and also in the Philippines. Some years back the leading rubber manufacturers of this country attempted to form a large corporation with a capital of some $20,000,000 to develop and raise plantation rubber in the Tropics. Some of the rubber manufacturers have gone ahead along those lines. Rubber can be manufactured only where there is heavy moisture.

Mr. MADDEN. Grown.

Mr. STAFFORD. Yes; grown, I mean, where there is heavy moisture and where there is intense heat. The British Government has the advantage at present. More than a year ago the British Parliament passed an act creating what is known as the Davenport Commission, whereby it vested in this commission the authority to fix the price on a diminishing output. Just a few years ago there was a surplus of raw rubber, but under the influence of this governmental commission they have restricted the supply so that the price is now mounting. American capital has gone into the raising of plantation rubber in the Philippines, just as the British Government has gone into the raising of plantation rubber in the East Indies.

I can not now recall offhand the extent of those plantations, but they are productive to a considerable amount. Undoubtedly the Britons have the advantage over us. But I am curious to know what will be done after we get this information. Secretary Hoover has the information at the present time. He has in his possession a brief prepared by some of the leading rubber manufacturers of this country setting forth the total output, setting forth the amount produced in the Philippines and the amount produced by the British in the East Indies. There is no denying the facts stated by the chairman of the committee.

Mr. MADDEN. He has that information.

Mr. STAFFORD. After we get this additional information confirmatory of what he has now, how can we overcome the advantage that the Britons have over us in the raising of raw rubber?

Mr. MADDEN. A great many people in the United States who are interested in the use of rubber and are anxious to protect American interests in time of war and in time of peace are ready, I think, to engage in the growth of rubber if they can get facts that justify the investment.

Mr. STAFFORD. American capital has gone ahead and invested large amounts in five plantations in Mindanao. The tire manufacturers of the country saw the condition confronting them and realized that the British rubber interests had the strangle hold on the American consumer. The British commission came over here within the last two months, a commission to negotiate with the American Importers' Association. What has become of those negotiations I do not know; so far as the press dispatches state, nothing. They have the advantage; they are raising the price, and the price is going to continue to be raised.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. I think it was what was ascertained from the rubber growers of East India that came over here that induced Mr. Hoover to ask for this money. He has been in consultation not only with the rubber growers in East India under British control, but also with the rubber growers in South America as to the extent to which they grow rubber there.

Mr. STAFFORD. I believe there is no plantation-grown rubber there. I believe plantation-grown rubber is confined to the East Indies and the Philippines. I am speaking of the plantation rubber as distinguished from the raw naturally grown rubber.

Mr. MADDEN. The industry in the East Indies was the result of taking that rubber tree from Brazil and transplanting it. It has affected the industry in Brazil, and as a result of this development, Mr. Hoover believes, and so do a great many manufacturers of rubber in the United States believe, that this is the one central need, to get all the facts and to let these other people know that we are going to get the facts and enter actively into the production of rubber in competition with them.

Mr. STAFFORD. I do not see what great value will come from the investigational work other than that we may have a little more thorough investigation than has been made by interested private parties, and that we may inaugurate a policy of granting preferential rights to the growers of rubber in the Philippines somewhat along the lines whereby we grant and receive reciprocal rights with respect to the importation of wood pulp and print paper from Canada.

We realized years back that the Canadians had the advantage over us in having an available supply of wood pulp, and under the lead of that great statesman who has passed from our midst, the late lamented James R. Mann, who was the head of the wood pulp and print paper commission back in 1908, and with whom I had the honor to serve on that commission, we solved the problem growing out of the control that Canada in the future would have of the pulp-wood supply when the industry would eventually go to Canada.

Mr. KRAUS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. No; I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. STAFFORD. The output of print paper within the last decade has doubled in Canada. I suppose that the representations of this commission or committee will be that in order to protect our users of rubber, the tire manufacturers in particular, it will recommend that any country like Great Britain, through its Davenport Commission, seeking to control the price of rubber by raising it as it lessens the supply, will be met with a condition, if they attempt that, where they will have to pay higher and higher rates of duty, and thus be compelled to refrain from their exactions for the benefit of the American manufacturer.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Does not the gentleman think that it is a matter of very great importance, in order that American capital may be interested in establishing rubber plantations in Central America or in southern Mexico or in Latin America generally, that capital shall be furnished with some definite information, not only as to the output to which the gentleman refers, because that is well known, but as to questions of transportation and labor possibilities, and so forth, all of which Mr. Hoover says he will investigate if he is given this appropriation?

Mr. STAFFORD. Oh, yes; but I take the position that the American tire manufacturers have this information. I am speaking of something I know, because I examined the brief of the large tire manufacturers which was handed to Mr. Hoover. It has the full information.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not think there is an item in the bill of greater importance than this particular provision which seeks to place at the disposal of the Secretary of Commerce $500,000 to investigate the source of crude rubber, and which has been broadened to include the production of nitrate and sisal. As the gentleman from Illinois has said, the rubber industry in this country is entirely under the domination and control of the British interests, operating by reason of the fact that they produce more than 72 per cent of the world's supply. But more than that, they produce more than 72 per cent in British East Indies and they control 85 per cent of the entire acreage of production, and of the world's supply the United States consumes more than 75 per cent. Certainly that is a condition that no one wants to see continued. Something must be done to relieve the rubber industry in this country.

It can only be secured by inducing American capital to go into those countries adapted to growing rubber and making an investment to establish rubber plantations. If the Bureau of Foreign and Domestic Commerce was established for anything—

and it is one of the most important and valuable bureaus of this Government—it was for just such a purpose as this. Secretary Hoover believes that he can secure information and furnish it to the public which will induce American capital to establish rubber plantations.

Mr. MADDEN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. MADDEN. Of course, it must be understood that the investigation to be made is so extensive that if manufacturers undertook to make it one would make an investigation here and the other there and there would be no coordination and we would not have the information as a complete whole and they could not do it.

Mr. BYRNS of Tennessee. The gentleman is correct. This is not a small proposition. To establish a rubber plantation of any size is going to require millions of dollars. Capital will certainly wish to be informed not only as to the labor, the type of labor, the possibility of getting the land, the amount that will have to be paid for purchase or rent of the land, and the question of transportation.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. BYRNS of Tennessee. Certainly.

Mr. KELLEY of Michigan. In addition to what the gentleman from Tennessee has already stated, is not it important that arrangements be made in many cases with the Government of other countries in order to protect in a sense the American investors which private capital would not under any circumstances be able to make?

Mr. BYRNS of Tennessee. Yes; and, of course, capital can not make those arrangements. Therefore it is important to make the appropriation, in order that our country may make whatever arrangements with foreign countries which may be necessary.

Mr. SISSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. SISSON. It ought also to be stated that if private capital should go in to get this information private capital would want to keep it for its own use and benefit; but if the Government gets the information accurately it will be for the use, as Mr. Hoover has stated, of everybody. Everyone who has use for it will have access to the information, and there will be no monopoly.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BANKHEAD. This is a very interesting question, and I am asking for information: What is the available territory anywhere contiguous to the United States where rubber plantations might be set up?

Mr. BYRNS of Tennessee. Rubber can only be grown in tropical countries. Therefore we are limited to Latin America and to the Philippines.

Mr. BANKHEAD. What about Mexico?

Mr. BYRNS of Tennessee. And the southern part of Mexico. I understand that some wild rubber has been obtained from Mexico.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SEARS. Mr. Chairman, I want to congratulate the able and distinguished gentleman from the State of Tennessee, my colleague and friend, Mr. BYRNS, for the clear and splendid manner in which he handled the nitrate and Muscle Shoals question when he was discussing the proposition before the House the other day. During my last campaign one of the principal questions was whether Congress would vote on the Muscle Shoals proposition or not. I stated then that I feared that we would not be given an opportunity to vote on the question, but that I had cooperated with the Alabama delegation and my colleagues interested in the welfare of farmers, in urging that we be given an opportunity to vote on it. I made the statement because I told them that I appreciated or thought I knew the powerful influences which were opposed to the offer of Henry Ford. I thought that I saw a ray of light when my distinguished colleague from Illinois [Mr. MADDEN] made his able speech the other day advocating that some action be taken on this question. I now fear my hope was in vain. But, Mr. Chairman, Ford is not a quitter and I predict now that public opinion will force a vote at the next session, and when that time comes there is no doubt in my mind but that the action will be favorable. The farmers are entitled to relief, must have relief, and you are going to be forced to give same to them.

Mr. TILSON. Will not my friend from Florida get leave to extend his remarks on these extraneous matters?

Mr. SEARS. This is on nitrates.

Mr. TILSON. No; it is not on nitrates. I hope the gentleman will discuss the matters contained in the bill.

Mr. SEARS. I am about through with this. I simply wanted to congratulate my friend from Illinois, as well as my friend and colleague from Tennessee——

Mr. TILSON. The gentleman has done that handsomely and I hope he will now desist.

Mr. SEARS. I am going to desist. Here is an appropriation of $500,000 to investigate something.

I hope some day Congress will get down to doing something toward giving the people relief, instead of investigating. Eight years ago when I came here about the first bill that I had to vote upon was one providing for an investigating committee. Even since then we have been investigating, investigating, and investigating, and about the only thing that we have found out from all of these millions of dollars that we have spent is that corn bread is wholesome, and that you can eat it without dying. I knew that as soon as I knew anything. It reminds me of a coincidence down home. I had an old negro working on my place. One day he came into my office and said, "Mr. Joe, they are about to take my home from me." I said, "Why, Uncle Alf, they can not take your home from you; I will not stand for that. Do not bother me any more, but go and get a surveyor and have him survey it and put down the stakes and you stay there and hold it." He replied, "That is the trouble, Mr. Joe. I got one veyor and he veyed it. The white man got a veyor and he veyed it and he put the line 10 feet in. I went and got another veyor and he veyed it and he put the line 5 feet out. Then the other man went and got a veyor and he veyed it, and he put the line in 15 feet, and I am afraid if they vey it any more I won't have any home left." The trouble here is that we have been investigating and investigating—spending the people's money on investigations of questions that we should know something about, know all about before we begin the investigation, until we have just about bankrupted the Treasury. What the people want is not investigations, but real action; some proposition put into effect which will give the farmers of this country some relief.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. I refer now to the paragraph on page 17 of the bill——

Mr. MADDEN. We are now on page 18, but I would be glad to answer a question.

Mr. COOPER of Wisconsin. I refer to the paragraph on page 17, lines 7 to 19, inclusive.

Mr. MADDEN. That is the investigation which these gentlemen have been talking about.

Mr. COOPER of Wisconsin. That is the Department of Commerce.

Mr. MADDEN. Yes.

Mr. COOPER of Wisconsin. In the Philippines and Latin America. The proviso appropriates $100,000 additional.

Mr. MADDEN. Not additional, but it comes out of the $500,000.

Mr. COOPER of Wisconsin. It does not say so.

Mr. MADDEN. That is what it means.

Mr. COOPER of Wisconsin. It says "such amount as the President may, in his discretion, direct, not exceeding $100,000."

Mr. MADDEN. That shall be available to the department, but out of the $500,000.

Mr. COOPER of Wisconsin. The paragraph provides that the following sums are appropriated.

Mr. MADDEN. We have a number of items under the Department of Commerce, and that is why we used that language.

Mr. COOPER of Wisconsin. But that $100,000 under this language would be appropriated beyond the $500,000.

Mr. MADDEN. Absolutely not.

Mr. KELLEY of Michigan. I suggest that you put in the word "of," and that will make it all right.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to return to page 17 for the purpose of offering an amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, I suggest that the language is all right as it is.

Mr. MADDEN. Mr. Chairman, I move to amend by inserting after the word "that," in line 19, page 17, the words "of this sum."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 17, line 19, after the word "that," insert the words "of this sum."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TILSON. Mr. Chairman, while we are considering the form of the bill, I call the attention of the gentleman from Illinois [Mr. MADDEN] to several instances of a lack of uniformity in the bill. I notice that under the Department of Agriculture the committee uses the phrase "in the city of Washington and elsewhere." When we get over to the Department of Commerce, we find the phrase, which I think is the one generally used, "in the District of Columbia and elsewhere." As I understand it, there is no such governmental entity as the city of Washington, and that the proper language is "in the District of Columbia and elsewhere."

Mr. MADDEN. We have simply followed the phraseology used in the various appropriation bills.

Mr. TILSON. The Committee on Agriculture, when framing the bill, used the phrase "in the city of Washington and elsewhere," whereas the other committees used the other phrase, and this committee has not modified the language.

Mr. MADDEN. We are carrying out the language of the different acts.

Mr. TILSON. I suppose no question would ever be raised in regard to it, but in the interest of uniformity it seems to me that hereafter in the preparation of bills the proper phrase should be used.

Mr. MADDEN. I think the gentleman is correct.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAGO having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4548. An act declaring Bear Creek, in Humphreys, Leflore, and Sunflower Counties, Miss., to be a nonnavigable stream;

S. 1538. An act for the relief of Louis F. Meissner;

S. 4156. An act authorizing the accounting officers of the General Accounting Office to settle the accounts of W. H. Power;

S. 1076. An act establishing standard grades of naval stores, preventing deceptions in transactions in naval stores, regulating traffic therein, and for other purposes;

S. 4211. An act authorizing preliminary examination and survey to be made of the intracoastal waterway in Louisiana and Texas;

S. 3874. An act granting the consent of Congress for a bridge across the Rio Grande River;

S. J. Res. 270. A joint resolution concerning lands devised to the United States Government by the late Joseph Battel, of Middlebury, Vt.;

S. 4322. An act for the relief of the owners of the barge *Havana;*

S. 3761. An act for the relief of James Moran;

S. 4463. An act to authorize the erection of a memorial monument or fountain as a gift to the people of the United States by the Henry B. F. Macfarland Memorial Committee;

S. J. Res. 274. A joint resolution to provide for the participation of the United States in the observance of the one hundredth anniversary of the enunciation of the Monroe doctrine, and of the ninety-second anniversary of the death of James Monroe;

S. 4192. An act to permit the correction of the general account of Charles B. Strecker, former Assistant Treasurer of the United States;

S. 4117. An act authorizing the closing of certain portions of Grant Road in the District of Columbia, and for other purposes;

S. 4448. An act for the relief of certain disbursing officers;

S. 1513. An act for the relief of Margaret Nolan;

S. 1490. An act for the relief of G. T. and W. B. Hastings, trading as Hastings Bros.;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 2625. An act for the relief of sufferers in New Mexico from the flood due to the overflow of the Rio Grande and its tributaries;

S. J. Res. 168. A joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War;

S. 3078. An act to provide for the free transmission through the mails of certain publications for the blind;

S. 4589. An act to authorize the county of Hennepin, in the State of Minnesota, to construct a bridge and approaches thereto across the Minnesota River at a point suitable to the interests of navigation;

S. 1104. An act for the relief of Marion B. Patterson;

S. 3843. An act for the relief of the owners of the steamship *Kin-Dave;*

S. 3894. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.;

S. 4536. An act to authorize the building of a bridge across the Peedee River, S. C.; and

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States.

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

H. R. 13272. An act granting a license to the city of Miami Beach, Fla., to construct a drain for sewage across certain Government lands;

H. R. 962. An act for the relief of the heirs of Robert Laird McCormick, deceased;

H. R. 2702. An act for the relief of J. W. Glidden and E. F. Hobbs;

H. R. 4421. An act for the relief of John Albrecht;

H. R. 5251. An act for the relief of Ruperto Vilche;

H. R. 7322. An act for the relief of John F. Homen;

H. R. 8448. An act for the relief of Joseph Zitek;

H. R. 9944. An act for the relief of Vincent L. Keating;

H. R. 9862. An act for the relief of the Fred E. Jones Dredging Co.;

H. R. 10047. An act for the relief of Frances Martin;

H. R. 10179. An act for the relief of Americus Enfield;

H. R. 10816. An act to fix the annual salary of the collector of customs for the district of North Carolina;

H. R. 12751. An act to convey to the Big Rock Stone & Construction Co. a portion of the hospital reservation of United States Veterans' Hospital No. 78 (Fort Logan H. Roots) in the State of Arkansas;

H. R. 1290. An act for the relief of Cornelius Dugan;

H. R. 6538. An act for the relief of Grey Skipwith;

H. R. 11340. An act to advance Maj. Ralph S. Keyser on the lineal list of officers of the United States Marine Corps so that he will take rank next after Maj. John R. Henley;

H. R. 13827. An act relating to the sinking fund for bonds and notes of the United States;

H. R. 11603. An act to validate for certain purposes the revocation of discharge orders of Lieut. Col. James M. Palmer and the orders restoring such officer to his former rank and command;

H. R. 6954. An act fixing rates of postage on certain kinds of printed matter;

H. R. 13032. An act to authorize the sale of the Montreal River Lighthouse Reservation, Mich., to the Gogebic County Board of the American Legion, Bessemer, Mich.;

H. R. 11637. An act authorizing the Secretary of the Interior to approve indemnity selections in exchange for described granted school lands;

H. R. 6423. An act to detach Pecos County, in the State of Texas, from the Del Rio division of the western judicial district of Texas and attach same to the El Paso division of the western judicial district of said State;

H. R. 11738. An act for the relief of Maj. Russell B. Putnam;

H. R. 7010. An act for the relief of the Southern Transportation Co.;

H. R. 370. An act for the relief of Charles W. Mugler;

H. R. 14249. An act for the relief of the owners of the American schooner *Mount Hope;*

H. R. 8046. An act for the relief of Themis Christ;

H. R. 6358. An act authorizing the accounting officers of the Treasury to pay to A. E. Ackerman the pay and allowances of his rank for services performed prior to the approval of his bond by the Secretary of the Navy;

H. R. 13978. An act granting the consent of Congress to the Hudson River Bridge Co., at Albany, to maintain two bridges already constructed across the Hudson River;

H. R. 14081. An act granting the consent of Congress to the Valley Transfer Railway Co., a corporation, to construct three bridges and approaches thereto, across the junction of the Minnesota and Mississippi Rivers, at points suitable to the interests of navigation;

H. R. 13326. An act in reference to a national military park at Yorktown, Va.;

H. J. Res. 47. A joint resolution authorizing the Secretary of the Navy to receive for instruction at the United States Naval

Academy at Annapolis, Mr. Jose A. de la Torriente, a citizen of Cuba; and

H. R. 8921. An act for the relief of Ellen McNamara.

The message also announced that the Vice President had appointed Mr. McLEAN and Mr. FLETCHER members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 13775. An act to amend the revenue act of 1921 in respect to credits and refunds.

H. R. 13774. An act to amend the revenue act of 1921 in respect to exchanges of property.

THIRD DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

ARIZONA.

For continuing the development of a water supply for the Navajo and Hopi Indians on the Navajo, Moqui, Pueblo, Bonito, San Juan, and Western Navajo Reservations, fiscal year 1921, $222.79, reimbursable out of any funds of said Indians now or hereafter available.

Mr. MADDEN. Mr. Chairman, a number of bills have just come over from the Senate which ought to be signed immediately. They can not be signed by the Speaker pro tempore without special authority from the House. I move that the committee do now rise, and I do that in order that we may be able to give that authority to the Speaker pro tempore.

Mr. BLANTON. Is that respecting the 23 bills that were just sent over?

Mr. MADDEN. I do not know how many have come.

Mr. BLANTON. They were the ones that were passed about one a minute the other day?

Mr. MADDEN. I do not know.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. CAMPBELL of Kansas having resumed the chair as Speaker pro tempore, 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. 14408, a deficiency appropriation bill, and had come to no resolution thereon.

APPROVAL OF APPOINTMENT OF SPEAKER PRO TEMPORE.

Mr. MONDELL. Mr. Speaker, I offer the following resolution, which I send to the desk and ask for its immediate consideration.

The Clerk read as follows:

House Resolution No. 564.

Resolved, That the designation of Hon. PHILIP P. CAMPBELL, a Representative from the State of Kansas, as Speaker pro tempore be approved by the House, and that the President of the United States and the Senate be notified thereof.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14408.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14408, the deficiency bill, with Mr. McARTHUR in the chair.

Mr. SEARS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

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

The Clerk read as follows:

PENSION OFFICE.

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, fiscal year 1923, $16,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purposes: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. KELLEY of Michigan having taken the chair, a message in writing from the President of the United States was presented by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following title:

On February 23, 1923:

H. R. 5249. An act for the relief of Ephraim Lederer, collector of internal revenue for the first district of Pennsylvania; and

H. R. 9887. An act for the relief of the Pennsylvania Railroad Co.

On February 26, 1923:

H. R. 3499. An act for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co.;

H. R. 5475. An act for the relief of the Standard American Dredging Co.;

H. R. 5648. An act for the relief of Ike T. Boyles;

H. R. 13128. An act authorizing an appropriation for the construction of a road within the Fort Apache Indian Reservation, Ariz.;

H. R. 13808. An act granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania;

H. R. 2049. An act for the relief of the Delaware River Lightering Co.;

H. R. 9316. An act for the relief of Robert J. Ashe; and

H. R. 13481. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes.

THIRD DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee kindly state to the committee the total amount which is now appropriated for pensions, both for the Army and the Navy, and how much is required for compensation under the war risk insurance act?

Mr. MADDEN. Two hundred and fifty-two million dollars for pensions. The appropriations for the Veterans' Bureau for next year are as follows: For compensation, $118,500,000; for hospitalization, $48,700,000; for vocational training, $121,000,000; for insurance, $90,000,000; for administration, $50,000,000.

Mr. STAFFORD. Making a total of how much altogether?

Mr. MADDEN. Nearly $700,000,000.

Mr. STAFFORD. What is the gentleman's estimate of the requirement for increases in these amounts occasioned by the World War as the years go on?

Mr. MADDEN. It looks as if under the present law there would be a less number in the hospitals and there will be a less number in vocational training, and there will probably be a less number drawing compensation after a few years.

Mr. STAFFORD. There will be a great deal drawn on account of insurance?

Mr. MADDEN. It is $90,000,000 for next year in excess of the amount of premiums paid. Potentially the loss on the term insurance is about a billion dollars.

Mr. STAFFORD. I understood when the war risk act was under consideration providing for the insurance feature that the premiums prescribed were sufficient to bear the cost of the loss but not the cost of administration.

Mr. MADDEN. There was $23,000,000 appropriated at the time, and that was the only appropriation that has been made up to the beginning of the fiscal year 1924. We appropriated $90,000,000 to pay the losses on the premiums, and this bill carries $13,335,000 to pay the losses on premiums between now and the 1st of July. There will be about $90,000,000 a year.

Mr. STAFFORD. The gentleman estimates in the future it will cost the Government about $90,000,000 to provide for the difference in premiums and losses?

Mr. MADDEN. It will not be less.

Mr. STAFFORD. The gentleman says it will not be less; that means more?

Mr. MADDEN. It may be a little more, but I do not think it will run very high.

Mr. HAWLEY. How high?

Mr. MADDEN. The highest it will run for any one year will be about $120,000,000. The total loss will be about a billion dollars on all the term insurance.

Mr. STAFFORD. Until the last person insured expires, the total loss will be a billion dollars?

Mr. MADDEN. Yes; 245,000 is the number of risks carried, and the amount is $1,850,000,000.

Mr. STAFFORD. The loss is independent of the amount we appropriated for vocational, hospitalization, compensation, and so forth?

Mr. MADDEN. Yes.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

PATENT OFFICE.

For the share of the United States in the expense of conducting the international bureau at Berne, Switzerland, fiscal year 1921, $775.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 26, after line 4, insert:

"RECLAMATION SERVICE.

"For investigations of the feasibility of irrigation by gravity or pumping, water sources, water storage, and related problems on the Columbia River and its tributaries, and for cooperative and miscellaneous investigations of the feasibility of reclamation projects, including personal services in the District of Columbia and elsewhere; purchase, repair, maintenance, hire, and operation of motor-propelled or horse-drawn passenger-carrying vehicles; and for all other expenses; reimbursable in the case of any project if and when adopted for construction by the United States or other agency; to remain available until December 31, 1924, as follows:

"'Columbia Basin project, $100,000; Umatilla Rapids project, $50,000; cooperative and miscellaneous investigations of reclamation projects, $125,000; in all, $275,000.'"

Mr. STAFFORD. I reserve a point of order for an explanation.

Mr. MADDEN. Just a short time ago the Congress passed the act of February 21, 1923. It reads like this:

That the following sums are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available for expenditure by the Secretary of the Interior, namely:

For investigations of the feasibility of irrigation by gravity or pumping, water sources, water storage, and related problems on the Columbia River and its tributaries, including the Columbia Basin project, $100,000; the Umatilla Rapids project, $50,000; in all, $150,000.

For cooperative and miscellaneous investigations of the feasibility of reclamation projects, $125,000 annually.

This act was passed and the estimates submitted. The appropriations are in accordance with the law. So far as I can ascertain, without making a personal investigation, they are important subjects. I called in Mr. Davis, the Director of the Reclamation Service, after the deficiency bill had been reported. I did not have time to bring it before the committee.

Mr. SNELL. Is this a deficiency?

Mr. MADDEN. It is a deficiency to carry out the act. All the regular bills have gone through. It can not be put anywhere except on a deficiency act. The annual bill has been passed and this is a supplemental amount.

Mr. TILSON. It could not be expended until the 1st day of July next anyway?

Mr. MADDEN. No. Mr. Davis says that the importance of this subject is greater than anybody would suppose. There are a number of great problems which the reclamation section of the Interior Department are trying to work out. They can not work them out until they have made surveys in connection with this work, and it is such a vast thing, he says, that it is essential that great care be taken in the surveys. For instance, the Columbia River Basin project—as to this he says if it is ever deemed to be feasible or advisable, it will require an expenditure of over $300,000,000 for irrigation and power. There is a vast amount of power to be developed—several million horsepower, as I understand—and before they can tell what they ought to do about the disposition of power or the licensing of those who wish to build dams to create power they have got to find out what disposition they can make of the waters, through this survey, and he says it is absolutely necessary to make the surveys. The Federal Power Commission is also interested in it.

Mr. STAFFORD. We had up for consideration the need of the development of the Columbia River Basin and also the Umatilla Rapids Basin. Has the committee given any investigation as to the need of appropriating $125,000 for survey purposes, not to be reimbursable but to come out of the Treasury and in addition to the money they now have out of the reclamation fund? Has the gentleman any information as to how much they have had annually for survey purposes out of the reclamation fund?

Mr. MADDEN. About $100,000. I asked Mr. Davis about this, and he said it was very important that the appropriation should be made. It is all reimbursable, but they have not the funds with which to go on with the work.

Mr. STAFFORD. I do not wish to challenge the gentleman's statement about its being reimbursable, but according to my information this $125,000 is not reimbursable. When the bill was under consideration in the House the gentleman from Michigan [Mr. CRAMTON], who gives close attention——

Mr. MADDEN. It is reimbursable under my amendment. I ask that the Clerk read it again.

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

Mr. STAFFORD. Reimbursable if and when adopted for construction purposes.

Mr. MADDEN. It would not be fair to take this $125,000 that is being appropriated for investigational purposes now, much of which will be used to enable the Water Power Commission to grant licenses and get revenue and charge it against existing reclamation projects. It would not be fair to do that, and Mr. Davis so stated.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of the point of order. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For fees of jurors, fiscal year 1923, $200,000.

Mr. BURTNESS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURTNESS: Page 29, line 16, after the figures "$200,000," change the period to a colon and add the following: "*Provided*, That the allowance for jurors' fees shall hereafter be $5 per day."

Mr. MADDEN. Mr. Chairman, I make the point of order on that, or I will reserve it if the gentleman wants to speak on it.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the amendment.

Mr. BURTNESS. Mr. Chairman and gentlemen of the committee, the amendment I have offered is very plain. I desire, also, to supplement this amendment with an amendment to the next section; that is, to increase the witness fees to $3 a day.

I think most of you are aware that witnesses in Federal courts now receive the munificent compensation of $1.50 per day, and that jurors receive $3 per day. I submit to you in all frankness that as we are trying to provide funds with which the Department of Justice can properly enforce the laws of the country, we ought not to leave one of the main vulnerable places as weak as it is left in this very particular. All of you who have tried lawsuits for the Government or local subdivisions know that when you send an officer out with a subpœna and force in a witness on behalf of the Government, force him away from his home and business and bring him into court, and he finds that he is to receive a per diem of only $1.50, he is naturally sore; sore at the court, sore at the district attorney, sore at the marshal, sore at everybody connected with the court, and under such conditions the Government does not get a square deal.

Mr. MADDEN. Does the gentleman say he is sore because he gets $1.50 a day?

Mr. BLANTON. My experience is—and I have had some experience in the matter—that many of these witnesses have friends with whom they stay every time they attend court. But the jurors do not. Let a man get on the jury and the marshal takes the jury out and keeps them at a hotel, or they sometimes sleep in the courthouse—they have sleeping rooms, beds, and bedding usually provided for in the courthouse—and all they have to do is to pay for their meals.

Mr. BURTNESS. I did not yield for a speech.

Mr. BLANTON. I was giving the gentleman some facts.

Mr. BURTNESS. That might be true in some localities in Texas, but I do not think that is true as to the Federal courts in other parts of the country.

Mr. BLANTON. In the gentleman's country I suppose they put up at the Willards and the Raleighs. [Laughter.]

Mr. BURTNESS. I submit that a person who attends the courts of this great Nation ought at least to get as much as is required for living purposes during that time, and likewise those men who sit on the Federal jury.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is legislation unauthorized on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For making such changes as may be permissible under the terms of the treaty providing for the limitation of naval armament, concluded on February 6, 1922, published in Senate Document No. 126 of the Sixty-seventh Congress, second session, in the turret guns of the battleships *Florida, Utah, Arkansas, Wyoming, Pennsylvania, Arizona, Oklahoma, Nevada, New York, Texas, Mississippi, Idaho* and *New Mexico*, as will increase the range of the turret guns of such battleships, to remain available until December 31, 1924, $6,500,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph because it is legislation unauthorized on an appropriation bill, and it is new construction unauthorized

on an appropriation bill. I also call attention to the fact that it is not only unauthorized legislation on an appropriation bill but it is as well a direct violation of the treaty entered into between this Government and others in what is known as the four-power pact. I want to call attention to the parliamentary situation. In order to attempt to make this legislation in order so this appropriation could be made, the distinguished gentleman from Pennsylvania [Mr. BUTLER] brought in what is known as his omnibus legislative bill a week or ten days ago. In that bill was a legislative item carrying this particular matter. It was designed to make this particular matter in order.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KELLEY of Michigan. I think those who are charged with the responsibility of making the appropriation did not have that idea.

Mr. BLANTON. I see they did not have it.

Mr. KELLEY of Michigan. The policy of making these changes we felt should come from the Committee on Naval Affairs; not that the Committee on Appropriations did not have the authority to make the appropriation, but before the appropriation was made the policy should be determined by the House.

Mr. BLANTON. Here is the point. I do not want the two committees to go out in the dark and meet each other coming back. If this legislation is in order on this bill the other legislation sought to be enacted by the gentleman from Pennsylvania in his omnibus bill was to no purpose and unneeded; it was a reenactment of present authority of law because if we already had law for this matter, why reenact it?

Now, I want to say that I do not know what the facts are, and I can only learn from rumor, but it has been rumored that since the bill was under discussion, so mysteriously sidetracked and pigeonholed, put to sleep, that there has been word from the great Secretary of State that possibly the contention made on the floor that that provision was in violation of the treaty is correct.

Mr. BUTLER. Will my friend yield?

Mr. BLANTON. I will.

Mr. BUTLER. No; I will say to my friend that the bill has not been sidetracked; it stops by the side of the road, but we expect to start it again within 48 hours.

Mr. BLANTON. If the gentleman does not start it sooner than 48 hours he had better not start it at all.

Mr. BUTLER. I do not know where we will land, but we are doing the best we can to have the legislation completed. I am going to ask the gentleman not to make the point of order at this time, not to press it, not to ask the Chair at this time to decide it. That legislative bill may not become a law.

Mr. BLANTON. I hope it will not.

Mr. BUTLER. My friend will appreciate the statement that it is in jeopardy, but this work ought to be done.

Mr. BLANTON. I am not discussing the merits of the proposition.

Mr. BUTLER. I hope he will not press his objection here, but will allow this amendment, as I would call it, attached to this bill to go through so that it will become a law at this time. The Naval Affairs Committee unanimously recommended it.

Mr. BLANTON. My friend does not believe that expediency ought to rule the Chairman in making a decision?

Mr. BUTLER. I am going to ask the gentleman not to press his point of order, not to compel the Chairman to decide it, but allow it to pass along.

Mr. BLANTON. I do not think expediency will control the Chairman, because he is from Oregon, in the great Northwest, where men come with convictions and have the courage to stand by them.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KELLEY of Michigan. The gentleman from Texas was urging the fact that the Naval Affairs Committee brought in a legislative provision as having some bearing upon the question of this not being authorized by law.

Mr. BLANTON. If it was already authorized, why did they bring it in?

Mr. KELLEY of Michigan. That is what I am going to call to the attention of the gentleman, and I think he will see the importance of it. The Committee on Appropriations without any doubt has authority to appropriate for the repair or modification of any vessel now in the Navy to any extent.

Mr. BLANTON. But suppose the treaty says otherwise?

Mr. VINSON. It does not say so.

Mr. KELLEY of Michigan. It does not say otherwise; but leaving that out, under the rules of the House, as I say, the Committee on Appropriations has that authority. This question of assembling ships involves a considerable sum of money, and the Committee on Appropriations thought that the policy of whether the ships ought to be remodeled should be determined by the Committee on Naval Affairs first, and that is why we suggested, as some of us did, to the Navy Department, that they first submit the matter to the chairman of the Committee on Naval Affairs—not that we did not have the authority to do it.

Mr. BLANTON. I want to say just a word upon the point of order. This is not a question of expediency. I cite the Chair to the four-power pact, which I send to his desk and ask him to note the following paragraph under the heading of "replacements":

> No alterations in side armor, in caliber, number, or general type of mounting of main armament shall be permitted—

And so forth.

If the Chair will turn to that heading, he will find that there are two provisions with regard to two other countries not applicable to us.

The CHAIRMAN. The Chair would ask the gentleman from Texas whether or not it is the opinion of the gentleman in arguing this matter that this four-power treaty is now in effect?

Mr. BLANTON. I submit this, that whenever the Government of the United States through its authorized agents signs an agreement that it intends to carry out, and that agreement is being considered by the other nations of the world, and the United States in that agreement made promises with regard to not changing the present status of the naval armament, it is just as binding upon the Congress as if the treaty has been accepted by all of the parties concerned.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Indiana?

Mr. BLANTON. It is the Chair who is going to decide this matter.

The CHAIRMAN. The Chair would like to get the benefit of all discussion.

Mr. BLANTON. I would rather proceed and argue to the Chair.

Mr. KELLEY of Michigan. What is the language of the treaty?

Mr. BLANTON. That so far as the United States is concerned, the only replacement it is authorized to make is to rebuild ships that have been in use some 20 years.

Mr. KELLEY of Michigan. But this is not a replacement.

Mr. BLANTON. Under the head of replacement it says that the United States Government shall not change the mounting of its guns. That provision is specific in that respect; and what is the raising of turrets but a change in the mounting of the guns? My distinguished colleague from Michigan will admit that the purpose of this raising of the turrets is to change the range of the guns so that they will shoot farther and match other guns of other nations.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SANDERS of Indiana. I suggest to the gentleman that the paragraph to which the point of order is directed says that such changes must be made as are permissible under the terms of the treaty.

Mr. BLANTON. Suppose this treaty provided that we could not buy from the countries of South America any of their superdreadnoughts, and that then Congress attempted to enact a provision authorizing us to buy superdreadnoughts of the South American countries, but at the same time inserted a provision that we should do it in accordance with the terms of the treaty. It would be just about as ridiculous as this provision is in this bill. We are violating the terms of the treaty in one part of the paragraph, and in another breath we say that we do not intend to do what we are trying to do. It was admitted on the floor that the intention of this change, that the sole purpose of the expenditure of the $6,500,000 was to make our guns match those of our possible adversaries, and it is a violation of the treaty. I submit to the Chair that no question of expediency, however urgent or necessary it is to the interests of this country, should ever cause the United States Government to violate its solemn agreement.

Mr. HICKS. Mr. Chairman, I know we all want to live up to the spirit as well as to the substance of that great treaty formulated by the Washington Conference on Limitation of Armament. In my judgment, this provision of the bill

does not violate either the spirit or the letter of that treaty. It is especially provided in that covenant, which, by the way, has not yet been signed by France and therefore is not actually in operation, that certain alterations can be made in existing floating tonnage. These alterations must not change the side armor, the caliber, the number of guns, or general type of the mounting of the main armament. All that is proposed here is the reconstruction of these ships, as Great Britain is doing now with her fleet, as she was doing at the time of the conference, and as Japan is doing; all within the purview of the agreements. We submitted this question to the Secretary of the Navy, an executive officer who undoubtedly is in touch with the State Department authorities, as to whether or not any provisions of the treaty would be violated by these alterations, and in his judgment these alterations were not a violation of the treaty. Even though the treaties were not technically in operation because of nonratification on the part of any one of the powers, I would still be insistent in fulfilling the compact for the moral, if not the legal, obligation.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. CONNALLY of Texas. The gentleman is addressing himself to the point of order, as I understand it?

Mr. HICKS. Yes.

Mr. CONNALLY of Texas. Does it make any difference, so far as the point of order is concerned, whether this is violative of the treaty or not? Is that a question for the House?

Mr. HICKS. It is a question of fact. As the gentleman says—and that is not a parliamentary question—whether the treaty is being violated is not a question for the Chair to decide. The parliamentary situation is, Has the Appropriations Committee authority to make this appropriation? In the act of 1907, amended by the act of 1916, the law provides that when changes are made in battleships exceeding $300,000 in amount per ship the Congress will have to make an appropriation to take care of the alterations. Below that amount the Department can make the changes from current funds. It is now provided by law that Congress by appropriating the money can give to the Secretary of the Navy the right to make changes in any of these ships over $300,000 in extent. No new authority is necessary. The authorization is a continuing one, and the funds are dependent upon the voting of the supply. These ships are now in commission, they have been built under legal authorization, and this sum is to make changes. It is not for new ship construction. I doubt if anyone would question the right of Congress to provide funds for placing a new mast or a new deckhouse on a ship without getting any additional legislative authority. This provision merely makes changes of a similar nature.

Mr. OLIVER. Will the gentleman yield?

Mr. HICKS. I will.

Mr. OLIVER. The position taken by the gentleman from Texas would, under different circumstances, be correct; but in view of the language of the provision in question the gentleman's position is unsound, for the reason that by express language this provision assumes that the treaty is in force and will continue in force, and that nothing herein shall be construed as in any way violating the treaty. The position of the gentleman is that we can repeal a treaty, but since the treaty has been ratified by this Government, and since this provision recognizes the treaty to be now in force, expressly disavowing any intention to violate the terms of the treaty, I submit that the question whether this provision is in contravention of the treaty is germane to the point of order. I do not wish to be understood as arguing that the provision is contrary to the treaty, but I do insist that the question as to whether it is should be considered by the Chair in passing on the point of order.

Mr. HICKS. Mr. Chairman, in conclusion, the limitation placed by Congress upon the amount of money which the Navy Department can expend upon battleship reconstruction is a limitation on the department and not a limitation on the Congress. Congress can appropriate any amount of money for the continuation of a public work authorized and in progress, and that is all we are doing here. We are continuing the construction of a great public work, and we can appropriate any sum we choose without legislation, for the authority once given and the work started continues indefinitely. Under the many precedents, universally sustained, making in order appropriations for authorized public work in progress, I hold the point of order should be overruled.

Mr. HUSTED. Mr. Chairman, of course this point of order is not worthy of serious consideration or extended discussion. All of these battleships enumerated in this paragraph were authorized by law. If you can not raise the turret of a battleship, you can not put a patch on the boiler of a battleship without specific legislative authority. That is perfectly clear and self-evident. The other point, that it is violative of the treaty, raises a question of fact with which the Chair has no concern. Under the express language of the paragraph the money can not be expended to violate the treaty. The Chair is not there for the purpose of passing upon a question of fact. It is sufficient if the appropriation is authorized under the language used. As a matter of fact it does not violate the treaty; it is clearly within the treaty. There is only one possible provision of the treaty which could be connected up with it, and that is the provision of the treaty which says you can not change the character of your gun mounting. This does not change the character of any gun mounting but is simply a question of the elevation of the turrets.

Mr. GREEN of Iowa. The words in the treaty, as I recall them, are that the general shape of gun mounting, and so forth.

Mr. HUSTED. This does not change any shape of gun mounting; it simply provides for the elevation, and a point of order will not lie against it.

Mr. TILSON. Mr. Chairman, just a word. It is a simple point of order. It is a well-settled rule that an appropriation can be made for the continuing of a public work. Specifying that an appropriation can be used even for the construction of new vessels as the continuation of a public work——

Mr. BUTLER. Oh, no; that is clearly out of order.

Mr. TILSON. Let me finish the statement and read from the Manual.

Mr. BUTLER. I do not agree, I do not care what the gentleman reads. It has always been that you can not.

Mr. TILSON. I read from the Manual:

> By a broad construction of the rule an appropriation for a new and not otherwise authorized vessel of the Navy is held to be for continuance of a public work.

The CHAIRMAN. Read it again; the Chair did not hear it.

Mr. BUTLER. Mr. Chairman, the rule of the House itself provides that the Committee on Naval Affairs shall originate these new ships, notwithstanding what the gentleman read there. Read the rules that passed over three years ago.

The CHAIRMAN. The gentleman will read it again.

Mr. TILSON. I was attempting, Mr. Chairman, to bring the matter up to date, if the gentleman will permit me.

Mr. BUTLER. I am doing that, and if the gentleman will kindly read——

Mr. TILSON. It is a well-established rule of this House that Congress can appropriate for the continuation of a public work. It has been held by a broad construction, as I have read, that Congress can appropriate for a new vessel not authorized by law, and I was simply trying to read what the precedents show with reference to that statement.

The later changes in the rules, referred to by the gentleman from Pennsylvania, do not change this particular case, because it is not for the construction of a new vessel. It is for putting something upon a vessel that now exists that has been authorized by law. If it is authorized by law, then the only other point that can be made is that it is in violation of the treaty, for a treaty when duly ratified is the law of the land. That, however, is not possible under this paragraph, because it is specified in the paragraph itself that this appropriation is to be expended "for making such changes as may be permissible under the terms of the treaty," which eliminates all possibility of violating the treaty. Therefore it seems to me that under the well-established rules of the House this paragraph is in order.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. TILSON. Yes.

Mr. BANKHEAD. The gentleman from Connecticut is usually very clear in his deduction on these rules. I doubt very much whether he is on sound ground when he says that the matter of ordnance or mechanism of a ship is a continuing of an existing public work. Now, by parity of reasoning a bill brought in increasing the number and amount of ordnance in the United States would be a continuation of a public work.

Mr. TILSON. That is not a parallel case.

Mr. BANKHEAD. Another thing, in what case is this a deficiency?

Mr. MADDEN. This does not contemplate an improvement of the machinery or an enlargement of the guns.

Mr. WINGO. Mr. Chairman, I wish to direct the attention of the Chair to two propositions that have been laid down by gentlemen who have discussed this point of order.

One of them is that the Chair is not called upon, in considering a point of order, to pass upon a question of fact. That is all he is called upon to do, more frequently than anything else. That fact is this: Does the proposed legislation fall because it is not authorized by existing law? If it is contrary to existing law, it is not authorized by existing law. So that it is a question of fact whether or not it is authorized. If it is inhibited by existing law, of course it is not authorized.

Another point I wish to direct the attention of the Chair to is this: It is an ingenious argument that has been suggested, that Congress may get around a point of order and violate a law by making a stump speech in the beginning of what it attempts to do. Taking up this broad proposition, let us assume that it has merit. It does say in the beginning of this paragraph, "If permissible under the terms of the treaty providing for naval disarmament." In other words the amendment says, "We want to do certain things as far as we can without violating that treaty, which is the supreme law of the land." So far as the United States is concerned, it is the law of the land at this moment. Suppose, instead of changing these turrets, making a change which is proper, I think, in view of what England is doing——

Mr. MADDEN. It does not change the turrets.

Mr. WINGO. Suppose it provided for the completion of the battleships that were ordered to be scrapped.

Mr. MADDEN. That would be a violation of the treaty.

Mr. WINGO. Suppose it provided that. Would that language in lines 21 and 22 keep it in order simply because at the beginning you made a stump speech protesting that the act you were going to commit, although criminal, is not intended to be a criminal act?

That is a specious argument with gentlemen who try to avoid the real issue. Aside from what the question of intent is, the real point is a question of fact. Does the thing that the act requires violate the law? If the Chair is going to base his decision on anything, I want him to base it on another expression or another fact than that suggested—that because the committee says, "We do not intend to violate the law or the treaty," they may violate it and do violate it. That would get the Chair into trouble if he undertook to base his decision on that. If the Chair thinks that the change proposed does not violate the treaty, then it would be perfectly in order. This is an expert question.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. TILSON. Does the gentleman think that if we proceeded to provide for something that was not prohibited by the treaty the executive department would be justified under this paragraph to go on and violate the treaty, and hold that we say they can do only such things as are permissible under the treaty?

Mr. WINGO. The gentleman is thinking of what the Executive would be justified in doing. I think the Executive would be justified in taking the conclusion of Congress on a question that is within the jurisdiction of Congress. If it were a close question of fact, I think it would be the duty of the Executive department to say, "This is a disputed question; this is a question that is doubtful; but the legislative body, which is familiar with all the facts, which may repeal the treaty if it wants to, has said that this work may be done; that in its judgment it is not a violation of the treaty." There is a twilight zone there, where it is doubtful if you live up to the spirit and letter of the law. I am not a naval expert.

There are two things I wanted to call attention to. One is that it is a question for the Chair to decide, and the other is that the language as used in the amendment does not alter that fact.

Mr. BLANTON. If there is any doubt in the matter, does not the gentleman from Arkansas think we ought to resolve the doubt in favor of the treaty?

Mr. WINGO. No; if there is doubt I would say we should resolve it in favor of the Navy of the United States [applause], because I think England is doing the very same thing. If this is a violation of the treaty, and if England is doing this, she can not complain that we are doing the same thing that she is doing; and I understand Japan is doing the same thing. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman, I agree with the gentleman from Arkansas that if this in any way violated the treaty we ought not to put it in the bill. But there can be no question, in my judgment, upon the facts surrounding the case. The treaty provides that there shall be no modification in the general type of the mountings of the guns. The proof that those who drafted the treaty did not have this sort of thing in mind at the very moment that the treaty was being negotiated is found in the fact that the other nations which are parties to the treaty had already increased the range of their guns in this same way at that time and, we are informed, have been doing it since. So that would have an important bearing, it seems to me, upon what those who negotiated the treaty had in mind.

Now as to the other question, whether the Committee on Appropriations might properly report this appropriation, there is a provision of law to the effect that the Secretary of the Navy can not expend more than $300,000 in the repair of a ship in any one year without a special appropriation by Congress. He has funds aggregating in the neighborhood of $50,000,000 at his disposal for the repair of vessels—$20,000,000 in the Bureau of Construction and Repair, $20,000,000 in the Bureau of Engineering, and about $10,000,000 in the Bureau of Ordnance, making about $50,000,000 altogether. Out of these funds he can not spend more than $300,000 on any one ship. To spend more than that Congress must make a specific appropriation, and that is what is proposed here—to make a specific appropriation for the repair of vessels already in the Navy. We can appropriate for an expenditure of $1,000,000, if we should see fit, upon any ship in the Navy without violating the rules.

Mr. TEMPLE. Mr. Chairman, there is no doubt that Congress wishes to observe the spirit and the letter of the treaty that was negotiated at the Washington conference a little more than a year ago. We have refrained from construction of battleships; we have observed the very letter as well as the spirit of the treaty, and we shall continue to do so, not because the treaty is the law of the land but because we hope and expect that it will yet become so.

A point of order is a technical matter, and must be answered in the spirit in which it is made. We are not now subject to the terms of that treaty, for it has not become law. A treaty does not go into effect until ratifications of the various parties to the treaty have been exchanged and the President puts it into effect by proclamation. We speak of the ratification of the treaty by the Senate. That is not technically correct. The Senate does not ratify a treaty. The Senate consents to the ratification and advises the President to ratify it. The ratification is purely an executive act by the President.

Great Britain, Japan, and the United States have ratified in the popular sense, but the ratifications have not been exchanged.

France has not considered it yet by the authority that advises ratification, and it is not probable that the treaty will become actual law anywhere until ratifications by all the parties have been exchanged. Nevertheless we, very properly, have been acting as if it were the law of the land. We have been acting in the utmost good faith because we do expect it will be the law of the land, and we are not doing anything to make its acceptance more difficult for any of the governments concerned.

Mr. CARTER. Will the gentleman yield?

Mr. TEMPLE. Certainly.

Mr. CARTER. We have not been doing it as a legal obligation but as a moral obligation.

Mr. TEMPLE. Yes; we expect the treaty will become a law of the land and we do not want to do anything to violate the spirit of it in the meantime.

Mr. BLANTON. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. BLANTON. Suppose by reason of the fact that the treaty has not been ratified, Congress should start a new program of spending $500,000,000 this year, does the gentleman think that France would ever consider ratification at all?

Mr. TEMPLE. That would be a good argument against the passage of the law; it would be a good argument against the policy, wisdom, and morality of such an act by this Congress, but of no force whatever toward sustaining a point of order, because the treaty has never gone into effect.

Mr. MACLAFFERTY. Mr. Chairman, in support of the statement that has just been made that the treaty is not in effect, I think more than one Member of this House has noticed in the last few days that the Secretary of the Navy has instructed that the work of the destruction of certain ships, which was contemplated by the treaty, be stopped. It seems to me that that proves absolutely that the treaty is not yet considered to be in force. Furthermore, as my colleague has just stated, we know that the treaty is not in force and I am going to express the hope, Mr. Chairman, that there is not a Member of this House that will try to put any technicalities in the way of the consideration of this part of the bill against which objection has been made. For if it is prevented it means that many of our battleships going into action must pass through 11,000 yards of enemy gunfire before one of our

guns can register; and the boys on those battleships will be from Texas as well as from California.

Mr. TOWNER. Mr. Chairman, I think gentlemen who are anticipating that we may violate the treaty can rest assured that that is not the case, because by the very terms of this paragraph we say that we will not do it and not attempt to do it. But, Mr. Chairman, let me call your attention to the fact that the question whether or not it is a violation of the treaty is not a question for the Chair to decide. The only question for the Chair is, Is there any law for making the appropriations? The whole question as I see it, Mr. Chairman, was well stated by the gentleman from Michigan, and some others as well, and it lies in this particular fact. This is not the construction of a ship. It must be considered as a change in the existing condition of the ship for some particular purpose. That being true, what is the authority? More than $300,000 can not be expended for such purpose except by a specific appropriation for a particular purpose stated by Congress. That is what is now being done. What could you ask further than that Congress should state specifically the purpose for which the appropriation is being made? Affirmatively the law might be stated that Congress may make additional appropriations over $300,000 for a definitely stated specific purpose. It seems to me that answers all objections that can be made.

Mr. BLANTON. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. BLANTON. In line with what my friend from California said, that we have given up all hopes of the treaty being ratified——

Mr. MACLAFFERTY. The gentleman is mistaken. I did not say that.

Mr. BLANTON. Well, I call attention to the very next paragraph, where we begin scrapping ships and provide $20,000,000.

Mr. TOWNER. Mr. Chairman, if the gentleman desires to know what I think about it, even if the treaty at this time should not be ratified by France, I would be in favor of the United States carrying out to the letter its contract with regard to the scrapping of ships and limiting construction, because I know that eventually the treaty will be ratified.

Mr. BLANTON. Then, for God's sake, let us save this $6,500,000.

The CHAIRMAN. The Chair is ready to rule. Reference has been made in this discussion to the treaty negotiated at the Conference on the Limitation of Armament held in Washington during the winter of 1921–22, and while the treaty is not the all-prevailing consideration in the determination of the point of order made by the gentleman from Texas [Mr. BLANTON], it must be said that there is and ought to be a moral obligation upon the part of the Government to conform to the spirit of the treaty, even though it has not been ratified by all of the parties signatory thereto. Irrespective of this, the paragraph in question contains the words:

For making such changes as may be permissible under the terms of the treaty.

In view of this language, the Chair thinks the question raised relative to the treaty can very effectively be disposed of without any further consideration, because it is not possible to put the money to any purpose other than a purpose that comes within the purview of the treaty.

The proposition relative to the guns on these ships in question is one of the general type of mounting and not of the range, according to the provisions of the treaty, and so the Chair is of opinion that that feature of the point of order is not worthy of further consideration.

The provision relative to the status of these ships that are specifically enumerated at the bottom of page 32 and at the top of page 33 is, however, to be determined by the Chair's ruling. It is quite apparent, in view of a well-established line of decisions and precedents, that alterations and repairs may be made to battleships and other naval craft when they come within the purview of the rule authorizing Congress, through the Appropriations Committee, without specific additional legislative authority, to provide for funds for the continuation of a public work in progress. In the Fifty-ninth Congress a naval appropriation bill provided as follows:

Provided further, That the Secretary of the Navy shall hereafter report to Congress at the commencement of each regular session the number of vessels and their names upon which any repairs or changes are proposed, and which in any case amount to more than $200,000.

This sum was subsequently changed to $300,000 by another naval appropriation bill, but there is nothing in this language that compels the Secretary of the Navy to seek additional specific legislative authority for this situation. He must merely report to Congress, so that Congress may consider the amounts. Irrespective of that, the Secretary of the Navy, in view of a subsequent law, a recent law, does not make his report to Congress but makes it to the Bureau of the Budget, which in turn reports to Congress. This item has been submitted to Congress in the manner provided by law. It is quite clear to the Chair that all of this money proposed here in line 4 of page 33 is for the continuation of an existing public work, and therefore comes within the purview of the rule. The point of order raised by the gentleman from Texas is overruled.

Mr. SEARS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SEARS. As I understand the ruling of the Chair, under the treaty we scrap modern ships and those in course of construction, but we are trying to make modern ships out of——

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. DALLINGER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DALLINGER: Page 33, line 4, after the figures "$6,500,000," strike out the period and add the following: "*Provided*, That no part of the moneys appropriated in this paragraph shall be used or expended for making such changes in private establishments or for the purchase or acquirement of any article or articles that at the time of the proposed changes, purchase, or acquirement can be made, manufactured, or produced in each or any of the Government navy yards of the United States, if time and facilities permit, for a sum less than they can be made, purchased, or acquired otherwise."

Mr. MADDEN. Mr. Chairman, I make the point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order.

Mr. DALLINGER. Mr. Chairman, this is a limitation that has been repeatedly held in order on appropriation bills. It is on the naval appropriation bill that became a law this year, which came from the gentleman's committee, and was offered the other day in the Committee of the Whole House when the naval omnibus bill was considered and adopted by the committee. It was ruled by the chairman to be in order.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is clearly legislation on an appropriation bill, unauthorized by law; that it takes away from the executive that discretion which is authorized to be used by every executive in the performance of his duties. It is not a limitation that effects economy, but, on the contrary, it may cost a great deal of money. I understand, as a matter of fact on the question of economy, the question of bringing it within the Holman rule, that on one order which the Government was required to place in our own arsenals, and in another instance in our navy yards, the Government lost quite a large sum of money.

Mr. HICKS. Mr. Chairman, in line with the contention of the gentleman from Texas [Mr. BLANTON], I wish to say that there is a long line of precedents which hold that wherever there is a provision in a bill which compels an executive officer to do certain duties, which he is not compelled to do by law previously passed, it is subject to a point of order on the ground of legislation on an appropriation bill. I claim that under this amendment offered by the gentleman from Massachusetts [Mr. DALLINGER], while I may be in sympathy with its purpose, it provides that to ascertain these things the Secretary of the Navy must do certain things. He must base his action on knowledge obtained, and this requires action and the imposition of new functions and new duties. Therefore, as it imposes upon him certain duties that the law does not now impose upon him, according to precedents I think the Chair will have to sustain the point of order.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. DOWELL. Does not the amendment limit the matter to the question of the expenditure of the money for repairs under this appropriation?

Mr. HICKS. No; I think that the gentleman will find that the Secretary of the Navy or some competent authority will have to ascertain certain facts in regard to the expense of materials in one place or in another place, and that is an imposition of new duties, new activities. It is not a limitation on the funds themselves; it goes to executive functions and is therefore obnoxious to the rule.

Mr. DOWELL. That is a question for the Secretary to determine; that is a question of fact. If the fact is to be ascertained——

Mr. HICKS. Who is to ascertain the fact?

Mr. DOWELL. It does not make any difference. As a matter of fact, it is a limitation upon an expenditure, and it is in order.

Mr. BLANTON. Is this the Hull amendment?

The CHAIRMAN. The Chair is ready to rule. This is clearly a limitation as to an executive discretion and not a

limitation as to an expenditure in the interest of economy. It does not come within the purview of the rule, and the point of order is sustained.

Mr. DALLINGER. Do I understand the Chair holds when it says it must be done outside when it can be done cheaper than in a navy yard——

SEVERAL MEMBERS. Regular order.

The CHAIRMAN. The Chair has ruled on the matter.

Mr. BUTLER. I have an amendment to offer.

The CHAIRMAN. The Chair has recognized the gentleman from Iowa [Mr. GREEN]. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 33, after line 4, insert "the limit of cost of the vessels heretofore authorized and hereinbelow enumerated are increased as follows: Battleship *Colorado*, from $17,000,000 to $17,600,000; scout cruisers *Nos. 9* and *10*, from $8,250,000 to $8,400,000; destroyer tender *No. 3*, from $3,400,000 to $4,500,000."

Mr. BLANTON. Mr. Chairman, I make the point of order it is legislation unauthorized on an appropriation bill, and it is new construction——

Mr. BUTLER. If the gentleman will give me a chance——

Mr. BLANTON. I will in just a moment, and I will reserve it—and that it is also for new construction unauthorized on an appropriation bill. Now I reserve the point of order so that the gentleman may speak.

Mr. BUTLER. I am going to ask the gentleman to withdraw the point. He is entirely right, it is subject to the point of order. It is the same provision we passed the other day, and it is in accordance with the statement I made to my friend a bit ago.

Mr. BLANTON. I am thinking about the people down home.

Mr. VINSON. If the gentleman is thinking about the people down home, he will withdraw it.

Mr. HICKS. Why not think about the Nation a little bit?

Mr. BLANTON. I got an expression from them last summer.

Mr. BUTLER. There is no doubt it is violative of the rules of the House; the gentleman is entirely right.

Mr. BLANTON. If it was for the gentleman personally, I would withdraw it; but I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

I just wish to say a word in reference to this $6,500,000 appropriation. It may be justified and may not be. We have never received very definite information about it. Admiral McVay and Assistant Secretary Roosevelt told the committee they would furnish some further information as to what changes had been made on the English ships. That information was not furnished. I have examined the British estimates for the current fiscal year and I have been unable to find any appropriation carried in them for the purpose of increasing the range of the guns. Of course, that does not positively show that some of those items do not cover this particular work, because the British estimate is not carried out with the definiteness that our estimates are. But I want to say this to the House, that I shall await with considerable interest operations under this particular expenditure of $6,500,000. We will have five ships with guns having the extreme range or elevation when the two that are to be completed this summer have been finished. It is proposed to raise the range of the guns of the other ships from about 21,000 or 22,000 yards to 32,000 yards. Nothing ever was hit at a distance above 20,000 yards in a naval battle. The battle off the west coast of South America was fought under ranges of from 8,000 to 15,000 yards, and of course no big guns were engaged. The battle off the Falkland Islands had a range of from 8,000 to 15,000 yards, and the records do not show there were any hits made at the extreme range. The Battle of Jutland was at a range of from 8,000 to 19,000 yards; most of it at a range of from 8,000 to 14,000 yards. A naval statistician has made computations in reference to the number of hits registered, and they found that the big guns made a hit about once in three hours.

Mr. MACLAFFERTY. That is enough.

Mr. GREEN of Iowa. But it was at ranges of from 8,000 to 14,000 most of the time. The main battle was fought at about 10,000 yards. Now, the elevation of the guns will have to be greatly changed. Just what is the elevation of the guns on our older ships I do not know. Our later ships have an elevation of, I think, 30 degrees, and the later British ships must have an elevation about the same, and a range of probably 32,000 yards, but when you shoot at such extreme ranges and the object is unseen it greatly diminishes the chance for hitting anything. It is very difficult to hit anything because of the high angle which the shell takes in falling. I want to say that even in battle practice, and in battle practice they are much more apt to hit than in actual battle, I have doubt of their being able to hit a moving target at 32,000 yards. That is 18 miles, and beyond the range of vision from the ship doing the firing. Of course, gentlemen say, or rather the naval experts say, that they will use airplanes to locate the enemy and spotting the shots as they strike the water. In this way they claim they will be able to make hits. I doubt it very much. On the other hand, I will admit that if one of these big shells fired at a high angle should strike the deck of an enemy's ship it would practically put it out of commission.

There seems to be a singular lack of information in the hearings about what they expected to do. The Naval Committee was not told what the elevation of most of the guns is now on the British ships. It was stated that the elevation of the guns on some of our ships was only 15 degrees. I think that is true with respect to some of them.

Mr. HICKS. The elevation on most of the British ships is 33.

Mr. GREEN of Iowa. I think not. They are listed as 30 degrees on the later ships.

Mr. HICKS. I thought the gentleman said the Naval Committee did not know.

Mr. GREEN of Iowa. I do not know how it can when they claim that alterations are being made on them. The later British ships may be provided with 33 degrees elevation, but there is nothing in the hearings about that.

Mr. HICKS. We had a great deal of confidential information before our committee in our hearings which we did not publish.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Iowa asks for two minutes more. Is there objection?

There was no objection.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. OLIVER. Supplementing what the gentleman from New York [Mr. HICKS] has said, if the gentleman from Iowa will go to the Navy Department and make inquiry as to the effective ranges, he will find that the information he has given to the House, that 18,000 yards or 19,000 yards is the maximum range, is entirely erroneous.

Mr. GREEN of Iowa. I did not state that.

Mr. OLIVER. That is the inference to be drawn from what the gentleman said. He will find that if this is done it will prove very effective.

Mr. GREEN of Iowa. What I said was that no hits had ever been made in battle at ranges between 22,000 and 32,000 yards. The gentleman should not think that I have not investigated this matter. The fact is I have investigated it very carefully, and as a result I doubt the wisdom of spending money on the old ships for this purpose.

Mr. MACLAFFERTY. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MACLAFFERTY. We hear continually about the British ships. Have you heard anything about the Japanese ships?

Mr. GREEN of Iowa. No; but only a few of them have got big guns, and only one of them is of recent construction.

Now, just a few words with reference to our Navy in comparison with the British. We have 10 ships larger than any the British have, with one exception, and that is the *Hood*, a 41,200-ton ship. Our ships, fewer in number than the British ships, will have a heavier broadside and carry heavier armor, even including the British ships that can not be finished until 1925. We are in no danger from the British Navy, even if some one was guilty of such criminal folly or insanity, whichever you may term it, of committing an act which brought on war between England and the United States.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Scrapping of naval vessels: The Secretary of the Navy may use, pursuant to the provisions of the act approved July 1, 1922, entitled "An act authorizing the President to scrap certain vessels in conformity with the provisions of the treaty limiting naval armament, and for other purposes," the unexpended balance on the date of approval of this act under the appropriation heretofore made on account of scrapping of naval vessels, together with the sum of $12,500,000, which is hereby appropriated, for necessary expenses in connection with the care and preservation of vessels whose construction has been or shall be suspended or discontinued on account of the treaty limiting naval armament, and for expenses of handling, preserving, and inventorying material on hand or in course of fabrication for said vessels, and toward payment of bills for material already completed for said vessels and toward payment of any amounts payable as a result of the modification or cancellation of contracts and purchase orders on account of said vessels, their

machinery, materials, and equipment, and for reimbursement to contractors of carrying charges heretofore or hereinafter approved by the Secretary of the Navy, to cover additional expenses resulting from the deferring of deliveries or payments under said contracts and purchase orders, and for reimbursement to contractors for work done and for such portion of running and overhead expenses and other indirect charges as may be approved by the Secretary of the Navy on account of contracts under which settlement is deferred on account of the treaty limiting naval armament, and a further sum of $8,450,000 is hereby appropriated for the payment of any amounts payable as a result of the modification or cancellation of contracts and orders, including incidental expenses, for the armament, armor, ammunition, and ordnance outfits (including material required in connection therewith) of vessels whose construction has been or shall be suspended or discontinued on account of the treaty limiting naval armament, and for settlement of contracts and orders for material for destroyer-type torpedoes in excess of requirements for the number of such torpedoes that may be completed under the provisions of the naval appropriation act approved July 1, 1922; in all, $20,950,000, to remain available until June 30, 1924.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MADDEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 33, line 17, after the comma and the word "preserving," insert "transporting"; and on page 33, line 24, in lieu of the word "hereinafter," insert "hereafter."

The CHAIRMAN. The Chair would suggest also, in line 14, of page 34, the word "on" should be changed to the word "or." Does the gentleman from Illinois desire to include that in his amendment?

Mr. MADDEN. Yes.

The CHAIRMAN. The question is on the amendment offered and modified.

Mr. STAFFORD. Mr. Chairman, reserving a point of order, I wish first to inquire of the chairman of the committee how much of this total fund is going to be paid to the contracting shipbuilding concerns for reimbursement by reason of carrying charges?

Mr. MADDEN. None for carrying charges.

Mr. STAFFORD. You have an item here at the bottom of page 33 "for reimbursement to contractors of carrying charges heretofore or hereinafter approved by the Secretary of the Navy."

Mr. MADDEN. Let me explain it in this way: The work of constructing the ships was discontinued on August 1 last. Since that time no work has been done on the ships. All the overhead charges have been discontinued, and about $1,250,000 overhead charges have been saved as a result of stopping work at that time. About $2,500,000, as I recall, will be saved as the result of the action taken in stopping the work on August 1. Overhead charges, of course, there are, because the ships are on the docks. These docks belong to the private owners. The ships are occupying the space. We must pay rent for the space or take the ships out, and we must pay more or less of the total charge of the construction on account of the space these ships occupy.

Mr. STAFFORD. Has the gentleman information about the total charges against the Government by reason of the deferring of the work?

Mr. MADDEN. Three million one hundred thousand dollars will be charged for overhead out of this appropriation; $8,450,000 of this appropriation is to be paid for work already done on ordnance contracts. That includes all finished material for ordnance and all partially finished material; but no charge is included in the $8,450,000 for prospective profits. This settles everything in connection with ordnance.

Now, there has been no settlement made on hulls and machinery, and no settlement will be made for the time being, until we know whether France will ratify the treaty or not. What has been done is to stop the expense. The hull and machinery contracts still exist, in connection with which we are paying for the rent of the yards and such overhead as I have described.

Mr. STAFFORD. Are we to understand that the total claimed by reason of the deferred work will be $3,100,000?

Mr. MADDEN. That is for overhead; nobody knows when they will cancel the contracts for hulls and machinery. If the contracts are not canceled we will be in a position to go ahead without the expenditure of any money for preliminary work, and we will have saved by the conservation of their contracts the difference between the amount we are paying now and the value of the contract, including the overhead which we would have to pay under conditions which now prevail.

Mr. STAFFORD. The $3,100,000 of adjudicated claims have been settled through the Navy Department adjuster?

Mr. MADDEN. Yes.

Mr. STAFFORD. And the further claims——

Mr. MADDEN. The further claims—we do not know how much they will be, because we do not know how soon we will have to scrap the ships or proceed with their construction.

Mr. OLIVER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. OLIVER. Can the gentleman estimate the approximate loss sustained by the Government by reason of the delay in ratification?

Mr. MADDEN. No. That is pretty hard to tell. In fact, no one can tell.

Mr. OLIVER. But there is a loss, and it may continue.

Mr. STAFFORD. It may amount to more than $10,000,000 and possibly to $20,000,000.

Mr. MADDEN. It depends upon the time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For temporary and auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices, and temporary and auxiliary clerk hire at summer and winter resort post offices, fiscal year 1923, $1,250,000.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word in order to make a statement and ask the gentleman from Illinois a question. I notice this paragraph appropriates one million and a quarter dollars for the auxiliary force of the postmasters. I have received information to the effect that in my own home city of Fort Worth, Tex., the postal receipts for January, 1923, were 58 per cent in excess of the receipts for the corresponding month in 1922. And thus far in February the increase has been even greater. In spite of this very remarkable increase in receipts a reduction of 35 men has been authorized in the force. I understand that these men come from the auxiliary force provided for in this paragraph. I would like to make the inquiry of the chairman of the committee if a million and a quarter dollars, as provided here, represents the full amount requested by the department and authorized by the Bureau of the Budget?

Mr. MADDEN. It does. They have everything they need.

Mr. LANHAM. The gentleman thinks that this will be adequate?

Mr. MADDEN. Yes. We did not want to take any chances in crippling such sections as the gentleman represents.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Railway Mail Service: For 15 division superintendents, 15 assistant division superintendents, etc., including the same objects specified under this head in the Post Office Department appropriation act for the fiscal year 1923, $1,000,000.

Mr. ROUSE. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Illinois the necessity for this appropriation, a million dollars for Railway Mail Service.

Mr. MADDEN. The situation in respect to that is this: The appropriation made for 1923 was inadequate in the first instance. The Second Assistant Postmaster General tried in every way to keep within the amount of the appropriations. There were 305 less clerks on the active roll than there were at the beginning of the fiscal year.

Mr. ROUSE. This is for the division superintendent and the assistant division superintendent; it does not provide for the salary of clerks.

Mr. MADDEN. Yes; it does. This is the language of the act, but we are eliminating some language so as not to take up too much space. There were 305 less clerks in January than there were at the beginning at the fiscal year. The railroad strike put every train behind for months, and some men would have as much as five or six hours' overtime, and all men on all trains on the principal roads had overtime, and the testimony before us showed that the cost of the department as the result of the strike for overtime was about $1,500,000. We gave them $1,000,000 to try to make up; they said they did not have the money to pay during the month of June.

Mr. ROUSE. Mr. Chairman, I withdraw my pro forma amendment.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent to again offer the amendment and have it inserted at the proper place.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to offer an amendment and have it inserted at the proper place. Is there objection?

Mr. STAFFORD. Let it first be reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 33, after line 4, insert: "The limits of cost of the vessels heretofore authorized and herein below enumerated are increased, as follows: Battleship *Colorado*, from $17,000,000 to $17,600,000; scout cruisers *Nos. 9* and *10*, from $8,250,000 to $8,400,000 each; and destroyer tender *No. 3*, from $3,400,000 to $4,500,000."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL.

Vehicle service: For additional amount required for vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of, screen-wagon and city delivery and collection services, fiscal year 1923, $500,000.

The Clerk read as follows:

MIXED CLAIMS COMMISSION, UNITED STATES AND GERMANY.

For the expenses of determining the amounts of claims against Germany by the Mixed Claims Commission established under the agreement concluded between the United States and Germany on August 10, 1922, for the determination of the amount to be paid by Germany in satisfaction of the official obligations of Germany under the treaty concluded between the Governments of the United States and Germany on August 25, 1921, including the expenses which under the terms of such agreement of August 10, 1922, are chargeable in part to the United States, and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of claims and the presentation thereof before said mixed commission, including salaries of an agent and necessary counsel and other assistants and employees, rent in the District of Columbia, printing and binding, contingent expenses, traveling and subsistence expenses, and such other expenses in the United States and elsewhere as the President may deem proper, fiscal year 1924, $222,300.

Mr. BANKHEAD. Mr. Chairman, I reserve the point of order against the proposition in order to get some information from the chairman of the committee.

Mr. MADDEN. I shall be very glad to give the gentleman any information I can.

Mr. BANKHEAD. There was some indirect reference to the activities of this Mixed Claims Commission in the discussion of the bill, which was under consideration a few days ago, respecting the property of German nationals. I understand that this commission were set up without any legislation by Congress, but directly under the provisions of the treaty and the agreement made between the United States and Germany. That is the fact, is it not?

Mr. MADDEN. Yes.

Mr. BANKHEAD. There has been no supporting legislation for the Congress of the United States affecting this subject?

Mr. MADDEN. No; this was under the treaty ratified by the Senate.

Mr. BANKHEAD. And this is the only appropriation that has been made?

Mr. MADDEN. No; this is the second one.

Mr. BANKHEAD. How much was the amount of the original appropriation?

Mr. MADDEN. One hundred and eighty thousand dollars.

Mr. BANKHEAD. And now you are providing an additional $220,000 and odd?

Mr. MADDEN. Yes; and it will go on for several years.

Mr. BANKHEAD. I should like to have some explanation of the general scope of this work.

Mr. MADDEN. I should be very glad to give it to the gentleman. The President of the United States entered into an agreement with Germany by which a Mixed Claims Commission was appointed to consider claims of American citizens against Germany and German nationals. This commission was appointed—one by the German Government, one by the President of the United States, and the umpire, who is former Justice Day, was appointed by the President of the United States.

In addition to the two commissioners and the umpire, Germany has an agent, or what I would call a general counsel in the ordinary term, and the United States has also an agent or general counsel. There are a number of other attorneys. Applications for allowance of claims of American citizens have been filed with the Secretary of State and they have been referred to this commission. This commission began to sit here last fall. Ten thousand claims have been filed so far. The American agent who was before the Committee on Appropriations said that the claims filed would aggregate over a billion dollars. Some of these claims are questionable. Others, he said, there was no doubt about. We inquired then to see what progress they were making. He said they were dividing these claims into different categories, and out of each category they will take a typical case. They will then get a body of law laid down upon which they may be able to base future settlements on similar cases. While all of the facts and all of the law may not be exact in respect to the settlement of particular cases, they will try to lay down general principles by which the commission can be guided as to the cases in each category. They have made up a number of cases and have submitted them to the court. They have argued some of these cases, the evidence is all in, and they expect to have decisions handed down in three or four or five typical cases within a very short time. In answer to a question which I asked, they said that they thought that they would be able to dispose of about 5,000 cases a year, assuming that the commission sat every day; but, taking out the period for vacation of the commission, I concluded that even if they worked very assiduously they would not be able to dispose of more than 3,500 cases a year. If there are 10,000 cases and they can dispose of 3,500 a year, they could clean this matter up in about three years, but gentlemen here will recall that the Spanish Claims Commission sat for nine years on a very small amount of claims, and nobody knows how long it will take this commission to dispose of the business before it.

Mr. BANKHEAD. I thank the gentleman for that statement, and I want to ask him one or two other questions. Was the gentleman entirely accurate when he made the statement that this commission under this agreement was to determine the obligations of Germany and of the nationals of Germany?

Mr. MADDEN. I may have been mistaken about that.

Mr. BANKHEAD. The bill provides, and I think the treaty also provided, that this commission should investigate only the claims of our Government against the Government of Germany.

Mr. MADDEN. I guess the gentleman is right about that.

Mr. BANKHEAD. Does this commission sit in the United States or hold sessions abroad?

Mr. MADDEN. They are sitting here in Washington, and they say that they may be compelled to go to Germany at some future time, because of the difficulty of the German agents in being able to get the information on all cases.

Mr. BANKHEAD. Is there any limitation put on the salaries of these numerous attorneys and agents?

Mr. MADDEN. Yes.

Mr. BANKHEAD. By what limitations are those salaries fixed?

Mr. MADDEN. By the amount of appropriation.

Mr. BANKHEAD. There is no limitation, of course, in the treaty to fix them, and we have passed no legislation that is of law. As I understand it, the gentleman is making a lump-sum appropriation here?

Mr. MADDEN. But we have a list of salaries fixed beyond which they can not go.

Mr. BANKHEAD. Where are they fixed?

Mr. MADDEN. They are not in the law, but they are adhering to it, and it will show in the hearings just exactly what they are.

Mr. BANKHEAD. What are the highest?

Mr. MADDEN. Twelve thousand dollars.

Mr. BANKHEAD. For attorneys, counsel?

Mr. MADDEN. Twelve thousand dollars for the commissioner, $10,000 for the agent who is general counsel, $6,500 for the counsel and assistant agent.

Mr. BANKHEAD. Is the gentleman well satisfied that the thing is being economically and scientifically administered from his observation and investigation?

Mr. MADDEN. All the investigations we have made, and, of course, they are just at the beginning of the work, that is beginning to try cases, is that they are rather systematic about it and they have been doing the work as economically as they could. There may be some one or two cases where we thought the work was not as economical as might be. For example, there is a disbursing officer for the commission. I did not think they ought to have a disbursing officer, but that is the discretion they have, and they showed us that the work of the disbursing officer ramified into so many other things besides disbursing that after all perhaps they were justified in it.

Mr. BANKHEAD. I withdraw the reservation.

Mr. McDUFFIE. If the gentleman will permit, is there a time limit fixed within which they can file claims?

Mr. MADDEN. The time limit has closed.

Mr. HUSTED. Mr. Chairman, I move to strike out the last word. We originally appropriated $180,000 for this work. That seems a very large amount of money to have been expended in such a comparatively short time, and I think the committee would like to have the reasons why it was necessary to expend so much money. An agreement was arrived at originally that all claims should be filed within six months after the commission was constituted. Well, our representatives thought that was too short a time, and they compromised by arriving at an agreement that notice of all claims should be filed within

six months. Now, there are some 10,000 claims, and these notices must specify with great particularity not only the name of the claimant but the character of the claim, so that the notices are almost as formal and almost as full and complete as the claims themselves will be, and it necessarily required a large force to get all these notices prepared and even to handle the documents involved in those claims. They are extremely voluminous, some of the claims comprising documents that would fill a good-sized truck. These have to be gone through and examined carefully before notices of claims can be prepared and filed in order that the rights of American claimants may be fully preserved. About 10,000 claims have already been filed. Now, the salary allowance is really very reasonable. We have one commissioner at a salary of $12,000 a year, and he has a secretary at $1,800.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. HUSTED. I will.

Mr. CONNALLY of Texas. In reference to the salary of the American commissioner—I happen to know the American commissioner; he was from my State originally, and now resides in New York, one of the biggest lawyers in the United States, and he could earn ten times what he is getting as commissioner.

Mr. HUSTED. Unquestionably. He receives a salary of $12,000, and he has a secretary who receives a salary of $1,800. Then the agent, who is general counsel, as the chairman of the committee has stated, receives a salary of only $10,000. The other salaries are quite small: Secretary, $3,500; disbursing officer, $3,000; and then they have a counsel and assistant to agent who receives $6,500, and two counsel who receive $5,000 apiece, and then four assistant counsel, law assistants, who receive $3,000. So you can see the compensation is very reasonable. Of course, the work of this commission is very important and the amounts involved are very great. The aggregate amount of the claims of which notices have been filed is something over $1,000,000,000.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HUSTED. I will.

Mr. BANKHEAD. When they are once filed, can these claims be sent up and adjudicated within a reasonable limit of time, or will this commission sit interminably, like all the others we have established for purposes of this kind?

Mr. HUSTED. Based upon our experience in the past of these international commissions it would not be likely that this work would be completed within less than 30 years, but our agent says he expects this work will be completed within five years.

Mr. BANKHEAD. I hope we will remember that prediction and at the end of five years cut off this appropriation, because I think the work ought to be done certainly within that period of time.

Mr. CONNALLY of Texas. The American commissioner was Mr. E. B. Parker, of Houston, Tex., and New York.

Mr. STAFFORD. Will the gentleman yield?

Mr. HUSTED. Yes, sir.

Mr. STAFFORD. When does the time expire for the presentation of these claims?

Mr. HUSTED. April 7, 1923, I think.

Mr. STAFFORD. We passed an act recently extending the time for the presentation of these claims——

Mr. HUSTED. It expires April 7 of this year. Under the agreement no notices can be filed after that date.

Mr. STAFFORD. Another question: Has Germany contributed her share toward the maintenance of the expenses of this commission?

Mr. HUSTED. These are expenses for which we conclusively pay. Germany pays under the expenses of her agency. The joint expenses of the commission are divided between the two countries.

Mr. STAFFORD. So that the work of this commission is not represented by the amount that the gentleman from Illinois and the gentleman from New York have referred to?

Mr. HUSTED. Yes. I think everything is included here.

Mr. STAFFORD. Only the expenditure that the American Government is responsible for, not the expenditure that the German Government is responsible for.

Mr. HUSTED. Oh, no. This is only what it costs us. I did not understand the gentleman's question.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

INQUIRY INTO EXTRATERRITORIALITY IN CHINA.

The unexpended balance of the appropriation of $21,000 to enable the United States Government to carry out its obligations arising under Resolution No. 5, adopted by the Conference on the Limitation of Armament December 10, 1921, regarding extraterritoriality in China, made by the act making appropriations for the Departments of State and Justice and for the judiciary, approved June 1, 1922, is made available for the purposes therein described for the fiscal year 1924.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, I wish for just a moment to call attention to some apparent inconsistencies. This bill is denominated the "Third deficiency appropriation bill." As a matter of fact, for the Sixty-seventh Congress, which is the present Congress, this is the eighth deficiency bill.

Mr. MADDEN. No; that is not correct.

Mr. BLANTON. I will show you in a minute. It is the eighth. We have had so many deficiency bills in the Sixty-seventh Congress that the gentleman has lost count. [Laughter.]

Now, besides all the big supply bills—the regular appropriation bills—when we have passed this we shall have passed eight deficiency bills in the Sixty-seventh Congress, as follows:

The first deficiency bill in the Sixty-seventh Congress was for $106,000,000, in round numbers; the second deficiency bill was $50,500,000, in round numbers; the third deficiency bill was $105,000,000, in round numbers; the fourth deficiency bill was for $137,000,000, in round numbers; the fifth deficiency bill was for $47,000,000, in round numbers; the sixth deficiency bill was for $2,500,000, in round numbers; and the seventh deficiency bill was for $75,000,000. The eighth one—this one—which makes the eighth deficiency bill for the present Sixty-seventh Congress, is for $154,000,000.

Now, I want to ask the distinguished gentleman from Illinois one question.

Mr. MADDEN. You can ask as many as you like.

Mr. BLANTON. We are to adjourn next Sunday for nine months. [Applause.] What precaution has the gentleman from Illinois taken to prevent these departments here in Washington from going over the limit of expenditure set by Congress during that nine months' vacation? I want to put those departments on notice right now, and I am not a member of the Committee on Appropriations but merely a humble Member of this Congress. Just as surely as they violate the law I am going to see to it that one time at least in the history of this Nation there is action taken against them for violating the law of this land.

They have no right to spend more money than this Congress authorizes. It is just one deficiency bill after another, and that is why the expenses of this Nation have grown and grown until the people are groaning because they are overburdened with taxation to meet it.

I hope the gentleman from Illinois, the chairman of this great committee, I hope his committee, I hope the steering committee of this House, and I hope the majority and the minority will notify these departments that they have got to keep within the limit or action is going to be taken against them for violating the law of this land.

Now does the gentleman from Illinois want to ask me a question?

Mr. MADDEN. No.

Mr. BLANTON. I did not think you did.

Mr. MADDEN. I want to make a statement on my own account.

The gentleman from Texas spoke as though everything in these deficiency bills is for current obligations of the Government, and he would lead the country to believe that that is so. That is not so. We are paying the obligations of the war in these deficiency bills. Very little of it has to do with the current activities of the Government. Of the amount carried in this bill $78,000,000, for example, is for the return of taxes illegally paid. Those taxes were paid in 1917, 1918, and 1919. Nobody is complaining about that. The fact that they were illegally collected and paid demands that they should be returned.

Thirteen million dollars is carried in this bill because of the fact that the insurance premiums paid by men who served under the flag during the war were not sufficient to meet the cost. Does the gentleman complain about that? Does the gentleman say he would not pay it? Does the gentleman from Texas say he would not pay the $78,000,000 for the refund of taxes illegally paid, many of them perhaps in his own State?

Mr. BLANTON. I am not complaining about that. I am complaining about their exceeding their authority.

Mr. MADDEN. But the gentleman did not make his speech with any other object than to have the purpose of the committee misunderstood. It was his purpose to have it misunderstood.

Mr. BLANTON. No; I wanted it understood.

Mr. MADDEN. No; you are not the only Member of Congress that is interested in doing what is right. [Applause.] We are interested, and I challenge the gentleman to point his finger to any item in any one of the bills to which he has referred that is not justified as an item. We are not appropriating money profligately; we are paying the Government's bills, whether they were created over in France, or created in Texas, or in Illinois. Whether they were created in 1915, 1916, 1917, or 1918, or 1919, or 1920 makes no difference. There is very little in this bill out of the whole $154,000,000 that has anything to do with the current year's business. [Applause.]

Mr. BUTLER. Mr. Chairman, will the gentleman yield to me for a question?

Mr. MADDEN. Certainly.

Mr. BUTLER. I want to ask this question, Is not there a mistake here in the use of the word "deficiency" as commonly understood? To the ordinary mind of the ordinary man—and I am an ordinary man—the word "deficiency" means that the administrative officers have spent more money in the maintenance of the Government than we had authorized them to spend. The gentleman's explanation is satisfactory to me and would be to everyone if you would call these items by their right names. They are not deficiencies.

Mr. MADDEN. They are not.

Mr. BUTLER. They are claims.

The pro forma amendment was withdrawn.

The Clerk read as follows:

MINISTER TO LUXEMBURG.

The balance of the appropriation for the fiscal year 1923 and the appropriation for the fiscal year 1924 for the salary of the envoy extraordinary and minister plenipotentiary to the Netherlands and Luxemburg shall be available for the salary of the envoy extraordinary and minister plenipotentiary to the Netherlands.

Mr. CONNALLY of Texas. Mr. Chairman, I reserve a point of order to the paragraph. I would like to ask the gentleman from Illinois in reference to it.

Mr. MADDEN. The minister to the Netherlands is now acting as minister to Luxemburg. The Belgian Government and Luxemburg have formed an economic alliance, and the President thinks that it is the wise thing under that economic alliance to let the minister of the Netherlands act as minister to Luxemburg.

Mr. CONNALLY of Texas. That is all right. Mr. Chairman, I withdraw my reservation of a point of order.

The Clerk read as follows:

INTERNATIONAL EXPOSITION AT RIO DE JANEIRO, BRAZIL.

The appropriation of $1,000,000 authorized by Joint Resolution No. 25, approved November 2, 1921, for the expenses of taking part in an international exposition to be held at Rio de Janeiro, Brazil, which was made by the first deficiency act, fiscal year 1922, approved December 15, 1921, is hereby made available for the fiscal year 1924, and the Secretary of State may expend not to exceed $15,000 of the balance of the appropriation, not required for the expenses of participation in the exposition, for the alteration, adaptation, and furnishing of the exposition building and improvement of the grounds thereof for permanent use as residence and offices of the diplomatic representative of the United States to Brazil; and not to exceed $30,000 for the purchase of additional land adjoining the site now owned by the United States upon which the exposition building is situated.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. Most Members of the House will recall that when the original authorization bill providing $1,000,000 to make an exhibition at Rio de Janeiro to celebrate the centennial which was to last nine weeks, I strongly contended that it was too large an appropriation. Five hundred thousand dollars would have been large enough in view of the rate of exchange, it beeing about three to one in favor of this country, making $500,000, equal to one million and a half. Now, we find that they have a surplus fund, and I want to congratulate whoever had the disbursement of the fund that they have some surplus. My purpose in rising is to inquire how much was expended for buildings and how much for salaries of commissioners, which was a nice junket for some specially favored few.

Mr. MADDEN. The amount expended so far has been $860,000. All of the material that can be brought back must find its way back at some cost for transportation, which must be taken out of the $140,000 remaining. There was spent $350,000 for the erection of a building and the purchase of the land upon which it stands. It is peculiarly adapted to the home of an ambassador, and it is proposed to turn that over to the State Department, have it remodeled and refurnished at a cost not to exceed $15,000, and to buy an adjoining piece of land to prevent the destruction of the beauty of the place by the erection of some building not adapted to the surroundings in the neighborhood at a cost of $30,000. The two items together make the $45,000 which we propose to take out of the $140,000 yet remaining. Some question has been raised as to the propriety of our turning the building over to the Government of the United States. The Government owns it. If it does not use it for the home of the ambassador, for the office of the ambassador, we will have to give it away or sell it at a nominal price. Three hundred and fifty thousand dollars has been invested in it. It has a beautiful site and was erected, I may say, with a view of turning it over later for the home of the American ambassador and his offices. I think that nothing we can do with the money that remains, or that part we propose to use, could be used to a better advantage than the purpose for which this provision in the bill applies.

Mr. STAFFORD. The only surprise I have, in view of the large amount of money that was expended in the construction of this building, is as to the smallness of the estimate made for furnishing it—$15,000.

Mr. MADDEN. There is some furniture there that was used during the exposition which can be utilized.

Mr. PORTER. And the building does not require any remodeling.

Mr. MADDEN. And I am informed that it requires very little remodeling.

Mr. STAFFORD. I notice the gentleman that has charge of the State Department appropriation bill is in his seat. Will the gentleman inform the House what the total upkeep is for light and heat, and so forth, for Government-owned ambassador buildings?

Mr. HUSTED. I can not give the gentleman any information on that, but I can give him some further information on this item if he wishes it.

Mr. STAFFORD. I should like to have it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUSTED. This is immediately adjoining the grounds on which the present exposition buildings stand, and it is necessary to acquire it in order to protect our property interests. It would be a wise thing to acquire it, even if we did not intend to utilize it for any particular purpose; but it is the intention of the Government, if approved by the Congress, to erect upon that additional strip a building, where we can have our consular offices and where the military and naval attachés' offices may be located, so that we will have all of our Government activities in the city located on that property.

Mr. STAFFORD. This new building is centrally located and is fitted for diplomatic purposes?

Mr. HUSTED. It is centrally located, and it was designed in the beginning for an embassy.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

Mr. CONNALLY of Texas. Mr. Chairman, I reserve the point of order. I want to ask the chairman of the Committee on Appropriations if he consulted the chairman of the Committee on Foreign Affairs with reference to this particular legislation.

Mr. MADDEN. I am not at all sure about that, but I understood the chairman of the Committee on Foreign Affairs was quite agreeable to this. Yet I do not know how I reached that conclusion.

Mr. CONNALLY of Texas. Mr. Chairman, I call the attention of the House to a situation into which this House is drifting under the rule which we adopted here last Congress, I believe it was, providing for the creation of a single Committee on Appropriations. I was one of those who voted for the creation of one Committee on Appropriations, and I did so upon the theory that that committee would observe the rules of this House. I thought the system worth a trial.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. HUSTED. The gentleman does not contend that this division is subject to the point of order?

Mr. CONNALLY of Texas. I do.

Mr. HUSTED. But it is not subject to the point of order.

Mr. CONNALLY of Texas. Oh, yes; it is. However, I am not going to argue that with the gentleman. Everyone except the gentleman from New York knows that it is subject to the point of order, because you are providing here for an appropriation to buy a site, not for exposition purposes but for a residence for the American ambassador to Brazil; and that is subject to

a point of order. The making available for another purpose money already appropriated is legislation.

Mr. MADDEN. We are just turning over the property we do own for a particular purpose.

Mr. CONNALLY of Texas. You are appropriating $30,000 to buy additional ground and are authorizing money already appropriated for one purpose to be used for another purpose.

Mr. MADDEN. But it is adjacent ground.

Mr. CONNALLY of Texas. I am not going to further argue the point of order. Under the system we adopted, thinking the Appropriations Committee would confine itself to appropriations and would not absorb the jurisdiction of many of the other committees of the House, it was my hope that we should do something that would contribute to legislative efficiency. But, lo and behold, this is only an isolated instance in a long list of repeated infractions of that rule by the Committee on Appropriations; and if this system continues with the acceleration which it has already acquired it will not be long until the other committees of the House, formerly invested with appropriating powers, might as well abdicate every function they theoretically possess. We created a great committee which is absorbing gradually the functions of all of the other committees of the House, except that of the Committee on Rules, and we generally find the Rules Committee subservient to the will of the Committee on Appropriations and to the leader of the majority.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. MADDEN. If I thought this was subject to a point of order we would not have put it into the bill; but we looked it up, and I am quite sure it is not subject to a point of order.

Mr. CONNALLY of Texas. I am not criticizing the gentleman from Illinois. He is an excellent gentleman and a fine member of the Committee on Appropriations and a great chairman of that committee. I believe he is doing fine work on that committee, but I am condemning the system that makes it possible, not for the gentleman from Illinois but for any chairman or any committee to absorb practically all the functions of this House. The committee grows stronger as it fattens on each newly acquired power and thereby more easily prevails in each new contest. This is a matter which should have gone to the Committee on Foreign Affairs. A moment ago we adopted another provision transferring diplomatic representation to Luxemburg from the minister to the Netherlands to the ambassador to Belgium. Was the Committee on Foreign Affairs consulted about that? No. Why? Oh, it is not necessary. "We will carry it into the House on an appropriation bill."

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. BLANTON. The gentleman spoke of the power of the Committee on Appropriations being only exceeded by that of the Committee on Rules. Now that the chairman of the Committee on Rules has become the Speaker of the House, what would the gentleman say of the czarism of the days of Uncle JOE CANNON?

Mr. CONNALLY of Texas. I am trying to deal with modern history, not ancient. I have not time to discuss that matter, because I am discussing the system that we have created. I am not criticizing individual members of the Committee on Appropriations. They are excellent gentlemen, but I am criticising the system that the House has adopted, and the manner of administering that system this House is permitting itself to fall into. When the committee brings in an appropriation bill which has upon it a provision that is out of order, if it is an important one, the Committee on Rules makes it in order, and the result is that all legislation of a pressing or important character is carried on appropriation bills. How did we fix the size of the Army? We have a great Committee on Military Affairs, but instead of that committee deciding the size of the Army, we decided it in a rider on an appropriation bill.

Mr. MADDEN. The gentleman does not mean to say that we get things made in order by rules.

Mr. CONNALLY of Texas. You have done it.

Mr. MADDEN. Absolutely not. We have not had a single rule.

Mr. CONNALLY of Texas. Was there not one on the naval appropriation bill?

Mr. MADDEN. We did not ask for it.

Mr. CONNALLY of Texas. But somebody did. I am not criticizing the gentleman individually, I am criticizing the system which we have erected. The size of the Army was determined by the Committee on Appropriations. When it came to scrapping ships, when it came to the question of disarmament, was not an amendment adopted on an appropriation bill under a rule settling that great question, while the Naval Affairs Committee sat off in some room twiddling its thumbs?

What is the necessity for the existence of all of these committees of the House if the House is to strip them of authority and place that authority in the Committee on Appropriations? I do not care whether it is 15 or 35, there are not 35 men big enough, there are not 35 men wise enough, there are not 35 men patriotic enough in this House, or out of it, for that matter, to wisely and safely control the great bulk of legislation that 110,000,000 people have solemnly under the Constitution confided to 435 Representatives of the American people.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. HUDSPETH. I desire to offer the following amendment.

Mr. BLANTON. I think there is a reservation of a point of order.

Mr. CONNALLY of Texas. I withdraw the point of order.

Mr. BLANTON. I make it, that it is legislation on an appropriation bill unauthorized by law.

Mr. MADDEN. I think it is too late.

Mr. BLANTON. I made it just as soon as the gentleman withdrew his point of order.

Mr. MADDEN. Let us have a ruling. It is not subject to the point of order. I would like to make this further statement about it: We own the site on which this building is erected. We propose to turn the building and site which we already own over for governmental use. If it is not used for governmental purposes, it will be practically thrown away, and I do not suppose anybody wants to do that.

Mr. BLANTON. It was ruled out of the legislative bill on a point of order.

Mr. MADDEN. This item was not in the legislative bill.

Mr. BLANTON. In the other bill.

Mr. MADDEN. It never was in the legislative bill.

Mr. BLANTON. I mean the regular appropriation bill.

Mr. MADDEN. This was never in any bill—this has never been before the House before. We own the land on which the building stands, and we want to buy a piece of land that adjoins the building—immediately adjoining it. There can be no doubt about our right to do that. It is a work in progress.

Mr. WINGO. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. WINGO. As I understand this is a building which was authorized by a special act to be erected for exposition purposes?

Mr. MADDEN. Yes.

Mr. WINGO. And now it is proposed by this proviso to transfer it to the Diplomatic Service ultimately and to buy adjoining land.

Mr. MADDEN. Yes.

The CHAIRMAN. The Chair is ready to rule. The joint resolution (S. J. Res. 114), signed November 2, 1921, accepting the invitation of the Republic of Brazil to take part in an international exposition to be held at Rio de Janiero in 1922, in section 3, contains this language:

SEC. 3. That officers and employees of the executive departments and other branches and institutions of the Government in charge of or responsible for the safe-keeping of objects, articles, etc., property of the United States, which it is desired to exhibit, may permit such property to pass out of their possession for the purpose of being transported to and from and exhibited at said exposition as may be requested by the commissioner general, such exhibits and articles to be returned to the respective departments and institutions to which they belong at the close of the exposition: *Provided*, That the commissioner general, with the approval of the President, at the close of the exposition, may make such disposition of the buildings and other property of the United States used at the exposition, which it will not be feasible to return to the United States, as he may deem advisable.

This provision here also contains the authority for the purchase of contiguous land. The Chair is of the opinion that it is clearly authorized by law and therefore overrules the point of order.

The Clerk read as follows:

JUDGMENTS, UNITED STATES COURTS.

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," as amended, certified to Congress during the present session by the Attorney General in House Document No. 573, and which have not been appealed, namely,

Mr. HUDSPETH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 42, after line 14, add a new paragraph as follows:

"To authorize the Secretary of State to make a survey of the Rio Grande at or near El Paso, Tex., for the purpose of controlling the flood waters, said survey to be made under the direction of the Reclamation Department of the Interior Department, $35,000."

Mr. MADDEN. I reserve a point of order on the amendment.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the committee, I will try not to take up any more time than necessary. I know the gentleman wants to get through with this bill, and I want to assist him and, furthermore, I know my friend from Iowa [Mr. GREEN] has a very important bill he would like to get passed this evening. I would like to state this, that under the treaty existing between this country and Mexico people on this side can not take any steps toward curbing the overflow until a survey is made by this Government. No private citizen is able to build levees to protect the water from overflowing from this river on his own land, and this appropriation and survey is recommended by the Secretary of State; it is also recommended by the Secretary of the Interior, and, as I understand, the President submitted a letter to the Committee on Appropriations asking it be made.

Mr. MADDEN. I wonder if the gentleman would not allow me to tell the House why it was not incorporated in the bill. I would be glad to do it.

Mr. HUDSPETH. I want to finish my statement. I think I am correct in the statements I have made.

Mr. MADDEN. Yes.

Mr. HUDSPETH. The President submitted the matter to the chairman of the Committee on Appropriations. Now we are in this attitude. No citizen of this side, although this river during the spring season overflows and destroys valuable property on this side and cuts off valuable property into Mexico, can do anything unless the survey is made—and this is directing a survey—and after the survey then the citizens will take the necessary steps to protect themselves. Under the treaty they can not make it, unless the Secretary of State orders a survey, which he is willing and ready to do and which he so stated in a letter to the President, and which the President submitted to the chairman of the Appropriations Committee, as you will see in the hearings. This will not be for the benefit of El Paso alone, but for the benefit of many landowners below El Paso and a large portion of the lands embraced in the national irrigation project. The engineer before the committee, who came from the War Department, stated that El Paso was built in the bed of the Rio Grande and that water overflowed the cellars of all its houses. This is true as to only a small portion of the city. El Paso is a beautiful city, built on the slopes of a range of mountains, and it is largely for the protection of the farmers below El Paso and to protect American territory that this survey is asked.

Mr. BANKHEAD. The gentleman from Texas [Mr. HUDSPETH] concedes it.

Mr. MADDEN. I do not think it would be fair to pass it over because the gentleman from Texas would not know why it was not in the bill. There are some other reasons which I think the House ought to know.

The President of the United States sent an estimate to Congress for $35,000 for a survey of the Rio Grande River around El Paso. It was stated by a good many people, and I think by some of the gentlemen who came before the committee with the gentleman from Texas, that El Paso was in danger on account of the flood waters, and that the Elephant Butte Dam, in the reclamation project out in that section of the country, was the cause of the flood which jeopardized the safety of El Paso.

Mr. HUDSPETH. It was a contributing cause, I will say to the gentleman.

Mr. MADDEN. The Committee on Appropriations sent for the Chief of Engineers. The Chief of Engineers had evidently already taken time by the forelock and had a preliminary survey made by one of his engineers. The engineer communicated with the head of the Reclamation Service out in that section of the country, and the reply came that five-eighths of the danger formerly existing around El Paso on account of floods had been eliminated by the construction of the Elephant Butte Dam. Instead of emphasizing the danger, it eliminated five-eighths of the former danger.

Further, it was proved beyond any question that this is not an international question. There is no international problem involved in it. The Rio Grande River is not a navigable stream. There is a reclamation project that comes to the limits of El Paso. The drainage area of the Rio Grande above the Elephant Butte Dam is 30,000 square miles and below the dam and above El Paso about 8,000 square miles.

The city of El Paso is built in the bed of the Rio Grande River. If this $35,000 were expended for a survey it would commit the Government of the United States to what? To the building of an artificial channel which would cause overflows on the lands below. It would cause damage to the lands below and the Government would have to pay. The cost of the work might run up to $10,000,000. There is no international problem there, and no problem of navigation connected with it. There is no problem of reclamation connected with it. The only problem that is involved in the survey that is proposed here is, first, to spend $35,000 to make a survey, and thereby make the Government of the United States liable for a further expenditure of anywhere from $3,000,000 to $10,000,000, and there is not anybody anywhere in the world interested in the problem except the city of El Paso.

Now, what is the city of El Paso interested in? They have a swamp in the city of El Paso, covering about a thousand acres of land. They propose by the expenditure of this money to drain that swamp.

Now, one more thing: They have built the city of El Paso on the old bed of the Rio Grande River, and the soil upon which these houses are built is gravel and sand mixed, and when there is high water on the Rio Grande it percolates through that soil into the basements of the houses of El Paso, and the basements are wet and they want to drain them, and they propose to have this survey, which in the first instance will cost $35,000 to make, and then anywhere from $3,000,000 to $10,000,000, to drain the basements of the city of El Paso and to drain the swamp.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUDSPETH. The evidence before the committee shows the number of acres of land on the reclamation project. Mr. Burgess testified to that. I think the gentleman will concede that the citizenship of El Paso can not proceed until this survey is made through the Secretary of State.

Mr. MADDEN. The Secretary of State has no right or power or facilities to make the survey, and the only way to make the survey is through the Board of Army Engineers, who have all the facilities and all the facts.

Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman from Texas [Mr. HUDSPETH] want to be heard on the point of order?

Mr. HUDSPETH. Yes. I want to state, Mr. Chairman, that there is ample authority for making this survey under the act creating the Boundary Commission. There was ample authority cited before the committee by Major Burgess. The Secretary of State has stated to me and to Mr. Burgess, the representative of El Paso before the committee, that under the act creating the Boundary Commission there is ample authority for making this survey and asking for the appropriation, and it can only be made by authority of the Secretary of State. I desire to cite the Chair to the treaty between this country and Mexico and to the act creating the United States-Mexico Boundary Commission, where I feel sure the Chair will find ample authority for overruling the point of order.

The CHAIRMAN. The Chair would like to have some time to look it up. Will the gentleman let it go over for a while?

Mr. HUDSPETH. Yes; I have no objection to that.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment of damages caused by collision of Coast Guard cutter *Mackinac* with the Italian steamer *Stromboli*, belonging to the Navigazione Generale Italiana, Genoa, Italy, $425.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. WINGO. I was under the impression that we had provided by general law for taking care of claims of this kind. Has that bill passed the Senate?

Mr. MADDEN. There is a law, but they have to come to us with the claim and all the data. These are the amounts certified.

Mr. WINGO. I was under the impression that we had passed a bill authorizing the department to settle all claims under $1,000 and that they had a lump-sum appropriation to pay them out of. Was not that the law, or was it $600?

Mr. MADDEN. They must come to Congress for the appropriation.

Mr. WINGO. Even under that law they must come to Congress?

Mr. MADDEN. Yes; they must certify to Congress and have an appropriation.

The Clerk read as follows:

OFFICE OF SUPERVISING ARCHITECT.

Boston, Mass., post office and subtreasury building: For flooring over the former subtreasury room and adjoining stairways, at the third-floor level, and alterations, renovation, and remodeling of the building incident thereto, including mechanical equipment, $90,000; for flooring over the upper part of the former subtreasury room and the adjoining stairways at the fourth-floor level, and alterations, renovation, and remodeling of the building incident thereto, including mechanical equipment, $60,000; in all, $150,000.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 44, after line 18, insert the following:

National Leper Home, Carville, La.: For the erection of additional suitable buildings in accordance with the authority contained in the act approved February 20, 1923 (Public No. 430, Sixty-seventh Congress), $500,000, and in addition the Secretary of the Treasury may incur obligations for the foregoing purpose in amounts not exceeding $145,000.

The amendment was agreed to.

The Clerk read as follows:

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, etc., including the same objects specified under this head in the Treasury Department for the fiscal year 1923, $75,000.

Mr. ROGERS. Mr. Chairman, I move to strike out the word "fuel" in line 19.

The CHAIRMAN. The Clerk will report the amendment.

Amendment of Mr. ROGERS: Page 44, line 19, strike out the word "fuel."

Mr. ROGERS. Mr. Chairman, I have offered the pro forma amendment in order to ask the chairman of the committee one or two questions concerning the requested appropriation of $400,000 for the continuance of the work of what is called the special Coal Fact Finding Commission. I notice in the newspapers of Saturday the following dispatch:

COAL COMMISSION MUST HAVE $400,000 OR QUIT.

WASHINGTON, February 24.—Members of the coal commission have informed the congressional Appropriations Committee that unless Congress finds it possible to give the $400,000 special additional appropriation which the commission has sought in carrying on its work of fact finding in the coal industry its activities will cease on March 4.

Mr. MADDEN. Mr. Chairman, the act authorizing the Coal Fact Finding Commission limited the expenditure to $200,000. There was an estimate sent to Congress by the President for $400,000 more. We considered the estimate and heard the commission. They told us what they have done and what they expect to do. They say they have spent about $100,000 so far and unless they get the other $400,000 they will have to quit work. They say with the added money they will be able to complete the work in the time fixed by law; but they must have the additional $400,000 or they must cease to work after March 4.

They will have $100,000 of the $200,000 left; but they say it is better to turn that back into the Treasury than to go on and spend the remainder and not have a complete report. The Committee on Appropriations are in hearty sympathy with the fact-finding commission. We would like very much to have recommended an appropriation of $400,000, but we realize that there is no law which authorizes us to do it. So we come to the House without having any recommendation to make. There is a bill pending—how far it has proceeded I do not know—before the Interstate and Foreign Commerce Committee increasing the amount that may be spent to $600,000. I do not know what progress the bill has made. But I really believe that the facts that may be found by the commission, as far as I can see the work they have done already, would justify the expenditure of a very large sum of money.

Mr. ROGERS. Does not the gentleman think that with the coal crisis as it is to-day it would be most unfortunate for every reason if this commission had to go out of existence next week?

Mr. MADDEN. I do.

Mr. ROGERS. And if the gentleman has an opportunity at a later stage of this very bill he will be in sympathy with the increase of the appropriation.

Mr. MADDEN. I have been in sympathy with it all the time.

Mr. ROGERS. And the only reason that it is not in the bill now is because, under the rules of the House, it is not in order.

Mr. MADDEN. Yes.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the motion. I may state to the gentleman from Massachusetts that possibly the gentleman from Texas is to blame for that legislative bill not coming up for passage, because I objected to it under the unanimous consent and it went off the calendar. I did that to save this additional $400,000, because I believe that the $200,000 already appropriated is going to be wasted. The wintertime is almost over.

Mr. ROGERS. I think I can say with confidence that a vote of the House on that question would show that there would be 434 Members to 1.

Mr. BLANTON. It may be so, but the vote of the people who sent me here is just about in the same proportion the other way.

Mr. ROGERS. Oh, the gentleman lives in Texas and does not know the conditions in the northern part of this country at this very moment.

Mr. BLANTON. Perhaps not, but I know the conditions in Washington right now unable to get coal at any price, and they have not the money to pay $16 or $17 a ton for it, if it were procurable.

Mr. ROGERS. So the gentleman wants to keep the people of the United States in the dark and allow this commission to die which has just got under way?

Mr. BLANTON. I do not want the so-called Fact Finding Coal Commission to spend all of the money out of the Treasury while the people freeze and get no benefit at all.

Mr. MADDEN. They have already gotten the benefit. They got a settlement of the wage scale.

Mr. BLANTON. I hope the commission will not get the extra $400,000. I am going to be one man to fight and vote against it.

Mr. ROGERS. I hope that——

Mr. BLANTON. Oh, I am not going to yield any further to the gentleman. He has had his say. The facts which that committee would be able to get, if you gave them the $400,000, which the gentleman from Massachusetts ought to know, because he is a smart man in a way, would not be applicable to conditions which might exist next winter. It is coal next winter that the people want, and the conditions may change.

Mr. ROGERS. Do we not want information as a preliminary to the getting of the coal?

Mr. BLANTON. What are you going to do with it after you get it?

Mr. ROGERS. Legislate wisely.

Mr. BLANTON. Oh, wisely. When we were paying $25 for a pair of shoes during the war I heard the President of the United States come here and tell you that there was just one way to stop it. He told you to make the manufacturer stamp on the sole leather of the shoe the cost to him, and then on the box stamp the middleman's cost and the retailer's cost, and let the people find out where the main profit was going—at a time when you could hardly get enough for the cowhide after you sold it to pay for the skinning of the cow. But you turned the President of the United States down. You did not require that to be done. You seek to take $400,000 more to get facts, and after you find out the facts you will not do anything about them, but will hide them away in the document room and let the poor people freeze.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

Mr. FESS. Mr. Chairman, before the Clerk begins to read, I ask unanimous consent to extend my remarks in the RECORD upon the Botanic Garden.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

INLAND AND COASTWISE WATERWAYS SERVICE.

For additional expenses incurred in the operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways acquired by the United States in pursuance of the fourth paragraph of section 6 of the Federal control act of March 21, 1918, and operated in pursuance of section 201 of the transportation act approved February 28, 1920, to remain available until June 30, 1924, $500,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. What is the purpose of this $500,000 appropriation?

Mr. MADDEN. During the war the railroad administration established barge lines on the Mississippi and other rivers, inland waters of the country, to supplement the rail transportation facilities of the country. There was established a barge line on the Warrior River and also on the Mississippi River, in connection with which a large number of barges have been either purchased or built and operated. It transpires that within the last year or more there have been a good many sandbars on the Mississippi River, and, although the Mississippi River barge line has been making quite a considerable amount of money these impediments to navigation caused considerable loss. There is a loss on the Warrior River operations. They have the barges and they have the business. They have been making money on the Mississippi River and the profits there have gone to make up the losses on the Warrior. This last year they have been losing money on both.

You can not dispose of a system of transportation over night, whether it be a railroad or a waterway. We have the barges, we have the lines, we have the communications, we have the rail connections, we have our rates all along the Mississippi River, and into the tributary territory we have made rates—that is, the barge line has—which is a Government institution. They are compelled to take the freight. They may take it and operate at a loss for a period. This $500,000 is to meet the losses for the next 10 months.

Mr. BUTLER. Mr. Chairman, does it run behind that much?

Mr. MADDEN. Yes.

Mr. BUTLER. They are doing well.

Mr. MADDEN. The barge line has about $602,000 in quick assets. They could dispose of the assets if we were going to close down the transportation line and come within $2,000 of paying every bill that they owe, but they must have money with which to run the business, as any other business must, and the $500,000 proposed to be appropriated now is to enable the barge line authorized by law, operating in connection with railroads, making joint rates, carrying freight to every section of this territory, to function.

Mr. BUTLER. Will the Government lose the $500,000?

Mr. MADDEN. If we lose it all, it can not be helped. Seven million dollars have been invested in this barge line.

Mr. BUTLER. But the gentleman would not want us to keep this thing right along if we are going to lose $500,000 a year on it?

Mr. MADDEN. I do not say that we will lose it. They say they expect to be put in a position where they can recoup if we give them that money, and where they can show a profit next year. They will owe this money and they must pay it.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SISSON. I want to say to my friend also that the whole proposition shows a great profit provided you could get a proper division of the rates. In one instance on the Warrior River there is a carriage of about 135 miles, about 25 miles of this by railroad, and the railroad gets 80 per cent of the freight rate. If the Interstate Commerce Commission would give us an equitable division, this would show a magnificent profit.

Mr. MADDEN. And they are working on that.

Mr. STAFFORD. Mr. Chairman, the reason I rose is because I was taken aback by the testimony before the subcommittee on the War Department appropriation bill, which carries the item for the operation of the inland waterway service. Last year, by reason of the exigent conditions, and in order to provide a working fund, the committee voted $300,000 to this service, so as to tide over any emergencies that might arise. When the head of this service was before the committee this year we examined him as to the need of additional funds, and he stated, as I recall it, that he did not need any further emergency fund, and that $300,000 that we voted last year was sufficient to act as a working balance and to meet some of the losses that were being occasioned on the Warrior River.

As I recall, the Mississippi River a year or two ago made some $200,000 or $300,000 profit from operation, which made up part of the loss on the Warrior, and it was necessary to provide a working fund in order to keep the service going and have the service so, in case an emergency arose, they would not be hamstrung and without funds to operate the vessels. Now we find them coming in here for an additional emergency fund of $500,000. I am rather surprised it is presented, in view of the testimony given before the regular committee which has control of this appropriation, but I think that the real reason for this is an exigency. I know nothing of the hearings. We have had during this last year conditions that do not confront the country in a decade by reason of drought that prevailed from May until November. Navigation on the Mississippi River was absolutely suspended for some six weeks and on the Ohio was suspended for some two or three months, something unheard of on the Mississippi, during the entire navigation season, and I think this demand arose largely by reason of that exceptional condition of drought. Following the flood waters of the early spring there came this exceptional drought, when there was no water at all, and the Mississippi River service itself suffered a loss. Otherwise there would have been undoubtedly sufficient funds. I am surprised——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask for three additional minutes.

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

Mr. STAFFORD. I am surprised that the head of the service did not testify as to the need of this fund last month when we prepared our appropriation bill. That is what I am surprised at, and that is why I rose to make the inquiry.

Mr. TILSON. Will the gentleman yield? I am seeking information.

Mr. STAFFORD. I will.

Mr. TILSON. I would like to inquire what is the difference between that and a subsidy? Is not this merely subsidizing this service on the Warrior River?

Mr. STAFFORD. It is a subsidy so far as the Warrior River is concerned, but as far as——

Mr. GARRETT of Tennessee. It is a Government-owned line.

Mr. TILSON. After all, what is the difference?

Mr. STAFFORD. Government funds are being used for the special benefit of a certain community, and though it is not very palatable to Members of the South to call it a subsidy when it applies to a southern locality, it is really a subsidy in effect. But I am not going into the merits of that. This fund is occasioned by exigent conditions which prevailed on the Mississippi. If they had had normal conditions prevailing on the Mississippi last year they would have been able to have made money and would not have had to have this appropriation for this reserve fund. Under these circumstances I withdraw the reservation of the point of order, expressing surprise that the head of the service did not bring this need to the attention of the committee that had control of this appropriation.

The CHAIRMAN. The gentleman withdraws the reservation and the Clerk will read.

The Clerk read as follows:

AUDITED CLAIMS.

SEC. 2. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1920 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in House Document No. 574, reported to Congress at its present session, there is appropriated as follows:

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that I may be allowed to speak for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may speak for 10 minutes out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman and gentlemen of the committee, I want to say a word about some members of the Committee on Appropriations. We have leaving us on the 4th of March several members of the Committee on Appropriations, three of whom are here present on this occasion. I will begin what I have to say by calling attention to the distinguished gentleman from New York [Mr. HUSTED], who has acted as chairman of the subcommittee on the Departments of State and Justice. [Applause.] There never has been in the history of the Congress a more loyal, devoted public servant than Mr. HUSTED. I have leaned on him. He has been of wonderful assistance to me as chairman of this subcommittee. I could rely upon him, because he was always clean, always ready. He is an investigator; he never allowed anything to pass to the pages of a bill that he reported to the House that was not thoroughly justified. He has been a wonderful Member of the House. I regret his leaving. I hoped that in the coming Congress that we might have the benefit of his judgment and experience. I feel under deep obligation to him and, in fact, to every member of the Committee on Appropriations. Whatever success the committee has had is due to the loyalty and devotion and unity of the members of the committee, not to the chairman. There never was a band of men more loyal, more devoted, more unselfish, more patriotic, more able than these men of this committee. I shall regret more than any other man that so many of them who have been found tried and true are soon to leave us. The two men I want particularly to call attention to after having passed from my friend HUSTED are two Members who have served on the War Department subcommittee of the Committee on Appropriations. They have been criticized by those who wanted a larger Army, and they have stood loyally by the Nation. When I appointed WILL STAFFORD to membership on the War Department subcommittee [applause] people thought I had a grudge against him. But I knew why I appointed him. I knew he had the industry and the integrity and courage to stand up under pressure, and I knew if there was any place anywhere in the service of the Nation that needed courage and integrity to stand up under pressure that was the place, and I knew I could trust him. [Applause.] Now, I did not tell him that then; I only tell it now; I want the country to know it. But there never has been a more loyal, industrious public servant in any place within the gift of the Government, either State or Nation, than our friend WILL STAFFORD. [Applause.]

My heart goes with him wherever he goes. He carries my confidence and esteem. He carries my promise to be with him everywhere, to think with him, to act with him, to serve with him in any way I can at any time I can during the rest of my life, for he has been worthy of it. [Applause.]

The people of Wisconsin can not have understood the caliber of the man. He has saved the Government more money than

any other man we have in this House. It did not make any difference who the man was or what the object was, if Mr. STAFFORD thought the subject before us for consideration had not merit he objected. He did not yield from his objection at the pleading of any man. He has been devoted to the Treasury—to the Nation. His ideal has been to be a great public servant. He has lived up to that ideal. [Applause.]

The Nation owes him a debt of obligation, and this House owes him its sincere thanks. [Applause.]

Now I come to my friend TOM SISSON. [Applause.] Everybody knows that I am a Republican—a rock-ribbed one—and everybody knows that TOM SISSON is a Democrat, unyielding; that we have not anything in common when it comes to politics. But between men we stand alike. [Applause.]

I have served with a good many men in a good many places, both in public and in private life, and I have never yet met the man who goes so thoroughly into anything he undertakes as TOM SISSON does. [Applause.] You could not get a silver cent—and that is a small atom—through any crack in the Treasury of the United States unless TOM SISSON was satisfied that it was justified. He is the most painstaking man in the consideration of appropriation bills that I have ever seen—thorough, unselfish, devoted, untiring—and there has never been an hour, not a day, that I have called upon him or any other member of the committee when he did not respond. I have called on SISSON to act on committees that he was not a member of. I have called on him in the middle of the night. It made no difference what was the hour or what was the work.

What a great pity that men of the experience of these men and of their ability, of their unselfishness, must leave the public service. I wonder if the people of the United States understand what these men do? If they did, they would never let them go. No people of any district would have influence enough with the people of America who understood the value of these men to keep them away from a service which they have so well rendered.

TOM, I love you. [Applause.] You have been wonderful, all of you, and when you go back home and once again mix with the masters of us public servants, I know you will exercise an influence that will tend to educate these people in a knowledge of the integrity of purpose of men who devote themselves to this class of work. There never has been a suspicion anywhere as to the cleanliness or honesty of any of these men. There has never been a dollar reported to the House with their sanction that did not seem justified. If they could see any way that they could do the work that was required to be done through an appropriation for 50 cents, I am sure nobody would get 55 cents. If the department said they wanted a dollar, TOM SISSON would always try to compromise at least on 50 cents. [Applause.] If he has not been economical in the expenditure of the public funds, no man ever has been. And if WILL STAFFORD ever allowed a bad case to get by that cost a dollar, I would like to get the picture of the case. [Applause.]

Boys, we are going to miss you in the next Congress. We will remember you wherever you may go. I want you to feel that the House of Representatives, or those of us who remain, appreciate what you have done here, and I particularly appreciate the work you have done on the Committee on Appropriations.

I wish everybody could know it as I know it. I wish everyone could understand these men as I understand them. There is not a thing in the world that they might want that they could not have if they were understood as I understand them. God bless you, and preserve you, and keep you well and happy and prosperous during the remaining days of your lives, and wherever you go or whatever you do I am sure you will have the love and confidence of every man who served with you in this House of Representatives. [Prolonged applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I ask permission to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I very heartily concur in all that the gentleman from Illinois [Mr. MADDEN] had to say relative to the service of the three gentlemen to whom he has referred. Their retirement from Congress is a distinct loss to the House and also to the country.

I came to Congress 14 years ago with my warm personal friend, TOM SISSON, and have served with the exception of the first two years of our service on the same committee with him. I had heard of TOM SISSON before I came to Congress, because he had attended a great university in the district which I have the honor to represent and where he now has many warm personal friends of his schoolboy days.

After I came here and met him and served with him I formed a very warm attachment for him. In fact during my entire service of 14 years in this House there has been no Member with whom I have been on more intimate personal relationship than with TOM SISSON. I love him because of his big, pleasing personality and the cordial, generous good will he has for his fellow man. But something more than that is required to win the lasting affection and admiration of our associates in this House. A man must have ability, courage, and a keen sense of duty, and the gentleman from Mississippi possesses all of these in largest measure. No man was ever more faithful to public trust than TOM SISSON or more zealous in the performance of duty. In the consideration of public matters he never stopped to reflect what might be the effect on his own political fortune. He has always been true to his convictions and no people ever had a more faithful and earnest public servant, or one who more richly deserved their confidence.

As the gentleman from Illinois has said, he has saved millions of dollars to the people by reason of his service on the Committee on Appropriations. He has always been a forceful character upon the floor and in debate. No one has exercised a greater or more wholesome influence upon legislation to which he gave attention on the floor than he has. But after all, a man's work here can best be measured in committee rather than on the floor. I have served on the Committee on Appropriations with TOM SISSON for 12 years, and I know something of his devotion to the public interests, his industry, his great influence, and his desire to economize and to save the public money whenever it could be done without jeopardizing the best interest of the Government. No member of the Committee on Appropriations has done more to conserve the Public Treasury than he. TOM SISSON retires from Congress with the friendship and admiration and the love of every Member upon both sides of this Chamber. [Applause.] It is a real loss to have a man like him retire from public life, and whatever may be his personal inclinations, I sincerely hope that his great State of Mississippi will see to it that he reenters public life again. [Applause.] We need more men like TOM SISSON in public life. To me his retirement is a personal loss, for we have been intimately associated here and I count myself fortunate in having known and served with him. I join his colleagues in bidding him Godspeed in his every undertaking.

I have also served on the Committee on Appropriations with our good friend WILL STAFFORD of Wisconsin, and I wish to indorse most heartily all the gentleman from Illinois has said with reference to his ability, his courage, and his industry. I suspect that in the course of his career here he has probably prevented the passage of many bills in which individual Members were interested, but no one has ever questioned his sincerity of purpose or his honesty and his desire to serve the public. [Applause.] Everyone knew that such objections as he has interposed were influenced solely by the fact that he felt that it was his duty as a Representative to protect the Treasury and the interest of the American people. His retirement is a great loss, and he will be missed in the deliberations of the next Congress. But, you know, he has had a habit of coming back. [Applause.] I hope if I stay here a year or two longer that I will sit again with him in this Chamber. [Applause.]

The gentleman from New York [Mr. HUSTED] has not served on the Committee on Appropriations so long as other gentlemen to whom I have referred, but every Member of this House knows of the great ability which he has carried with him into that committee, and the earnestness and zeal and fidelity that he has manifested upon all occasions. I wish to repeat, Mr Chairman, that the retirement of these gentlemen is a public loss, a loss to the House, and a real personal loss to every Member of the House. [Applause.]

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to address the committee for five minutes, out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I very heartily indorse all that has been said by the gentleman from Illinois and the gentleman from Tennessee relative to these our colleagues who are leaving the House. The gentleman from New York [Mr. HUSTED] brought to the House a splendid personality and a trained mind, with habits of diligence and all of the qualities that make men useful here. He has been recognized as a faithful, conscientious, courageous legislator. He has in a large measure all those qualities, and has displayed all those qualities that make service here worth while. I very greatly

regret that he has seen fit to end his services in the House, for the end of that service is a very great loss to the House.

My friend, TOM UPTON SISSON—well there are some of the folks that you not only highly regard for their good qualities as legislators, but that you get to have a kindly and friendly personal feeling for, entirely separate from your regard for them as legislators. TOM SISSON and I have been very good personal friends during all of our service. I like TOM SISSON, because he is a splendid fellow. I like him because he is a thoroughly consistent Democrat. [Applause.] I like him because in all of his public service he has had no other thought than the interest of the country and the welfare of the country. Not only has he been faithful and efficient, but he has possessed and exhibited a courage that has never failed, and God knows we need courage. [Applause.]

To my friend WILL STAFFORD, it will be a long time before the House sees his like again, probably not until he returns [laughter and applause], which, in the interest of the country, will be soon, I hope. Some fellow may say under his breath, "I hope we will not have another just such fellow as our friend from Wisconsin." There have been times when I did not feel kindly disposed toward him. [Laughter.] There have been times when he has grieved me sorely. There have been times when there were very few of his colleagues, I fear, who felt kindly toward him for the moment, and yet he has performed a great work here, and I suggest to those of you who are remaining on both sides that it is high time that you had in training another WILL STAFFORD. [Applause.] It is high time that on one side or the other—or better, on both sides—we shall develop a man who feels it his duty to guard the Public Treasury against the assaults of all, even of his best friends, who will undertake the thankless task of scrutinizing the Calendar for Unanimous Consent and the Private Calendar.

There have been Members of the House who have taken the view that Mr. STAFFORD's activities in connection with the Private Calendar and the Calendar for Unanimous Consent were undertaken without due regard or consideration and without knowledge. I bear testimony to the fact—a fact with which I am well acquainted—that he has worked frequently long into the night reading reports, studying bills, looking up cases, doing the work of this House that no one else at the time seemed to have the courage or just the industry to do. Our friend from Wisconsin could have occupied his place in the House and, with his splendid qualifications, had a much happier time than he has had, if he had not felt called upon and if he had not been called upon by those in positions of responsibility to do work that no one else seemed to want to do, and yet work as essential and important as any ever performed in this Chamber. The best hope that I can have for the House from now on is that it shall have not only on one side but on both sides men who are as conscientious, men who are as earnest, men who are as courageous as WILL STAFFORD has been. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Chairman, a country which is shortly to lose, at least temporarily, the services of the three gentlemen concerning whom my friends have just spoken can very well afford to have the body pause for a time in order that the appreciation of those of us who know them and know their work may be given voice. This body in showing them this honor but honors itself. These are not ordinary men who are leaving the service of the country. They are men who had trained minds when they came to the public service. They are men who day in and day out assiduously have applied themselves to putting into practice those principles of government in which they were so grounded before they came, and from day to day they have broadened and grown greater.

It was my good fortune during the first term that the gentleman from New York [Mr. HUSTED] served in the Congress to be a member of the committee with him. It was not one of the major committees of the House but it was a committee that has important work to do. It was while serving on that Committee on Flood Control with him that I was first able to take the measure of the man. This highly educated gentleman, both academically and in the law, soon impressed himself upon all those with whom he came in contact as a man of extraordinary worth, extraordinary ability, and of magnificent courage. Since that time in more important committee service he has justified to the full all of the impressions that were then formed of him.

I also had the honor of service upon a special committee of the House with the gentleman from Wisconsin [Mr. STAFFORD]. I had known of his service before, having observed his activities on the floor of the House, but of course in committee service, particularly with Members of the opposite political party, we always come to get a closer measure and are able better to estimate men than by the ordinary associations. That was a working committee upon which my friend STAFFORD and I served, and of all the workers on the committee I need not tell you that the most assiduous, the most persistent, was the gentleman from Wisconsin [Mr. STAFFORD]. [Applause.]

Of my friend from Mississippi, TOM SISSON, what shall I say? From the very beginning of his service we have been most intimate personal friends. There has never been a rift in our friendship. We may have differed upon some public questions, when I was wrong, but it has been very seldom that there has been such an occurrence. He is a man fundamentally sound, from the viewpoint of our political school, those of us sitting on the Democratic side, possessing the ability to expound views, learned in the political philosophy not only of the present day but of centuries past, always ready for debate.

Mr. Chairman, I shall end as I began. We but honor ourselves in honoring these men because of their ability, and, after all, I think that that which is greatest to us is the characteristics already referred to by other gentlemen who have preceded me, and that is the indomitable and unwavering courage of all three of these men. I remember to have read somewhere where the late Senator Daniel, of Virginia, was in attendance upon divine service. The minister in his prayer prayed that the public servants of the Government might have wisdom. At the conclusion of the service the Senator and the minister were walking away together when the Senator said, "May I venture upon a suggestion to you?" "Certainly," said the minister. "Then," said the Senator, "I suggest that it is not particularly necessary for you to pray that the public servants of the Government have wisdom. Most of us know enough. I suggest that you pray that we have courage." [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to proceed for two minutes out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, we of the Pacific coast and the intermountain States desire to indorse all that has been said concerning these hard-working, experienced, and long-tried retiring members of the Committee on Appropriations. I have asked for but a moment in which to pay a brief but earnest tribute to another retiring Member, who at this time is presiding as Chairman of the Committee of the Whole House on the state of the Union for the consideration of this bill, the gentleman from Oregon, Mr. MCARTHUR. [Applause.] He is known to everyone of us for his courage and fighting qualities, and yet none of us can say that the gentleman from Oregon has ever been offensive on the floor or unnecessarily aggressive. Always has his courage been that of his conviction, and for that all admire him. Oregon is just across the great Columbia River from the district that I have the honor to represent, and I sometimes think that it is a sort of melting pot for legislation. If there is anything new in legislation from the referendum on up, they try it out in Oregon. [Laughter.]

And yet our friend MCARTHUR, before his successes here, sat in the Legislature of Oregon with success, presided there, and handled the gavel as well as he has done here to-day, and always pursued a safe and sane course through a maize of trying propositions in Oregon, and in the House of Representatives here he has through his native courage seen fit to resist certain measures which to him, at least, seemed untimely. The only trouble seems to have been that, from the standpoint of popularity, at least, he took too many on at one time. As his neighbor, I saw him away out there in the beautiful city of Portland, Oreg., fighting his campaign, maintaining his issues, almost single handed and saying, "Let all come on." I hope he will make the fight again and be with us once more in the House of Representatives. [Applause, the Members rising.]

The Clerk resumed and concluded the reading of the bill.

The CHAIRMAN. The Chair wishes at this point to take up the Hudspeth amendment, which was offered on page 42, which was passed over. The Chair has made careful search of the statutes and treaties and is unable to find any legislative authority which would warrant the consideration of the Hudspeth amendment, and therefore sustains the point of order which was made against the amendment. The treaties on this subject all deal with the right to fix the boundary line, but not with any right with respect to surveys and flood control or matters incident thereto.

Mr. MADDEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amend-

ments, 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 pro tempore 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. 14480) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations 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. MADDEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. 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 bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE CALENDAR.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that for the remainder of the session the calendar may be printed in full daily, including the index. Under the law the index of the calendar is printed only on Monday. There is a considerable amount of legislation each day in one House or the other, and it is rather important, I think, that the Members shall be able to inform themselves relative to the status of legislation daily by reference to the calendar daily.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that for the remainder of the session the calendar be printed daily, including the index. Is there objection? [After a pause.] The Chair hears none.

THURSTON W. TRUE.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2984, to insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 2984) for the relief of Thurston W. True.

The SPEAKER pro tempore. And asks unanimous consent that the House insist on its amendment and agree to the conference asked for by the Senate. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. SNELL, Mr. KLECZKA, and Mr. CLARK of Florida.

EXTENSION OF REMARKS.

Mr. ROUSE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing in 8-point type a speech delivered in New York by ex-Gov. Charles N. Haskell, of Oklahoma, on the subject of government.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD by inserting the speech delivered in the city of New York by former Governor Haskell, of Oklahoma. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

GOVERNMENT.

"Emerging from the centuries of monarchial government under which the submissive multitude were oppressed by the dominating few, there assembled in this part of the New World from all the countries of the Old World a sturdy class, willing to undergo the hardships and sacrifices of pioneer life that they might establish a government under which life, liberty, and the pursuit of happiness might be assured and guaranteed unto them and their descendants, and presents the question, 'Whence and why government?' 'From the consent of the governed—for the welfare of the governed.'

"And these two principles were to be assured for all time to come by the adoption of a constitution to be the guardian of these rights of the people and to provide reasonable regulation in the relations of man to man, limiting the interference with private rights to such invasion only as would be essential to public welfare, and this invasion of private rights to be equally limited in its interference with private business.

"After the most careful consideration, our Federal Constitution declares in substance: 'The duties and powers of the Federal Government shall be limited to the conduct of foreign relations, establishing uniform currency, general immigration laws, things incident to conduct of wars and defenses, preserving harmony among the States, providing general revenues for maintenance of the Federal Government,' emphatically limited to equitable taxation which positively, to be legal, must not be confiscatory; and these great duties of this character to be exercised by Congress, administered by the executive department, never contemplated a dissent to and interference with the people in administering local government with all its numerous provisions and requirements in the various States, and under the authority of the State in the various municipalities thereof.

"To emphasize these points and to assure the people against invasion of their rights and usurpation of legal authority by the Federal Government, jealous and determined to this end, 10 amendments to the original Constitution were provided concurrent with the ratification thereof by the States, and that there might be no misconstruction, based upon alleged implication to be derived from language, the tenth amendment thus provided says:

"'The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.'

"Can there be anything more emphatic? Only express authority gives power to the Federal Government, and all reserved and implied authority is emphatically vested in the State and its municipalities.

"This jealous protection of the rights of the individual is sustained by sound reason. The vast extent of our country, now divided into 48 States, contemplated a great variety of climate, with different classes of production, different climatic development of people of different desires and different necessities, realizing that what might please and make comfortable the people of the cold climate of Maine would not be agreeable to the people of sunny Louisiana.

"The wisdom, as well as the fairness, of our Constitution makers is clear to all of us. Realizing also that government, best created and best administered, is that government which preserves best, administers justice, and prevents oppression of one class upon another, has fully discharged its beneficial purposes and a minimum of invasion of local self-government and individual rights is the happy condition contemplated in our Federal Constitution and desired by our people, and while this Government was given the power of taxation, remember that the right to tax is the right to destroy, and therefore the Constitution emphatically said taxation should not be confiscatory.

"Another guaranty of liberty was that expressed in the Constitution—in brief, 'religious liberty.' One of the emphatic demands of our people expressed in their Constitution was that every man might worship God according to the dictates of his own conscience. And time has demonstrated the wisdom of these several provisions, and for the years that our Constitution was held sacred and inviolate our country made the most wonderful progress ever recorded in the civilized world. That progress was not limited to added wealth alone nor to advanced education alone, but one of its most glorious products was the unwavering, unlimited patriotism of our people—their intense love of country that knew no parallel in any land, that affection for the Stars and Stripes that lead men facing death on the battle field in defense of that flag to exclaim in proudest tones, 'I am happy to die for my country.' That sentiment was one of the grandest products of firm constitutional government, and in our war of 1776, for freedom; 1812, to preserve that freedom; 1861, to preserve the union of States; 1898, that sympathetic war in behalf of our suffering neighbor; and the World War, recently waged for the preservation of the rights of peace-loving people throughout the world, there is no instance and no battle field of magnitude where every religious denomination did not have its men among our brave soldiers who died for public welfare and the flag. Does the original policy of our Government need any greater proof of proper spirit and intent?

"But to-day, unmistakably, we have developed such general usurpation of local authority by the Federal Government, such restriction of individual liberty, that the rights of the citizen and the conduct of private business are limited and embarrassed by bureaucratic government which, unfortunately, is administered, no doubt, by well-meaning, but, unfortunately, inexperienced minds. Business, best created and most economically managed by scientific study and practical experience, is degenerating under the dictation of bureaucratic inexperience

and gross lack of qualification. No benefit can result from this, for there can be no possible economy in cost of production or market values, no saving to the consumer, when production is restrained and economy destroyed by this unwarranted interference with competition and capability.

"Then if the conditions to-day need correcting, is there anything more advisable for us to do than to ask our great American Congress to return to the practical walks of life—sojurn among the masses of our people, read and profit by the guidepost, where the public highway crosses the railroad track and warns you to 'Stop, look, and listen!' Stop your invasion of individual liberty, look to the needs of your people, listen to the growing discontent of your people. And in doing this we shall pray to God that when you return to the exercise of your duties you will return to strict observance of the basic principles of the Constitution, first quoted. That you have wandered away into forbidden lands is apparent on every hand.

"This is not a warning to a Republican Congress, it is not a warning to a Democratic Congress; it is a light to both, an appeal for more consideration and less legislation.

"We as common people want to respect and look with pride upon the great American Congress without deriving the greater part of that pride out of your ancient history. We shall forever revere your past record, but we are equally anxious to respect your present doings. And when we speak of individual liberty we are mindful of the fact that individual liberty does not alone mean the right to think and act, but of equal consequence the right to preserve and enjoy the major part of the fruits of the individual's industry, and when you in the control of Government, from the school district up to the Halls of Congress, have grown so tremendously reckless in your public expenditures that the total created wealth from all crop product sources in our vast country will not equal your demand in any year—this year, or last, or the year before—have you not grossly violated the constitutional rights of the citizen when you, by direct or indirect methods, not only exhaust his entire created wealth, but have mortgaged his future for vast deficiencies?

"I have in mind but to-day a worthy citizen of one of the cities of our country—a growing city of approximately 600,000 people—who told me that they in their city had just completed the necessary provision for issuing $87,000,000 bonds for some necessary, some useful, and some ornamental creations.

"Is it possible that the authorities of that city realize that per capita upon the home, sheltering a father, a mother, and five children, this means a mortgage of $1,000 upon each such home, with its attendant interest charge and sinking fund added to the tax expenses and bonded indebtedness of that city? Can home comfort and prosperity come from any such governmental demands? I hope the time will come when the people of our country may realize that beauty of public structure is a secondary consideration; that charming, desirable public welfare lays in the comfort and happiness of the home, the place where you commune with your family, the place where you sleep and eat. Is it possible that that very origin of individual comfort and happiness must be ignored to the end that official extravagance may reach its unlimited privilege and ambition? We all look with admiration on public structures, but that view and that sensation is for the moment, and if measured in the balance, without appreciation of a home of comfort and happiness, must certainly be found wanting.

"A good governmental policy should not mean bad results, unjust or unfair results. In this country of ours no one man nor class of men can comfortably and happily live independent of other classes. We have a community of interest. The producer, the great financier, the great transmission and transportation interests, the scientific, the professional, and the man of genius, each form their part in the essentials of comfortable and happy life unto all of the other elements. Each element being essential to the other, it must then be conceded that justice to all and partiality to none is the only correct governmental policy; human nature often requires moderating influence. It is only a temporary effect that one class may have unto itself the right to unjustly impose upon another class. Governmental policy that to-day makes it possible for one element to enjoy reckless extravagance when the price thereof must be drawn from another element of equal desert, and equal or greater industry, can but barely enjoy the absolute necessities of life.

"How may we return to constitutional Government?

ANSWER.

"Our Constitution is a supreme law; get within the law and stay there.

"Stop invading the rights of the people to local self-government.

"Stop depriving the citizen of his constitutional right to liberty and happiness.

"Stop multiplying and duplicating extravagant public service.

"When a theorist says his purpose is moral and good, tell him to do good things in a proper way and not in a wrong way.

"We should all have the Bible in our house, and doubtless we have; it is a good book. Would that justify us in mortgaging our home to buy a hundred more when one is good and sufficient?

"Just remember when public opinion does not approve of the wrong way of doing good things, of extravagance, and unwarranted Federal interference with local authority and individual rights, that the Government earns nothing but loss of love—yea, even contempt—by such unconstitutional practices.

"Remember, the Government has no place to derive funds for the payment of governmental expenditures except from the element who create the wealth of the country.

"We look with admiration upon our great financial institutions, railroads, transmission lines, great industries. Do we realize that every one of them would fade away, pass out of mind entirely, should the time come when the producing class of this country should fail to produce?

"Ask the governmental authorities to learn the art of abolishing departments and offices not absolutely essential to public welfare; they already know the art of creating new ones.

"Let every voter emphasize the fact that under the constitutional guaranty of life and liberty the word "life" does not alone mean the privilege of breathing, but likewise fully embraces the right to enjoy life, to participate in the entertainments that add to the joys of life; that no man and no Government authority has a right to tell you that you shall not enjoy any reasonable privilege that does not unjustly invade public welfare.

"A hungry man can not long be a patriotic citizen.

"A man deprived of his reasonable liberty can not long be a patriotic citizen.

"We have a glorious form of Government, a glorious Federal Constitution; let us learn to enjoy and appreciate both."

INCOME TAX OF NONRESIDENT ALIENS.

Mr. GREEN of Iowa. Mr. Speaker, I call up the bill H. R. 14050 and ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union. It is the same bill——

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14050) to amend the revenue act of 1921 in respect to income tax of nonresident aliens.

Be it enacted, etc., That section 210 of the revenue act of 1921 is amended, to take effect January 1, 1922, to read as follows:

"NORMAL TAX.

"SEC. 210. (a) That in lieu of the tax imposed by section 210 of the revenue act of 1918 there shall be levied, collected, and paid for each taxable year upon the net income of every individual (except as provided in subdivision (b) of this section) a normal tax of 8 per cent of the amount of the net income in excess of the credits provided in section 216 except that in the case of a citizen or resident of the United States the rate upon the first $4,000 of such excess amount shall be 4 per cent.

"(b) In lieu of the tax imposed by subdivision (a) there shall be levied, collected, and paid for the taxable year 1922 and each taxable year thereafter, upon the net income of every nonresident alien individual, a resident of a contiguous country, a normal tax equal to the sum of the following:

"(1) Four per cent of the amount of the net income attributable to compensation for labor or personal services performed in the United States in excess of the credits provided in subdivisions (d) and (e) of section 216; but the amount taxable at such 4 per cent rate shall not exceed $4,000; and

"(2) Eight per cent of the amount of the net income in excess of the sum of (a) the amount taxed under paragraph (1) plus (b) the credits provided in section 216."

SEC. 2. That subdivision (e) of section 216 of the revenue act of 1921 is amended, to take effect January 1, 1922, to read as follows:

"(e) In the case of a nonresident alien individual, or of a citizen entitled to the benefits of section 262, the personal exemption shall be only $1,000. The credit provided in subdivision (d) shall not be allowed in the case of a nonresident alien individual unless he is a resident of a contiguous country, nor in the case of a citizen entitled to the benefits of section 262."

Mr. GREEN of Iowa. Mr. Speaker, just a word by way of explanation of this bill.

The SPEAKER pro tempore. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. This bill might be said to be a bill for reciprocity with relation to the income tax with Canada. Our income tax, as every one knows, provides for only 4 per cent on the first $4,000 of income, and also provides for certain exemptions on account of dependents, and an exemption from the normal tax of $2,500. These exemptions, however, are not granted to nonresident aliens. Now, there are a number of

people in Canada who are residents of Canada but who work on this side and receive income on this side and are subject to the payment of income tax. There are also about the same number of people who live in the United States who work in Canada who are subject to the Canadian income tax for the amount of their salary there. The Canadian law as it now stands grants to those who are residents of the United States and who perform work and labor in Canada the same exemptions it gives its own citizens, both with reference to dependents and the amount exempt from the normal tax. It also grants the same rate with reference to the tax on the first $4,000. In fact, the Canadian law is very similar to ours.

The purpose of this bill is to put the Canadians who come over on this side to work on an equality with the citizens of the United States who go over on the Canadian side to work.

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

Mr. GREEN of Iowa. Yes.

Mr. CHINDBLOM. Can the gentleman state what is the exemption allowed by Canada?

Mr. GREEN of Iowa. Canada gives $300 exemption for each dependent.

Mr. CHINDBLOM. And how much for the householder?

Mr. GREEN of Iowa. The exemption is not quite the same, but almost the same as it is here.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 210 of the revenue act of 1921 is amended, to take effect January 1, 1922, to read as follows:

"NORMAL TAX.

"SEC. 210. (a) That in lieu of the tax imposed by section 210 of the revenue act of 1918 there shall be levied, collected, and paid for each taxable year upon the net income of every individual (except as provided in subdivision (b) of this section) a normal tax of 8 per cent of the amount of the net income in excess of the credits provided in section 216 except that in the case of a citizen or resident of the United States the rate upon the first $4,000 of such excess amount shall be 4 per cent.

"(b) In lieu of the tax imposed by subdivision (a) there shall be levied, collected, and paid for the taxable year 1922 and each taxable year thereafter, upon the net income of every nonresident alien individual, a resident of a contiguous country, a normal tax equal to the sum of the following:

"(1) Four per cent of the amount of the net income attributable to compensation for labor or personal service performed in the United States in excess of the credits provided in subdivisions (d) and (e) of section 216; but the amount taxable at such 4 per cent rate shall not exceed $4,000; and

"(2) Eight per cent of the amount of the net income in excess of the sum of (a) the amount taxed under paragraph (1) plus (b) the credits provided in section 216."

Mr. GREEN of Iowa. Mr. Speaker, there is a typographical error in the first line. A comma was omitted by the printer. I ask unanimous consent that on page 2, line 1, after the figures "216," a comma may be inserted.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follow:

On page 1, line 2, after the figures "216," insert a comma.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Speaker, there is another clerical error. On page 2, line 4, the word "subdivision" is misspelled. I ask unanimous consent that it be corrected.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 2, line 4, strike out the word "subdivison" as now spelled and insert the word "subdivision" correctly spelled.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GREEN of Iowa. Another typographical error, Mr. Speaker: On line 10, the word "four" should be a figure "4." These are all mistakes of the printer, I will say to the Chair.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 2, line 10, strike out the word "four" and insert a figure "4."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Speaker, there is another typographical error on line 16, page 2, where the word "eight" should be stricken out and the figure "8" inserted.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: In line 16, strike out the word "eight" and insert the figure "8."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. COLLIER. Mr. Speaker, I have nothing to add to what has been said by the gentleman from Iowa [Mr. GREEN] further than to say that this is a unanimous report from the committee. I will supplement what the gentleman from Iowa has said by stating that this applies to contiguous countries, and consequently Mexico as well as Canada is included in this bill. It is a unanimous report, and it is only right and proper that it should be passed.

The SPEAKER pro tempore. The Clerk will read the next section.

The Clerk read as follows:

SEC. 2. That subdivision (e) of section 216 of the revenue act of 1921 is amended, to take effect January 1, 1922, to read as follows:

"(e) In the case of a nonresident alien individual, or of a citizen entitled to the benefits of section 262, the personal exemption shall be only $1,000. The credit provided in subdivision (d) shall not be allowed in the case of a nonresident alien individual unless he is a resident of a contiguous country, nor in the case of a citizen entitled to the benefits of section 262."

Mr. GREEN of Iowa. Mr. Speaker, there are two other clerical errors made by the printer. On line 17 of page 2 the small "a" in parenthesis should be a capital "A," and in line 18 the small "b" in parenthesis should be a capital "B."

The SPEAKER pro tempore. Without objection, the amendments suggested by the gentleman from Iowa will be made to the bill.

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HABIT-FORMING NARCOTIC DRUGS.

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass House Joint Resolution No. 453, entitled "Joint resolution requesting the President to urge upon the governments of certain nations the immediate necessity of limiting the production of habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes. I also move the adoption of the preamble.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to suspend the rules and pass the joint resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 453) requesting the President to urge upon the governments of certain nations the immediate necessity of limiting the production of habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes.

Whereas the unlawful use in the United States of America of opium (the coagulated juice of Papaver somniferum) and its derivatives (morphia, codeine, heroin), and cocaine (obtained from coca leaves—Erythroxylum coca) and other preparations made from these plants or their by-products, with attendant irreparable injury to health and morality and resultant death from continued use, is increasing and spreading; and

Whereas the special committee of investigation of traffic in narcotic drugs appointed by the Secretary of the Treasury, in its report dated April 15, 1919, having considered the secrecy connected with the unlawful sale and use of these drugs, and the other difficulties in obtaining information which would give the exact number of addicts in the United States, says: "The committee is of the opinion that the total number of addicts in this country probably exceeds 1,000,000 at the present time," and further says that "the range of ages of addicts was reported as 12 to 75 years. The large majority of addicts of all ages was reported as using morphine or opium or its preparations. * * * Most of the heroin addicts are comparatively young, a portion of them being boys and girls under the age of 20. This is also true of cocaine addicts," and as this report is in harmony with the opinion of many who have carefully investigated the subject; and

Whereas the annual production of opium is approximately 1,500 tons, of which approximately 100 tons, according to the best available information, is sufficient for the world's medicinal and scientific needs, and the growth of coca leaves is likewise greatly in excess of what is required for the same needs, and thus vast quantities of each are available for the manufacture of habit-forming narcotic drugs for illicit sale and consumption; and

Whereas opium is obtained in paying quantities from poppies cultivated in small areas of India, Persia, and Turkey, where the soil and climate are peculiarly adapted to the production of poppies containing opium rich in morphia, codeine, and other narcotic derivatives; and

Whereas in Persia and Turkey the growth of the poppy and the production of opium therefrom, resulting in large revenues to those respective Governments, is controllable by virtue of their sovereign power

to limit the exportation thereof and to restrict production to the quantity actually required for strictly medicinal and scientific purposes; and

Whereas the British Government in India, which derives large revenues from the growth of the poppy and the production of opium therefrom, has full power to limit production to the amount actually required for strictly medicinal and scientific purposes; and

Whereas the production of coca leaves (Erythroxylum coca) is limited to certain areas of Peru and Bolivia and the Netherlands possession of Java, and their production is controllable by virtue of the sovereign power of those Governments to limit the exportation thereof and to restrict production to the quantities actually required for strictly medicinal and scientific purposes; and

Whereas the antinarcotic laws of a majority of the larger nations of the world provide severe penalties for dispensing habit-forming narcotic drugs without a record of the amount thereof dispensed, thus providing reliable data from which a reasonably accurate calculation can be made of the amount of these drugs needed for strictly medicinal and scientific purposes; and

Whereas on January 23, 1912, as the result of the meeting of the International Opium Commission at Shanghai, China, in 1909, and the conference at The Hague in 1912, a treaty was made between the United States of America and other powers which was intended to suppress the illicit traffic in habit-forming narcotic drugs, and notwithstanding that upward of seven years have passed since its ratification, the treaty and the laws in pursuance thereof subsequently adopted by the contracting powers have utterly failed to suppress such illicit traffic, by reason of the fact that the treaty attempted to regulate the transportation and sale of these drugs without adequate restriction upon production, the source or root of the evil; and

Whereas failure of such treaty and the laws adopted in pursuance thereof to provide adequate restrictions upon production has resulted in extensive and flagrant violations of the laws by reason of the fact that the great commercial value of these drugs, the large financial gains derived from handling them, and the smallness of their bulk, which renders detection in transportation and sale exceedingly difficult, have induced and encouraged the unscrupulous to divert enormous quantities into the channels of illicit international traffic, thereby rendering partially, if not wholly, ineffective the treaty and the laws adopted in pursuance thereof; and

Whereas in June, 1921, the opium advisory committee of the council of the League of Nations adopted a resolution urging the restriction of the cultivation of the poppy and the production of opium therefrom to "strictly medicinal and scientific" purposes, which resolution was approved by the council of the league, but when said resolution was presented for final approval to the assembly of the league, which is composed of a representative from each nation which is a member thereof, it was amended by striking out the words "strictly medicinal and scientific" and substituting the word "legitimate" in lieu thereof; and

Whereas the substitution of the general word "legitimate" for the specific words "medicinal and scientific" permits the continuance of the sale of enormous quantities of opium and its derivatives in many sections of the Orient by the opium producers of India, Turkey, and Persia, where it is "legitimate" to sell and transport these drugs in unrestricted quantities, regardless of their ultimate use by the purchaser; and

Whereas the continuance of the sale and transportation of such drugs, without restriction on their use, results in the diversion of large quantities thereof into the channels of illegal international traffic and in the unlawful importation into the United States, and the sale here for unlawful purposes, of preparations made therefrom such as morphia, heroin, and cocaine; and

Whereas the United States of America, in dealing with the traffic in habit-forming narcotic drugs within its own territory and possessions, notably in the Philippine Islands, and in cooperating sympathetically with the efforts of the Government of China in dealing with its opium problem, has always been committed, without regard to revenue, to a program for the complete suppression and prohibition of the production of and traffic in them, except for strictly medicinal and scientific purposes: Therefore be it

Resolved, etc., That it is the imperative duty of the United States Government to safeguard its people from the persistent ravages of habit-forming narcotic drugs.

SEC. 2. That the effective control of these drugs can be obtained only by limiting the production thereof to the quantity required for strictly medicinal and scientific purposes, thus eradicating the source or root of the present conditions, which are solely due to production many times greater than is necessary for such purposes.

SEC. 3. That in the hope of accomplishing this end the President be, and he hereby is, requested to urge upon the Governments of Great Britain, Persia, and Turkey the immediate necessity of limiting the growth of the poppy (Papaver somniferum) and the production of opium and its derivatives exclusively to the amount actually required for strictly medicinal and scientific purposes.

SEC. 4. That the President be, and he hereby is, requested to urge upon the Governments of Peru, Bolivia, and the Netherlands the immediate necessity of limiting the production of coca leaves (Erythroxylum coca) and their derivatives to the quantity exclusively required for strictly medicinal and scientific purposes.

SEC. 5. That the President be, and he hereby is, requested to report to Congress on the first Monday in December, 1923, the result of his action.

The SPEAKER pro tempore. Is a second demanded?

Mr. GARRETT of Tennessee. I do not care to demand a second, but I would like to ask the gentleman from Pennsylvania one or two questions.

Mr. LONDON. Mr. Speaker, I demand a second. I propose to move to strike out the preamble.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. I want to ask the gentleman from Pennsylvania one or two questions. I understand this matter has been under consideration in the Committee on Foreign Affairs for several weeks.

Mr. PORTER. It has.

Mr. GARRETT of Tennessee. Hearings have been had upon it?

Mr. PORTER. Very extensive hearings.

Mr. GARRETT of Tennessee. And this was reported unanimously from the Committee on Foreign Affairs?

Mr. PORTER. Yes.

Mr. LONDON. Mr. Speaker, I want to say that the resolution is so long that it is almost impossible to follow it. It recites a number of facts which may be true and may not be true. It gives statistical data but we do not know the sources of these data. By incorporating the preamble we adopt in toto every statement in it. We are without copies of the resolution before us and I object to the manner of bringing it up and to voting on a resolution of this kind at this hour. I assume that the bill ought to pass, that the traffic should be restricted, if not altogether prohibited by civilized governments.

Mr. PORTER. The committee has made a very careful investigation of the facts as recited in the preamble and they are unquestionably correct. I might have read in my time a letter from the Secretary of State who has examined the resolution very carefully and recommends its passage, showing that not only the Committee on Foreign Affairs but the State Department approve of the statements of fact in the preamble. The object in retaining the preamble is that it will materially aid the President in the negotiation with the foreign governments.

Mr. LONDON. The State Department should be able to present the matter for action by other governments without the aid of Congress. There is no reason why we should have such a long preamble. The bill resembles a kite with its small body and its long tail. The preamble is too long. I do not object to the resolution. I am in sympathy with it.

I do not think the resolution should be brought up on the floor of the House at this late hour and at the very end of a long day's session. You have more than one suspension day. I understand the whole week is suspension week.

Mr. PORTER. This is the last opportunity that we will have to secure passage in the Senate. The object of the resolution is to give the President plenary power over the matter, so that when he speaks he speaks not only of the executive branch of the Government but for the legislative branch. This makes the position of the President very much stronger. Of course, the President could carry on the negotiations without any request from Congress, but you should bear in mind that the statesmen of Europe probably never fully realized the limitations upon the power of the President in the matter of the making of treaties until President Wilson failed to secure the ratification of the treaty of Versailles; therefore the passage of this resolution by Congress before negotiations are initiated will strongly impress upon the governments involved that the representations of the President reflect the views of both the executive and legislative branches of our Government.

Mr. LONDON. The adoption of this preamble would not eliminate the necessity of the Senate approving any treaty the President might enter into.

Mr. PORTER. No.

Mr. LONDON. There are so many violent fluctuations in the political life of the country that there is no knowing what may happen.

Mr. BLANTON. In this particular case the preamble is the main kite, the resolution is the tail.

Mr. LONDON. I am not opposed to this legislation; I recognize that the opium traffic is one of the most disgraceful things in civilization, and every effort should be made not only to repress it but to eliminate it.

Mr. COOPER of Wisconsin. If the gentleman will permit, I think the chairman of our committee has stated the case with entire accuracy. I am sure that there is no mistake in the facts. I attended the hearings and heard what I characterized as the most wonderful testimony that I ever listened to as to the degradation to which men have been brought by this traffic. There is in the preamble a statement of facts and I assure my friends from Ohio and New York that there is not a single statement of fact in the preamble about which there is any dispute anywhere. They have simply stated the undisputed facts.

Mr. LONDON. Why is a special request to be made upon the Governments of Great Britain, Persia, and Turkey? Does the opium poppy grow only in these countries?

Mr. PORTER. The growth of the opium-producing poppy depends upon peculiarly favorable soil, which is especially found in small areas of India, Persia, Turkey, and China, and a very wet and hot climate until the capsule is formed; afterwards a very hot and dry climate during the flowering season.

With the exception of the opium produced in China, all the opium produced in the world results from the cultivation of between five and six hundred thousand acres of land in India, Persia, and Turkey. This confines the growing area to small acreage which makes control of production—unlike that of wheat or corn—practicable and comparatively easy of accomplishment; in fact the quantity produced in India has been for many years entirely controlled by the officials of the British India Government who administer the affairs of that possession.

DEPARTMENT OF STATE,
Washington, February 13, 1923.

Hon. STEPHEN G. PORTER,
House of Representatives.

MY DEAR MR. PORTER: I have read your letter of to-day's date and its accompanying resolution with much interest. The object which you have in view—that is, the restriction of the commercial cultivation of the opium poppy and the coca-leaf plant to quantities exclusively required for strictly medicinal and scientific purposes—is one with which I am in entire accord.

I can assure you of my deep interest in the work of narcotics control and of my willingness to forward in any way that I can the expressed views of the Congress on this important subject. I believe that the prompt passage of the proposed resolution, with the minor amendment suggested, will be an important aid in securing the desired result. If the commercial production of the raw plants from which opium products and cocaine are obtained can be minimized, the question of narcotics control will be greatly simplified. I shall be glad to place before your committee such information in regard to the narcotics-control question as is at my disposal.

I am, my dear Mr. PORTER, sincerely yours,

CHARLES E. HUGHES.

Mr. PORTER. Mr. Speaker, in addition to the indorsement by the Secretary of State, the passage of this resolution is strongly urged by the Mystic Order Veiled Prophets of the Enchanted Realm (the Grotto), who, speaking through their Grand Monarch, state:

* * * I believe that it is therefore essential that we strike at the root of the evil and regulate the traffic in narcotic drugs at the source of production.

* * * The resolutions express the sentiments of nearly a half million Masons, with their families; * * * and in a telegram to your committee "the Grotto is expecting you to win and backs you to a man, and will do our part when called."

The Loyal Order of Moose, through Hon. James F. Davis, director general, says:

I want to present some 1,600 resolutions passed by the Loyal Order of Moose in support of House Resolution 430. * * * The organization is now appropriating funds for the purpose of putting on a speaking campaign throughout the country, enlisting the services of men high in public life to present this subject to our 600,000 members. The Women's Mooseheart Legion, with a membership of 75,000, also indorses this resolution.

The duly authorized representatives of the Benevolent Protective Order of Elks, the American Red Cross, the Salvation Army, the State Council of Pennsylvania Order of Independent Americans, post organizations Veterans of Foreign Wars of the United States, and the Central Trades and Labor Council of New York also strongly indorse the resolution.

The American Insurance Union, representing 110,000 members, through its president, says:

Our national board unanimously indorses this resolution. * * * It is as much a disease to be stamped out as cholera or yellow fever or the bubonic plague.

The White Cross, an organization created for the purpose of suppressing the traffic on the Pacific coast, telegraphed your chairman, in part, as follows:

Your resolution dispensing for present with convention and short-circuiting the appeal to offending nations a worthy example of American diplomatic directness. * * * Resolutions supported by White Cross with all our force.

The grand monarch of the M. O. V. P. E. R.—the Grotto—in a communication to the President, said:

"I feel that it is time, Mr. President, for the various fraternal organizations of our country to turn aside from their beaten paths of ritualistic ceremonies and give a little time and constructive thought to the ever growing needs of this and other nations of the world."

Many of the organizations mentioned evidently have adopted a similar policy, for it is indeed rare when they indorse pending legislation.

Rev. Edward C. Lobenstine, executive officer of the European and American missionary bodies in China, says:

The opium traffic has been one of the serious hindrances to the work of the Christian church in China, inasmuch as one of the main arguments which we have for the spread of Christianity is our high ethical standards, and the feeling that it will improve the moral condition of the people, and yet in the eyes of the people in China the white race is morally responsible, directly responsible, for the introduction and the spread of the opium habit in China. * * * Of course, I take it there is no use of speaking of the demoralizing influence of those using opium.

If time permitted, many other indorsements from fraternal, church, and individual sources from all sections of the country could be enumerated, which plainly shows that the people of the United States are thoroughly aroused over the necessity of stamping out the addition to habit-forming narcotic drugs.

The resolution before the House (H. J. Res. 453) requests the President to urge upon the Governments of Great Britain, Persia, and Turkey the immediate necessity of limiting the growth of the poppy—Papaver somniferum—and the production of opium and its derivatives exclusively to the amount actually required for strictly medicinal and scientific purposes, and also to urge upon the Republics of Peru and Bolivia and the Netherlands the immediate necessity of limiting the growth and production of coca leaves—Erythroxylum coca—and its derivatives to the quantity exclusively required for the same purposes.

Morphia, codeine, and heroin are obtained from opium, which is the coagulated juice of the opium-producing poppy. It is procured in paying quantities from the poppy cultivated in India, Persia, Turkey, and China. The growth of the plant depends upon peculiarly favorable soil, which is especially found in small areas of India, Persia, Turkey, and China, and a very wet and hot climate until the capsule is formed; afterwards a very hot and dry climate during the flowering season. With the exception of the opium produced in China, all the opium produced in the world results from the cultivation of between five and six hundred thousand acres of land in India, Persia, and Turkey. This confines the growing area to small acreage which makes control of production, unlike that of wheat or corn, practicable and comparatively easy of accomplishment; in fact, the quantity produced in India has been for many years entirely controlled by the officials of the British India Government who administer the affairs of that possession.

About two-fifths of the opium produced in India, Persia, and Turkey is retained for home consumption and the balance is exported to other countries where the morphia, codeine, and heroin are extracted by pharmaceutical chemists.

No effort had ever been made to extract these derivatives by pharmaceutical chemists in the Orient until about two years ago, when a laboratory for this purpose was established in Calcutta and one in the Japanese possession of Formosa.

Cocaine is obtained from coca leaves, which are indigenous to Peru, Bolivia, and the Netheralnds possession of Java, and the leaves likewise are exported to other countries where the cocaine is extracted. Recently, however, a laboratory was constructed in Peru for the extraction of crude cocaine, which is shipped to Europe for further refining.

Morphia and cocaine are indispensable in the treatment of certain diseases; the former for a century or more has been used almost exclusively for the alleviation of pain, both acute and chronic. They are universally used by the medical profession. It has often been said that without morphia the practice of medicine would be an unhappy calling, indeed. If the object of this resolution were achieved, their use would be restricted exclusively to these humane purposes, and continue to be the two greatest boons known to medical science.

The production of opium in India, Persia, and Turkey is approximately not less than 1,500 tons, of which but a comparatively small amount is required by the peoples of the world for strictly medicinal and scientific purposes. This quantity of 1,500 tons is exclusive of from 700 to 900 tons which is retained by these producing countries to meet the domestic demands of native addicts and for medicinal and scientific purposes. These native addicts consume the product by smoking and eating it. In 1919, according to the report of the British India Government, 741 tons of provision opium was exported from India, and during the same year through the licensing of opium shops in India, the natives of that country consumed 531 tons of excise opium.

Statistical records and the evidence of the witnesses appearing before your committee place the world's consumption of opium for medicinal and scientific purposes to from 5 to 125 tons per year. The varying opinions of these witnesses prevent an accurate estimate of the amount actually required for these specific purposes, but assuming that the maximum amount of 125 tons is required to fulfill these strictly proper needs, the huge production of raw materials is greatly in excess of these requirements, thus releasing for immoral and illicit use approximately 1,350 tons per annum of provision or export opium. If the principle stated in the resolution were concurred in by the producing countries, these proper requirements could be determined through various sources, such as individuals, firms, and corporations duly authorized to dispense them, who are required by a majority of the larger nations to keep an accurate record of the quantity so dispensed under severe penalty for infraction. The hospitals, sanitariums, penal and other institutions would also be very helpful in assisting in determining the amount actually needed for strictly medicinal and scientific purposes.

Even the opium producers of Turkey, Persia, and India can not, in truth, deny that the medicinal and scientific needs of the

world is more than 250 tons per annum; therefore there would not be the slightest risk, so far as those requirements are concerned, in immediately reducing the production to that amount.

This excessive overproduction in India is due to the fact that the administrative officials of that country offer inducements to the natives to engage in the production of the opium-producing poppy by lending them money without interest, the condition of the loan being that the entire crops shall be turned over to the Government at a price fixed by the Government, which derives large revenues from its indiscriminate sale to whomever will buy it at the highest price.

That portion of the product retained for domestic use is known as excise opium, and that intended for export as provision opium, which is largely disposed of in Calcutta at public auction each month, without restriction on its ultimate destination and use.

It may be of interest to note that all the self-governing dominions of the British Empire—the Dominion of Canada, Australia, New Zealand, and British South African colonies—have stringent antinarcotic laws similar to those in force in Great Britain, Japan, and the United States which require a physician's prescription before even a grain of opium or its derivatives can be purchased; nevertheless, a citizen of any of these self-governing dominions, in fact, a citizen of any country in the world, may journey to the Orient and buy unlimited quantities at auction in the British possessions of India or in the markets of Persia and Turkey.

In strong governments, or wherever self-government exists, habit-forming narcotic drugs are outlawed, except for strictly medicinal and scientific purposes. The failure of certain European nations and Japan to give by law to the people living within their possessions the same protection against these drugs that they give to their own citizens, through antinarcotic drug laws, is largely responsible for the present deplorable conditions, notwithstanding the fact that reliable authorities agree that the oriental suffers the same harmful effects as the occidental from the use of habit-forming narcotic drugs. Professor Cushney, the eminent pharmacologist of the University of Edinburgh, has given his opinion that he is aware of no evidence to prove that orientals have a different reaction to drugs from occidentals, and that until such evidence is brought forward he is not prepared to accept it.

The production of coca leaves—from which cocaine is extracted—in Peru, Bolivia, and the Netherlands possession of Java, is likewise vastly in excess of the quantity required from which an adequate supply of cocaine for medicinal and scientific purposes could be obtained.

The overgrowth and resultant overproduction of the opium-producing poppy and coca leaves make possible vast quantities reaching the hands of unscrupulous traffickers, who, by reason of the smallness of bulk of these products and the large financial gains obtained from their illicit handling, easily transport, with minimum risk of detection, and are enabled to smuggle large quantities of morphia, codeine, heroin, and cocaine into the United States, which prohibits their importation, and other countries where they are disposed of to those who engage in the nefarious trade of selling them to the unfortunates who have become addicted to their use.

It should be of interest to know that $5,000 worth of morphia, codeine, heroin, or cocaine may be safely concealed in an ordinary suitcase; that in a hollow cane of average thickness $2,000 worth may be secreted. It was stated in your committee that on a steamer crossing the Pacific some one happened to examine a particular bamboo chair and found that its hollow bamboo was filled with morphia.

The sundry and varied manners and forms in which traffickers ply their illicit trade would prove interesting reading and be striking evidence of the ease with which the drugs are transported from country to country. The vender of them finds it comparatively easy to bring his goods into the United States through our extensive seacoasts and immense boundaries. Even our penitentiaries and jails are invaded by the traffickers, who find within their walls market for these vicious drugs, payment for which is made by the prisoners issuing I O U's to friends on the outside.

The testimony conclusively shows that habit-forming narcotic drugs, by reason of their extraordinary nature, will overcome all barriers, even the bars of prisons, or, as stated by Sir John Jordan, the noted British authority on the subject and member of the opium Advisory Commission appointed by the council of the League of Nations, "Whenever and wherever opium is produced, it will reach the consumer." This shows the futility of attempting to control the traffic by even the most drastic of domestic laws, which is further confirmed by the statement of Mr. Blanchard, of the Narcotic Division of the Treasury Department, who testified that of all the drugs seized last year in the United States between 75 per cent and 85 per cent bore the labels of foreign manufacturers. Therefore the purposes of the Harrison Antinarcotics Act, the Jones-Miller Act, and the prohibition against the importation of these alkaloids have been substantially defeated, as they have not prevented smugglers and peddlers from keeping the supply of these drugs in the United States undiminished.

As to the number of addicts in the United States, I quote the following extract from the report, dated April 15, 1919, of the special committee of investigation of traffic in narcotic drugs appointed by the Secretary of the Treasury:

> The committee is of the opinion that the total number of addicts in this country probably exceeds 1,000,000 at the present time. * * * The range of ages of addicts was reported as from 12 to 75 years. The large majority of addicts of all ages was reported as using morphine or opium or its preparations. * * * Most of the heroin addicts are comparatively young, a portion of them being boys and girls under the age of 20. This is also true of cocaine addicts.

This report took into full consideration and made allowance for the lack of laws making compulsory registration of drug addicts, the secrecy connected with the unlawful sale and use of these drugs, and the other difficulties in obtaining information which would give the exact number of addicts in the United States.

Valuable evidence in this respect has been submitted to your committee by hospital and penal institution officials, physicians, sociological workers, fraternal organizations, such as the Veiled Prophets of the Enchanted Realm (the Grotto), Loyal Order of Moose, Benevolent Protective Order of Elks, the Salvation Army, and public health organizations, as well as private individuals who have carefully studied the habit-forming drugs problem and who are well qualified to express opinions on the subject, which not only confirms the statement in the report above quoted but makes it evident that conditions in the United States resulting from the increasing and spreading use of these drugs by addicts are constantly growing worse.

The number of addicts committed to our penal establishments and admitted to sanitariums is rapidly increasing. The warden of the Federal prison at Leavenworth reports that from July, 1914, to December 31, 1922, 7 per cent of the prisoners committed were drug addicts. During 1921 15½ per cent were addicts. From July 1 to December 31, 1922, 24 per cent were addicts. The warden of the Federal prison at Atlanta reports for the fiscal years 1918, 11 per cent addicts; 1919, 6 per cent addicts; 1920, 8 per cent addicts; 1921, 15 per cent addicts; 1922, 20 per cent addicts.

Dr. Amos O. Squire, chief physician of Sing Sing Prison, New York, testified that since 1919, comparing it with the year ending June, 1922, shows an increase of 900 per cent, and that 90 per cent of the drugs were obtained from peddlers.

The foregoing only confirms the statements of the witnesses that much of the crime committed is traced to addicts in their frenzy to obtain money with which to buy the drugs.

The depredations wrought upon humanity by the demoralizing effects of these drugs have been fully and convincingly stated by witnesses who have described the misery and suffering of those who have acquired their immoral use and who are abandoning themselves to increasing indulgence in them. Young boys and girls are being seduced from good citizenship by the lure of dangerous narcotics which rapidly sap and ultimately destroy their moral and physical sensibilities and instinctive refinements. Even a child born to an addict mother becomes addicted through the mother's milk.

The testimony further discloses that the principal causes of addiction are: Unskilled medical treatment, recklessness of youth, the use of the drugs as a relief from acute and chronic pain by persons ignorant of their habit-forming nature, and solicitation by peddlers.

The accepted treatment is known as "tapering-off"—that is, the gradual reduction of the amount used until the patient is able to abstain from its use—but this is a long and tedious treatment requiring strict surveillance of the patients long after they have left the hospital or sanitarium, and, as stated by the representative of the Salvation Army, the peddler, who has temporarily lost a customer, usually persuades his physically weakened victim to renew the drug habit.

Complete recoveries are few and the phrase "once an addict always an addict" in its essence is literally true.

Addicts are the victims of misfortune over which but few of them have had any control, as addiction rarely occurs through viciousness except in the cases of habitués of the so-called "underworld," and perhaps many of these have been reduced to this social condition as the result of addiction. They are the

most grateful of patients, and frequently commit minor offenses so that they may be committed to an institution in the hope of being cured of their affliction.

Mr. Crim, Assistant Attorney General, stated:

"We have cases where these men call up and say: 'I am a drug addict. I am going to sell some opium down on the corner of such and such a street at such and such an hour, and if you will go there you can apprehend me. I want to go to jail. I am afraid of myself.'"

They are not admitted to hospitals because their craving for the drug renders them beyond control. They are frequently the victims of nostrums and quack sanitariums, and should be the objects of compassion rather than be termed as "dope fiends."

I trust the day is not far distant when the necessity for constructing and maintaining an institution for the treatment and care of these unfortunate people is recognized, which would result in many being cured of the affliction.

There is an economic aspect to this problem about which I hesitatingly make reference, but, inasmuch as we are living in a highly commercial period, perhaps it is better to do so.

According to the report of the special committee heretofore referred to, satisfaction of addiction to the drug habit entails a useless annual expenditure of approximately $61,000,000 for habit-forming drugs, and the report further states that at least 25 per cent of the addicts are not occupied in gainful occupations which would represent on a conservative estimate a loss of $150,000,000 annually. Continuing, the report says:

These figures do not include the cost of drug addiction to individuals as a result of loss from theft, burglary, and other crimes, nor the cost to the States and municipalities in the suppression and punishment of crime and the care and treatment of those who eventually become a charge upon the community.

In addition to these items, the Federal Government appropriated $750,000 last year for the enforcement of antinarcotic laws, which is found to be wholly inadequate.

Treaties between countries have not availed in restricting traffic in these drugs, especially the treaty resulting from the meeting of the international opium commission at Shanghai, China, in 1909, and the conferences at The Hague in 1911 and 1912. The failure of this treaty was made possible by the fact that instead of placing limitation upon production, attempt was made to regulate the traffic in habit-forming narcotic drugs by restricting their transportation and sale. Evasion of this restriction is easily accomplished by reason of the fact, as already stated, that illicit traffic through surreptitious channels and sources is readily and safely engaged in, the drugs finding a waiting and eager market everywhere.

The treaty is also extremely indefinite and encourages evasions which can readily be seen by the wording of article 7, which is as follows:

Contracting powers shall prohibit the importation and exportation of prepared opium. However, those nations which are not yet ready to prohibit the exportation of prepared opium at once shall prohibit such exportation as soon as possible.

The treaty will, however, be beneficial in one respect. Many of the contracting powers have passed antinarcotic laws in pursuance of the treaty which will be very helpful hereafter in estimating the quantity of these drugs actually needed for strictly medicinal and scientific purposes.

Under article 23 of the treaty of Versailles the execution of the treaty of The Hague was delegated to the League of Nations, the council of which appointed an opium advisory committee of nine, representing certain nations, and three advisers or assessors who were appointed by the council irrespective of nationality. These were Sir John Jordan, M. Henri Brenier, and Mrs. Hamilton Wright.

At the meeting held in June, 1921, upon motion of Mr. Wellington Koo, the Chinese representative on the opium advisory committee, a resolution was adopted recommending the reduction and restriction of the cultivation of the poppy and the production of opium therefrom to strictly medicinal and scientific purposes.

The Koo resolution was ratified by the council of the League of Nations, which recommended its adoption by the assembly of the League. The assembly is composed of a representative from each nation which is a member of the League of Nations.

At the meeting of the assembly of the League held on October 19, 1921, the assembly recommended that the words "strictly medicinal and scientific" be stricken out and the word "legitimate" be substituted in lieu thereof on the statement of the Indian delegate, Mr. Sastri, "that the Indian population is throughout vast areas without adequate medical assistance, and therefore habitually takes opium in small doses as a prophylactic or as an effective remedy against diseases with which some of these regions are constantly infected."

The uses of opium enumerated by Mr. Sastri in his argument in favor of the amendment are clearly medicinal, and therefore there was no necessity for the amendment; further, anyone of average intelligence knows that opium is not a prophylactic or preventive of any disease, especially the fevers which occur in tropical countries. Mr. Sastri's statement that the "small doses" habitually taken by the people of India, according to the official record of the Indian government, consumed 532 tons of opium in 1919, and should arouse curiosity as to how much, in his opinion, a large does would be. It is perfectly obvious that the striking out of the words "strictly medicinal and scientific" and the substitution in lieu thereof of the general word "legitimate" was intended to legitimatize and thereby continue to encourage the sale of large quantities of this drug without restrictions on its use, which is "legitimate" in the oriental possessions of many European countries, and thereby preserve the large revenues which the opium-producing countries derive from its production and sale.

Mrs. Hamilton Wright, of the United States, one of the advisers and assessors of the opium advisory commission of the League of Nations, suggests the following in connection with the amendment:

If the eating of opium is legitimate, it must follow that its cultivation is legitimate. If it is legitimate for the Indian to consume opium, why not the Chinese? And, to go a step farther, if it is a legitimate thing for the oriental, why not for the occidental? * * * If opium is a good thing, why are there any regulations at all? But if it is an evil thing real regulation means suppression or restriction of cultivation to its legitimate medicinal need.

This perfidious action of the assembly of the league in legitimatizing and encouraging for the sake of revenue the traffic in opium destroys all hope of relief from this international scourge through the League of Nations.

That our country has always pursued a program, without regard to revenue, designed to suppress the illicit traffic in habit-forming narcotic drugs, not only in continental United States but in other countries as well which have suffered from the ravages of these insidious agencies of human destruction, is fully evident in its sympathetic cooperation with the efforts of the Government of China in dealing with the opium problem in that country and in suppressing and prohibiting drug traffic in the Philippine Islands immediately upon its acquisition of that territory.

This conclusion is fully justified by the terms of the treaties with China of November 17, 1880, and October 18, 1903, the treaty of May 22, 1882, with Korea, and the treaty of July 29, 1868, with Japan, in all of which it was agreed that citizens of the United States shall not be permitted to import opium into these countries or buy or sell any opium therein. The strict enforcement of these treaties by the Government of the United States against its own citizens accounts, in part, for the high esteem and respect which the people of China and Korea have always held for the people of the United States.

It is a maxim of law that "he who goes into equity must do so with clean hands," and we should be proud to say that our Republic enters upon this extraordinary undertaking with clean hands in harmony with its traditional policy.

The President is not requested in this resolution to make representations to China for reasons which are perfectly plain to anyone familiar with the pathetic struggle of two centuries which that country has made to protect her people from the ravages of opium. The principle of limitation of production to medicinal and scientific purposes has long been advocated by China; therefore it is not necessary to ask China to agree to a principle which she has already approved.

The growth, cultivation, and production of the opium-producing poppy in India is controlled by the British Government in India by virtue of its sovereignty over that possession, and the Kingdom of Persia and the Empire of Turkey, in the exercise of their sovereignty, can place restrictions and limitations upon the growth and production of the poppy within and exportation from their respective countries.

Likewise, by reason of their sovereign powers, the Republics of Peru and Bolivia and the Netherlands, in the case of Java, can restrict and limit production within and exportation from their respective countries of cocaine and the raw product—coca leaves—from which cocaine is made.

It is true that the adoption of the principle stated in the resolution, namely, that the production of these habit-forming narcotic drugs only to the extent needed for strictly medicinal and scientific purposes will decrease by from 10 per cent to 20 per cent the revenues of Persia, Turkey, and India, but surely the agonizing cries of the millions of sufferers from addiction to these drugs during the last two centuries should have more weight than these revenues, and the moral forces of the world should

place America's unselfish plea for humanity above the dollar, the incalculable benefits from which will inure to all the peoples of the world to exactly the same extent that they would inure to the people of the United States.

In summarizing, the hearings conclusively show:

1. That these habit-forming drugs are indispensable to proper medication of the people of the world.

2. That the enormous overproduction is being used for vicious purposes and causing irreparable injury to hundreds of thousands of people.

3. That by reason of the extremely limited area on which opium can be produced in paying quantities it is entirely practicable to control production thereof through the exercise of the sovereignty of the governments of the people which produce it.

4. That the amount needed for medicinal purposes is comparatively easy of ascertaining.

5. That all laws and treaties founded on the principle of controlling and restricting the use of these drugs to proper purposes by controlling the sale and transportation thereof have utterly failed, and in some instances may have tended to encourage their barter and sale.

6. That by reason of their extraordinary nature an extraordinary remedy must be applied, namely, the limitation of production to the amount needed for strictly medicinal and scientific purposes.

It is the duty of the United States of America to take the lead in this movement for the benefit of humanity as it has done many times before, so that, as stated in the splendid editorial of the New York Times, the President will be taking out of the hands of hundreds of thousands in our own country alone habit-forming narcotic drugs which De Quincey spoke of as having the "keys of Paradise, but which opens at last the doors to perdition."

Mr. CHALMERS. Mr. Chairman, will the gentleman yield to me?

Mr. PORTER. Certainly.

Mr. CHALMERS. I just wanted to say that I am not opposed to this legislation but that I am in favor of it.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania to suspend the rules and pass the joint resolution, including the preamble.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the joint resolution was passed.

EXTENSION OF REMARKS.

By unanimous consent, leave to extend their remarks in the RECORD was granted to—

Mr. PORTER, Mr. SIEGEL, Mr. MONDELL, Mr. COLLIER (and to print in connection therewith certain resolutions passed by the Legislature of the State of Mississippi upon the soldier question), Mr. GREENE of Vermont, and Mr. ACKERMAN.

The extensions of remarks referred to are here printed in full as follows:

Mr. SIEGEL. Mr. Speaker, it is now evident that Congress will be unable to act on relieving the hardships caused by the present 3 per cent quota law, and, retiring as I do from this House after eight years of service as a member of the Committee on Immigration and Naturalization, I feel it my duty to express what I believe is the problem which the Immigration Committee has been trying to solve. We must at the outset realize that the United States to-day has living under our flag and outside of the continental area itself approximately a population of 108,710,620 in the 48 States of the Union. That in addition thereto we have over 13,000,000 of people living under our flag outside of the continental area.

OUR ACCOMPLISHMENTS SINCE 1890.

The committee having adopted the 1890 census as a basis of calculations, because it is claimed that the newer immigration was a detriment instead of a benefit, it is interesting to learn what we have achieved since 1890. As a result of our entering the Cuban war and later acquiring the Virgin Islands, a new era has come in all the West Indies. We have become a power in the affairs of the Pacific, having taken Guam and the Hawaiian Islands. To-day we have under us the Philippines; we helped to bring to an end the conflict between Russia and Japan, and by the holding of the recent conference in Washington have temporarily at least brought peace in the Pacific. We gave up the Chinese indemnity. We created the Panama Canal, and when the European Great World War seemed destined to terminate in favor of Germany, we went into the struggle with all of our resources of man power and material wealth and strength so that the Allies came out victorious. To-day we are the only power on the face of the earth which is not threatened by war and fears no one. Such is the story of the United States since 1890 with its increase of more than 35,000,000 of population. During the same time that newer immigration was coming here, illiteracy has constantly and steadily decreased wherever the immigrants have settled. The statistics of the census of 1920 show this. In its bulletin issued October 12, 1921, it stated:

That the illiterate population of the United States, 10 years of age and over, numbered 4,931,905 in 1920, as against 5,516,163 in 1910, 6,180,069 in 1900, 6,324,702 in 1890, and 6,239,958 in 1880. The illiterate population represented 6 per cent of the total 10 years of age and over in 1920, the corresponding percentages for the last four preceding census years being 7.7 in 1910, 10.7 in 1900, 13.3 in 1890, and 17 in 1880. The term "illiterate" as used by the Census Bureau signifies inability to write in any language, not necessarily English. In general, the illiterate class comprises only those persons who have had no schooling whatever.

LOYALTY AND DEVOTION OF THE ALIEN DURING THE WORLD WAR.

The official report of The Adjutant General of the Army shows that 415,000 of the aliens in the United States waived exemption and entered our armies and fought most gallantly during the recent struggle. As a Member of Congress I helped pass a law by which these men, although most of them were in the United States less than five years, were to obtain, and they did receive, American citizenship.

On October 18, 1918, the New York Times published the following editorial:

Courage in emergencies is heroism, and for extraordinary heroism the distinguished-service cross is awarded by the United States Government.

A humble recipient of it is Abraham Krotoshinsky, an Infantry private of the Bronx. He volunteered for a service which seemed certain death, for other men had fallen wounded, or had been killed, or were accounted "missing" in attempting the duty which the youngster from New York sprang to perform with no illusions about its perils.

The place was the Argonne Forest, full of "Bloody Angles." Krotoshinsky belonged to the "Lost Battalion." Surrounded by the enemy and cut off from the rest of the American Army, it had decided to die rather than surrender. Runner after runner was sent out. They were all volunteers, to quote from the first dispatch, "to get through the enemy's lines and bring relief." Every man was a target as soon as he went "over the top." It was the valor of cold blood that made him run the risk. No man had gone through, for there was no cheer of relieving troops, no signal of aid coming. When the call for a volunteer was made again, Krotoshinsky spoke first, stepped up to the ordeal, went over in full view of the enemy, and was off to save the "Lost Battalion."

One can not imagine the Germans cheering the private from the Bronx as he faced their fire now stumbling, now up again, always going forward undaunted to save the battalion, but if ever a fighting man deserved to be cheered by a generous enemy it was this courier who was "captain of his soul" and dared all for love of his comrades. Colonel Roosevelt extolled two of his Rough Riders, one of whom survived, for making a run through the fire of the Spaniards in Cuba, but what a sprinkling of bullets it was compared with the inferno of crater making shells and machine gun volleys in the Great War.

About the stock and names of the heroes to be you can never tell, especially when 50 nationalities leap from the melting pot at the American call to arms.

If the Great War has proved anything, it is that men of all races and from all climes are brave to a fault, and that heroes may wear unfamiliar names—the name of Abraham Krotoshinsky, for instance.

Unwillingly, the Jewish boy himself told his own story modestly to his regiment's historian:

"The morning of the fifth day of our trouble," he said, answering inquiries, "they called for volunteers for couriers. I volunteered and was accepted. I went because—just because I thought I ought to.

"I was lucky enough not to be wounded. And after five days of starving I was stronger than many of my friends who were twice my size. You know a Jew finds strength to suffer.

"I got my orders and started. It was 5 o'clock in the morning on October 7. I had to run about 30 feet in plain view of the Germans before I got into the forest. They saw me when I got up and fired everything they had at me. I could feel the bullets whistle all around me, but I didn't get hit once. I guess it wasn't 'beshert' that I should get killed by the Germans. Then I had to crawl right through their lines. They knew I was there and they were looking for me everywhere. I just moved along on my stomach, in the direction I was told, straining my eyes open for them. The brush was 6 feet high and often that saved me. Once a squad of Germans passed right by my hiding place, jabbing their bayonets into the thicket and swearing. One big fellow nearly stepped on my hand. He looked right into my eye. I thought it was my finish that time, but he never saw me. It was almost 6 o'clock that night when I saw the American lines.

"All that day I had been crawling or running doubled up after five days and nights without food and practically nothing to drink. Then my real trouble began. I was coming from the direction of the German lines, and my English is none too good. I was afraid our own troops would shoot me for a German before I could explain who I was. I thought and thought, and finally I decided that if I called 'Hello' they would know I am an American soldier, as 'Jerry' never has used that expression when he tried to talk English. I called 'Hello' until the tears came to my eyes, I was so weak, before a voice called out, 'Who are you and what do you want?' Pretty soon I was on my way to headquarters, and they asked me whether I could lead them back to the battalion, and we started.

"I will never forget the scene when the relief came. The men were like crazy with joy.

"But not many were left. Of 679 who had entered the pocket only 252 were alive, and of those only 150 were able to walk without help."

To the story of the hero the military historian add the postscript: "Abraham Krotoshinsky is a small, shy, emaciated youth, with large limpid blue eyes set far apart in a face which suffering and privation have pinched very close to the contour of his skull. He has been for six years in the United States, which include the service of Uncle Sam. Although he wears on the lapel of his coat the red and blue

bar of the distinguished-service cross he is not yet a citizen. 'Everybody is good to me,' he keeps saying. 'When General Pershing himself gave me my cross he told me I should try to be a good citizen; that that was as much as to be a good soldier. And now'—this his insistent interruption as others would have him more elaborate the story of daring and glory—'now won't you please tell me how I can, quick, get my citizen papers.'"

Everyone knows the story of the Seventy-seventh Division, and how it was composed of all the nationalities and creeds which make up the so-called lower and upper East Side of New York. This is what Major General Alexander, who was its commander, has written:

It contained in its ranks representatives of all who have here sought freedom and citizenship under the flag. Fully represented was the Jewish race. My heart swells with pride that I was their commander. I am thrilled to think of the fact that the principles of Americanism and the principles of loyalty to our country can so animate human nature as to carry on through their trials and their dangers and their decimation.

Further proof, if any be required as to who did his full duty in the Great World War, can be found in the article published in Collier's, entitled:

EIGHT AMERICAN SOLDIERS.

(By Samuel McCoy.)

The heroism of the eight Americans whom I am about to name was duplicated in every one of the hundreds of regiments which were sent from America to serve in France. I name these eight men merely because their war records happen to be before me at the moment and because much has been said of late in regard to the proper qualifications for American citizenship.

Each of these men was awarded the distinguished service cross. Twenty thousand men who fought in the same division to which they belonged all acquitted themselves with honor in the face of danger. A thousand men of the division were singled out to appear in the divisional citations for feats of heroism performed in that campaign. But these eight were ranked even higher than all these. They were of the handful who won the distinguished service cross—a decoration awarded only "for extraordinary heroism in action."

The first man, a sergeant, in the assault launched against the seemingly impregnable Hindenburg line, "although twice wounded, refused to leave the field, but remained with his platoon, exhibiting magnificent courage and bravery, until he was wounded a third time. His devotion to duty set a splendid example to the men of his company."

The second, a corporal, in the same fearful fire of the enemy, "was an advance scout for his platoon. The platoon was temporarily halted by machine-gun fire from a section of the enemy trench in their immediate front. He rushed through the heavy enemy fire to the trench, and at the point of his rifle compelled 12 of the enemy to surrender. He then signaled for the platoon to advance."

The third, also a corporal, "left shelter, went forward under intense machine-gun fire, and carried a wounded officer to safety. In accomplishing this mission he was severely wounded."

The fourth man, a private, first class, "when the advance of his battalion was checked by heavy machine-gun fire, went forward with two other soldiers under heavy fire to reconnoiter the enemy positions. By effective rifle fire they drove the gunners from two machine-gun nests into a dugout near by, which they captured, together with 35 prisoners, including 3 officers."

The fifth man, also a private, "after being severely wounded by shrapnel, took shelter in a shell hole somewhat in advance of his company, from which he had become separated in the fog and smoke. He saved the lives of four of his wounded comrades who were occupying the shell hole, by throwing live grenades, which had been tossed into the shell hole by members of his own company in the rear, into the enemy's lines."

The sixth, a private, "under heavy shell and machine-gun fire, left the shelter of his trench, and going forward under a thick smoke screen, single-handed captured between 30 and 40 prisoners * * *. Three weeks later, in a second battle, after the advance of his company had been stopped by strong, hostile machine-gun fire, he, with three companions, advanced far ahead of the front line to attack an enemy position located in a large farmhouse. By skillful maneuvering in the broad daylight they covered all entrances to the house and forced the surrender of the entire force of the enemy, numbering 36 men and 2 officers. During the exploit they killed two of the enemy who attempted to take cover in the cellar."

The seventh, a private, "exhibited exceptional bravery by leaving shelter and going into an open field under heavy machine-gun and shell fire to rescue wounded soldiers."

The eighth man, also a private, "while the advance against the Hindenburg line was at its height, seeing an American machine gunner exposed to the enemy, ran to his assistance. On the way he was seriously wounded, but continued on, reaching the position and using his body to shield the gunner while the latter poured a fire into the enemy. He was wounded three times, finally losing consciousness, but after his wounds were dressed he insisted on leaving the field unaided."

The names of these eight American soldiers, all of whom are still living, are John N. F. Bilitzki, Lonnie J. Moscow, Aloizy Nagowski, Isaac Rabinowitz, Epifanio Affatato, Wasyl Kolonoczyk, Daniel Moskowitz, and Antony Sclafoni.

Mr. Speaker, there has been constant reiteration in the press and other places that in the States where the foreign-born population has settled in great numbers that they and their descendants had not given the proportionate number of men during the great World War. The contrary is the fact. The following statistics furnished by the United States Marine Corps, Navy Department, and The Adjutant General of the War Department prove to the contrary. These figures are as follows:

HEADQUARTERS UNITED STATES MARINE CORPS,
Washington, February 23, 1923.

MY DEAR MR. SIEGEL: Having further reference to your letter of February 15 and my reply of February 21, I have the honor to transmit herewith a list showing the number of officers and enlisted men, by States, who served in the Marine Corps during the World War.

Trusting that the inclosure will fully meet with your requirements, I am, with best wishes,

Sincerely yours,

JOHN A. LEJEUNE,
Major General Commandant.

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

Number of officers and enlisted men, by States, who served in the United States Marine Corps during the World War.

State.	Officers.	Enlisted men.
Alabama	26	572
Arizona	2	279
Arkansas	7	483
California	192	3,727
Colorado	22	1,404
Connecticut	31	447
Delaware	10	114
District of Columbia	205	773
Florida	20	219
Georgia	34	1,058
Idaho	11	835
Illinois	162	6,751
Indiana	45	1,722
Iowa	29	1,032
Kansas	25	1,193
Kentucky	37	1,105
Louisiana	24	964
Maine	22	119
Maryland	114	1,169
Massachusetts	149	2,662
Michigan	59	3,120
Minnesota	83	2,774
Mississippi	25	535
Missouri	62	3,808
Montana	12	1,548
Nebraska	11	591
Nevada	.....	121
New Hampshire	28	142
New Jersey	85	2,227
New Mexico	5	57
New York	239	8,568
North Carolina	22	605
North Dakota	6	348
Ohio	112	6,507
Oklahoma	10	623
Oregon	23	1,494
Pennsylvania	262	6,039
Rhode Island	12	144
South Carolina	56	218
South Dakota	5	262
Tennessee	32	1,600
Texas	91	3,117
Utah	4	879
Vermont	15	68
Virginia	108	1,028
Washington	50	2,555
West Virginia	21	803
Wisconsin	47	1,371
Wyoming	3	211
Total	2,655	77,991
Alaska	1	19
Hawaii	2	4
Grand total	2,658	78,014

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., February 23, 1923.

MY DEAR MR. SIEGEL: I have received your letter of the 15th instant in which you request to be furnished with the total number of men, by States, also officers, who served in the Regular Army and Naval Reserve Force during the World War.

I take pleasure in submitting herewith a list of enlisted men and women who served during the World War, and will refer your letter to the officers' section of the bureau for the same information regarding officers.

Sincerely yours,

R. H. LEIGH, *Acting.*

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

Number of enlisted men furnished by each State during the World War.

State.	U. S. Navy (male).	U. S. Navy (female).	U. S. Naval Reserve Force (male).	U. S. Naval Reserve Force (female).	Total.
Alabama	3,170	6	1,617	21	4,814
Alaska	49	.....	46	.....	95
Arizona	994	.....	576	3	1,574
Arkansas	3,124	.....	1,571	12	4,657
California	11,374	26	14,817	557	26,774
Colorado	3,775	7	1,331	17	5,130
Connecticut	4,604	10	6,956	315	11,884
Delaware	588	.....	448	5	1,041
District of Columbia	1,529	7	2,200	1,874	5,670
Florida	1,966	2	3,335	31	5,334
Georgia	4,123	1	3,905	30	8,059
Idaho	1,437	2	655	6	2,100
Illinois	13,650	5	24,528	210	38,393
Indiana	6,436	4	5,768	45	12,253
Iowa	5,767	7	4,776	47	10,597

Number of enlisted men furnished by each State during the World War—Continued.

State.	U. S. Navy (male).	U. S. Navy (female).	U. S. Naval Reserve Force (male).	U. S. Naval Reserve Force (female).	Total.
Kansas	3,906	3	4,140	32	8,081
Kentucky	3,738	1	4,656	35	8,430
Louisiana	3,845	3	3,155	128	7,131
Maine	2,331	13	2,823	72	5,239
Maryland	3,908	10	4,455	418	8,791
Massachusetts	12,922	33	30,106	1,324	44,385
Michigan	5,244	6	11,154	49	16,453
Minnesota	4,873	27	4,883	80	10,863
Mississippi	2,967	2	1,786	36	4,791
Missouri	9,180	3	8,639	40	17,862
Montana	1,839	1	810	13	2,663
Nebraska	3,600	1	2,526	11	6,138
Nevada	155	.....	98	4	257
New Hampshire	1,068	7	1,358	80	2,513
New Jersey	9,877	14	13,583	352	23,826
New Mexico	969	.....	546	1	1,516
New York	25,413	46	48,068	2,329	75,856
North Carolina	2,750	8	4,176	190	7,124
North Dakota	1,141	2	539	10	1,692
Ohio	7,999	16	8,686	207	16,908
Oklahoma	4,388	1	2,533	33	6,955
Oregon	4,053	.....	2,456	79	6,588
Pennsylvania	16,139	60	20,305	1,067	37,571
Rhode Island	2,420	13	4,596	235	7,264
South Carolina	2,501	1	2,482	143	5,127
South Dakota	1,207	1	757	11	1,976
Tennessee	3,872	1	2,258	53	6,184
Texas	13,599	6	4,505	107	18,217
Utah	1,601	.....	350	4	1,955
Vermont	850	4	729	20	1,603
Virginia	4,601	11	6,171	1,071	11,854
Washington	6,575	5	5,128	179	11,887
West Virginia	1,599	4	1,463	137	3,203
Wisconsin	4,673	6	8,620	92	13,391
Wyoming	486	.....	180	2	668
Guam	245	.....	3	.....	248
Hawaii	227	.....	130	24	381
Philippine Islands	4,529	.....	256	.....	4,785
Porto Rico	393	.....	25	.....	418
Samoa	88	.....	2	.....	90
Others	515	10	1,204	29	1,758
No residence	322	5	327	10	664
Virgin Islands	52	.....	3	.....	55
Total	246,246	401	293,209	11,880	551,736

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, February 16, 1923.

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: In response to your letter of the 15th instant, in which you request to be furnished with statistical information showing, by States, the total number of officers and enlisted men who served in the United States Army during the World War, I have the honor to advise you as follows:

Accurate and complete statistics on the World War are not yet available for publication. Final statistics showing, by States, the number of men furnished to the Army during that war will not become available until this office shall have completed its task of furnishing to the adjutant general of each State a detailed statement of the military service of every man from that State who served in the Army during the war. The following tabulation shows the number of statements of service thus far prepared in the cases of men who served during the war as enlisted men from the various States and Territories:

	Enlisted men.
Alabama	70,656
Arizona	9,229
Arkansas	59,567
California	111,199
Colorado	31,673
Connecticut	48,503
Delaware	7,152
District of Columbia	15,195
Florida	33,018
Georgia	83,998
Idaho	17,501
Illinois	246,988
Indiana	106,457
Iowa	93,735
Kansas	64,484
Kentucky	76,260
Louisiana	61,914
Maine	24,401
Maryland	45,542
Massachusetts	129,031
Michigan	128,952
Minnesota	94,096
Mississippi	50,766
Missouri	125,342
Montana	32,502
Nebraska	45,330
Nevada	4,580
New Hampshire	13,730
New Jersey	103,740
New Mexico	11,607
New York	355,232
North Carolina	70,743
North Dakota	23,336
Ohio	191,675
Oklahoma	75,243
Oregon	30,525
Pennsylvania	284,774
Rhode Island	17,970
South Carolina	51,141
South Dakota	27,817
Tennessee	74,353
Texas	153,972
Utah	16,291
Vermont	10,240
Virginia	69,906
Washington	44,481
West Virginia	49,249
Wisconsin	96,545
Wyoming	10,468
Alaska	1,832
Canal Zone	286
Hawaii	8,227
Philippine Islands	20,146
Porto Rico	16,491
Total	3,648,091

A rough estimate of the total number of enlisted men furnished by each of those States or Territories can be obtained by increasing each of the foregoing figures by 20 per cent.

No reliable estimate on the number of commissioned officers furnished by each State is as yet available. However, it is hoped that complete statistics along this line will be available by the end of the current fiscal year.

Very respectfully,

ROBERT C. DAVIS,
The Adjutant General.

I also insert the population of each of the States according to the census of 1920, so that the calculations of percentage may be made by anyone who is interested and who may see fit to challenge the statements which I have made:

Population, number of Indians not taxed, and population exclusive of Indians not taxed, by States, 1920.

State.	Total population, 1920.	Indians not taxed, 1920.	Population, exclusive of Indians not taxed, 1920.
Alabama	2,348,174	.....	2,348,174
Arizona	333,903	24,408	309,495
Arkansas	1,752,204	.....	1,752,204
California	3,426,861	830	3,426,031
Colorado	939,629	468	939,161
Connecticut	1,380,631	.....	1,380,631
Delaware	223,003	.....	223,003
Florida	968,470	.....	968,470
Georgia	2,895,832	.....	2,895,832
Idaho	431,866	1,424	430,442
Illinois	6,485,280	.....	6,485,280
Indiana	2,930,390	.....	2,930,390
Iowa	2,404,021	.....	2,404,021
Kansas	1,769,257	.....	1,769,257
Kentucky	2,416,630	.....	2,416,630
Louisiana	1,798,509	.....	1,798,509
Maine	768,014	.....	768,014
Maryland	1,449,661	.....	1,449,661
Massachusetts	3,852,356	.....	3,852,356
Michigan	3,668,412	.....	3,668,412
Minnesota	2,387,125	1,469	2,385,656
Mississippi	1,790,618	.....	1,790,618
Missouri	3,404,055	.....	3,404,055
Montana	548,889	7,378	541,511
Nebraska	1,296,372	.....	1,296,372
Nevada	77,407	1,587	75,820
New Hampshire	443,083	.....	443,083
New Jersey	3,155,900	.....	3,155,900
New Mexico	360,350	6,922	353,428
New York	10,384,829	4,240	10,380,589
North Carolina	2,559,123	.....	2,559,123
North Dakota	645,680	1,727	643,953
Ohio	5,759,394	.....	5,759,394
Oklahoma	2,028,283	.....	2,028,283
Oregon	783,389	.....	783,389
Pennsylvania	8,720,017	.....	8,720,017
Rhode Island	604,397	.....	604,397
South Carolina	1,683,724	.....	1,683,724
South Dakota	636,547	5,308	631,239
Tennessee	2,337,885	.....	2,337,885
Texas	4,663,228	.....	4,663,228
Utah	449,396	1,008	448,388
Vermont	352,428	.....	352,428
Virginia	2,309,187	.....	2,309,187
Washington	1,356,621	2,025	1,354,596
West Virginia	1,463,701	.....	1,463,701
Wisconsin	2,632,067	762	2,631,305
Wyoming	194,402	915	193,487
Total for 48 States	105,271,200	60,471	105,210,729
District of Columbia	437,571	.....	.....
Total, United States	105,708,771	60,471	105,210,729

AMERICAN-BORN BOYS WILL NOT DO THE COMMON LABOR.

The United States Bureau of Education in its Bulletin No. 29 for 1922 calls attention to the fact that there are 19,378,927 elementary and kindergarten pupils in the United States, and that at the same time there were 2,199,389 boys and girls attending secondary and high schools. Of the 2,199,389 secondary or high-school pupils, the number of males is 992,213 and the number of girls is 1,207,176.

We are constantly being asked by business men, manufacturers, and others interested in the welfare of the Republic as to why it is that the American boy and girl will not do any of the rough work which in times gone by was performed by the arriving immigrants. The answer is a very brief one. The American-born boy and girl are opposed to doing what is ordinarily known as common labor unless it is a means to an end, such as completing an engineering education, and so forth. With the exception of the textile public high school in New York, which is a free institution, and the textile school at Philadelphia, no other school exists in this country for the teaching of textiles to the high-school boys and girls. No wonder that so few high-school boys and girls are willing to enter such fields of labor or business. As a matter of fact, it matters very little what the amount of pay is offered.

The boy and girl attending high school have made up their minds that they are going to be professional people, if possible. They would rather be clerks, stenographers, and salesmen than be milliners, dressmakers, or tailors. It is startling to learn from the testimony given before our committee how few are now entering the trades for the purpose of undergoing an apprenticeship. It is time for the American people to awaken to the realization that something must be done promptly to point out to the rising generation that manual or physical labor does not demean or lower one in the estimation of the public at large. With the desire of the American people not to have as large an immigration as in the past, it is absolutely essential and necessary that these facts be brought home to all who are interested in seeing this country continue to make progress.

My dear colleague on the committee [Mr. RAKER, of California] has repeatedly asked the question which I have propounded, and has taken the opposite view to mine. I believe that he will be interested in the following newspaper article, which appeared in the New York Times on February 15, 1923:

FINDS EDUCATION WASTED—CALIFORNIA PROFESSOR RECOMMENDS PICK AND FRYING PAN FOR STUDENTS.

BERKELEY, CALIF., February 14.—Facing a class of both sexes, Prof. C. L. Montgomery, of the English department, declared that there were 7,000 students in the University of California "who should be attached to the handle of a pick or a frying pan."

Seventy per cent of the university's 10,000 students, he said yesterday, were more interested in dancing than in pursuing the subtleties of Shakespeare or Chaucer.

OLD IMMIGRATION PRODUCED THE SLACKERS DURING THE WAR.

The proponents of quota immigration legislation call attention all the time to the desirability of the so-called old immigration, specifically pointing out Sweden, Norway, Holland, Switzerland, and Denmark. It may startle them to learn that out of a total number of 1,692 aliens who withdrew their declarations of intention in order to avoid military service during the late war 738 came from Sweden, 479 from Norway, 111 from Holland, 158 from Switzerland, and 68 from Denmark. Few came from the new immigration. I read a letter received from Mr. Post, Assistant Secretary of Labor, dated October 21, 1919, which is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, October 21, 1919.

MY DEAR MR. KLECZKA: I have to refer to my letter to you of the 16th instant, transmitting a table concerning aliens who withdrew their declarations of intention to become citizens of the United States for the purpose of avoiding military service in the Armies of the United States.

Since sending you that table the records have been reexamined, and it has been found that a number of the cases included in the previous list did not properly fall within the terms of the act of July 9, 1918, which provided for the exemption from military service of neutral aliens who having made declarations surrendered them and elected to be debarred from citizenship for the purpose of avoiding the draft. A new table has, therefore, been prepared and brought down to date. A copy of the revised table is inclosed herewith. Among the changes you will note that nationals who were not neutral in the present war have been eliminated.

Respectfully yours, LOUIS F. POST, *Assistant Secretary.*

Hon. JOHN C. KLECZKA,
Representative in Congress, Washington, D. C.

Nationality and number of aliens, according to States, who withdrew their declarations of intention under the act of July 9, 1918.

	Sweden.	Norway.	Holland.	Switzerland.	Denmark.	Spain.	Mexico.	Colombia.	Persia.	Rumania.	Afghanistan.	Luxemburg.	Chile.	Venezuela.	Peru.	Salvador.	Argentine Republic.	Total.
Alaska	15	26			1		1											43
Arizona	3			1		2	3											9
California	32	11	6	32	7	10	5		1									104
Colorado	12	1	2	1		1												17
Connecticut	12		2	1														15
District of Columbia	1		1															2
Florida		1	2	1		8												12
Georgia	1																	1
Hawaii					1	1												2
Idaho	18	11				10												39
Illinois	115	17	14	4	8	2	1		2									163
Indiana	7		2	2		1												12
Iowa	13	8	7	3	4							1						36
Kansas	2			1		2												5
Louisiana				1				1										2
Maryland						1												1
Massachusetts	20	3	6		3	2			1				1					36
Michigan	19	4	14	1	1	1		1		1								42
Minnesota	164	72	3	2	2													243
Missouri				4		1												5
Montana	17	21	3	3	1						1							46
Nebraska	8	1		1														10
Nevada		1		1		17	1											20
New Hampshire	1																	1
New Jersey	3		10	15	3	1			1									33
New York	67	43	20	36	22	21	3		2	3		1		1	1	1		221
North Dakota	22	41		2	4													69
Ohio	5	2	2	5														14
Oklahoma	1																	1
Oregon	31	30	4	9		5												79
Pennsylvania	6	2	2	6	1	1						1						19
Rhode Island	5		1	1														7
South Dakota	9	18	3	1	4													35
Texas			1				9											10
Utah	7	3	1															11
Vermont	1																	1
Virginia						2												2
Washington	108	141	4	13	6	2											1	275
Wisconsin	11	22	1	11		1												46
Wyoming	2					1												3
Total	738	479	111	158	68	93	23	2	7	4	1	3	1	1	1	1	1	1,692

NATIVE BORN ARE LEADERS IN OUR RECENT DISORDERS.

Who are responsible for the recent disorders in this country? The troubles in Louisiana, which showed the most barbarous, cruel, and inhuman treatment ever accorded to human beings, was the work of the Ku-Klux Klan, ostensibly composed of native-born Americans. The murderers in Herrin, Ill., who committed wholesale murder, which crime shocked the country, were native-born Americans. Lynching of white union railroad men at Harrison, Ark., was the work of native-born Americans. The Supreme Court of the United States has by its order last week determined that a question of fact is presented for the District Court of the United States of Arkansas whether the negroes convicted of murder were actually guilty of it. If the affidavits presented to the United States Supreme Court on the application are taken and weighed very carefully, the mob controlled the courts of Arkansas. This mob was composed of native-born

Americans. Who were the leaders of the great disorders—Foster, Haywood, and McNamara. All born here. There is not a single case of an alien being a lyncher. I am alluding to these facts, because constantly and continuously there is being drummed into the minds of the American people the erroneous impression that the immigrant or his descendants are to blame for industrial strife and are the fomenters of trouble. Careful investigation shows that in cities like Washington, D. C., where the population to a very large extent is native born, that the proportionate share of crime is greater than in cities like New York, Chicago, Philadelphia, and so forth.

NATURALIZATION IS HINDERED AND DELAYED FOR THE FAILURE TO PROVIDE COURTS AND CLERKS.

Repeated attention has been called by the entire membership of the Committee on Immigration and Naturalization to the fact that there is an insufficiency of courts and clerks in the big cities of the country, such as New York, Chicago, etc., so that applicants for naturalization find themselves in the position that considerable money must be spent and time wasted, not only of their own, but of witnesses. Certain statistics furnished by the Department of Labor which follow demonstrate this statement beyond contradiction. It will be noticed that the three six-month periods from July 1 to December 31, show the falling off at New York. This is accounted for by the fact that on account of the congested business in the United States district court and the lack of Federal judges, it became impossible to handle the naturalization work. The Supreme Court of New York finds itself with 27,000 cases which have to be tried, and, therefore, can not give the necessary time to look after naturalization proceedings. The only remedy which can cure these evils and their growing is the establishment of a separate naturalization court in each of the big cities of the country. It would more than pay for itself, and at the same time bring into the Treasury at least $300,000 per year after the payment of all expenses.

Certificates of naturalization issued in New York and Chicago from July 1, 1921, to December 31, 1922, by 6-month periods.

	First 6-month period, July 1 to Dec. 31, 1921.	Second 6-month period, Jan. 1 to June 30, 1922.	Third 6-month period, July 1 to Dec. 31, 1922.	Total.
New York, N. Y. (including U. S. District Court, Southern District, U. S. District Court, Eastern District, and Supreme Courts of New York, Bronx, and Kings Counties)	14,541	15,798	10,514	40,853
Chicago, Ill. (including U. S. District Court, Northern District, Circuit Court of Cook County, and Superior Court of Cook County)	5,049	6,921	6,542	18,512

Certificates of naturalization issued, by States, from July 1, 1921, to June 30, 1922, by 6-month periods.

State.	First 6 months, July 1-Dec. 31, 1921.		Total.	Second 6 months, Jan. 1-June 30, 1922.		Total.
	Civilian.	Military.		Civilian.	Military.	
Alabama	160	8	168	55	7	62
Arizona	94	11	105	63	6	69
Arkansas	60	4	64	47	2	49
California	3,438	374	3,812	2,600	184	2,784
Colorado	581	9	590	475	25	500
Connecticut	1,691	98	1,789	1,721	181	1,902
Delaware	83	4	87	82	3	85
District of Columbia	154	20	174	124	45	169
Florida	150	3	153	131	19	150
Georgia	35	17	52	54	4	58
Idaho	223	2	225	106	3	109
Illinois	6,598	297	6,895	8,034	317	8,351
Indiana	1,172	30	1,202	1,457	65	1,522
Iowa	707	34	741	644	43	687
Kansas	654	10	664	440	16	456
Kentucky	109	1	110	172	10	182
Louisiana	253	19	272	372	28	400
Maine	400	31	431	398	40	438
Maryland	583	19	602	400	33	433
Massachusetts	3,867	290	4,157	4,794	446	5,240
Michigan	4,740	194	4,934	3,482	317	3,799
Minnesota	2,663	104	2,767	1,688	104	1,792
Mississippi	53	4	57	39	2	41
Missouri	747	70	817	498	34	532
Montana	970	21	991	447	19	466
Nebraska	1,291	25	1,316	863	40	903
Nevada	78	5	83	59	3	62
New Hampshire	381	29	410	224	12	236
New Jersey	5,468	207	5,675	4,646	330	4,976
New Mexico	60	2	62	55	10	65
New York	19,017	1,207	20,224	22,292	1,242	23,534

Certificates of naturalization issued, by States, etc.—Continued.

State.	First 6 months, July 1-Dec. 31, 1921.		Total.	Second 6 months, Jan. 1-June 30, 1922.		Total.
	Civilian.	Military.		Civilian.	Military.	
North Carolina	42	10	52	40	10	50
North Dakota	545	23	568	446	28	474
Ohio	4,735	164	4,899	3,933	190	4,123
Oklahoma	79	4	83	117	18	135
Oregon	566	27	593	350	42	392
Pennsylvania	10,602	732	11,334	11,532	691	12,223
Porto Rico	21	1	22	2	19	21
Rhode Island	1,072	68	1,140	809	73	882
South Carolina	22	0	22	27	2	29
South Dakota	454	13	467	390	22	412
Tennessee	94	11	105	36	4	40
Texas	882	105	987	909	66	975
Utah	277	1	278	187	4	191
Vermont	206	1	207	133	19	152
Virginia	104	6	110	181	20	201
Washington	1,228	33	1,261	952	77	1,029
West Virginia	276	15	291	262	44	306
Wisconsin	3,659	82	3,741	2,149	85	2,234
Wyoming	208	11	219	151	8	159
Total	81,552	4,456	86,008	79,068	5,012	84,080

RESPONSIBILITY FOR THE ADMISSION OF FEEBLE-MINDED.

Although favoring a fair and liberal immigration law, I have been unalterably and irrevocably opposed to the admission to the United States of any individual who has not been physically, mentally, and morally fit. I am opposed to the admission of any person who can not or will not comply with our laws. No better immigration act than the act of 1917 will ever be written by any Congress. The Public Health Service is not responsible for the admission of any feeble-minded or insane. The responsibility rests on Congress. Its failure to appropriate sufficient money to have a sufficient number of competent, expert, and able alienists at the ports of arrival to examine immigrants is at the bottom of the trouble. The time has come for very plain talk in regard to this subject, and it is useless for Members of the House to be criticizing the Public Health Service when the responsibility is its own. The biggest mistake which has been made is to have the money which is collected from head taxes paid into the Treasury instead of being kept as a separate fund.

EMPLOYEES AT ELLIS ISLAND DISCRIMINATED AGAINST AND TREATED UNFAIRLY.

It is a very well known fact that the employees at Ellis Island working in the Immigration Service have been compelled to work seven days a week at times, and frequently have to work over hours, including Sundays and holidays. At times, on account of lack of appropriations, many of these employees, although in the service for more than 15 and 20 years, having families, including children who have to go to school, have been furloughed without pay for many months. While this state of affairs is permitted to prevail in the Immigration Service, customs employees are permitted, and wisely so, to be paid for extra hours. This has been the subject of correspondence between Secretary Davis and members of the Immigration Committee. I deem it vitally important that Congress should know the facts, so that when the Sixty-eighth Congress meets it may do justice to these hard and conscientious workers in the Government employ. The correspondence to which I have alluded is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 19, 1923.

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

MY DEAR MR. SIEGEL: In reply to your letter of February 16, I inclose one addressed to Hon. Albert Johnson, chairman of the Immigration Committee of the House of Representatives, on January 2.

Why should the employees of one department be preferred over those of another in the matter of compensation for additional service.

Cordially yours,

JAMES J. DAVIS.

—

JANUARY 2, 1923.

Hon. ALBERT JOHNSON,
Chairman Committee on Immigration and Naturalization,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I referred your letter of December 16 to the Commissioner General of Immigration, who has submitted to me the following memorandum:

"Referring to Congressman Johnson's bill (H. R. 1330) entitled 'A bill to facilitate commerce by prescribing overtime rates to be paid by transportation lines for inspection of arriving passengers and crews,' I beg to say that the bureau favors the proposed legislation.

"Congress has already enacted legislation under which officers and employees of the Customs Service receive compensation for overtime work from steamship companies, which companies, it is under-

stood, are entirely willing to pay for such extra service in order to avoid long delay in landing passengers and their baggage. So long as such overtime service is rendered by customs officers it is, of course, necessary that immigration officers shall do likewise, and the fact that the latter receive no extra compensation for such work, while officers of another service are liberally rewarded, naturally results in dissatisfaction. Indeed, it seems to me that the unfairness of such an agreement is too obvious to require any particular comment.

"Our boarding officers at New York have repeatedly complained about the existing discrimination, and I found the same spirit of dissatisfaction at Seattle and San Francisco. Officers on the two borders are compelled frequently to work long hours of overtime when trains are delayed and they also feel that they are entitled to overtime pay, particularly when customs officers working on similar shifts with them are given extra compensation for overtime work performed.

"There is attached hereto copy of a statement relative to the work of the board division at New York, transmitted to the bureau by Commissioner Tod. You will note from the attached statement that the greatest amount of overtime work in a single day was performed on July 1 of the present year, this being the day on which the quotas for the new fiscal year were opened. The showing, of course, is not representative of normal conditions at the port of New York, but it will be noted that there was considerable overtime work during the remaining days of the month when the so-called quota rush was over.

"It has been suggested that the adoption of this legislation might result in discrimination in favor of boarding officers and those engaged in train work as compared with officers who are sometimes compelled to work overtime at the immigration stations. I do not believe this is a valid objection, however, for the reason that hours of work at the stations can, as a rule, be controlled while, as already pointed out, the work of boarding and train officers at times is subject to the movement of steamships and trains.

"However, the most unsatisfactory phase is the existing discrimination which results from the law under which customs officials are reimbursed for overtime work by the transportation companies, while our own officers who are obliged to perform similar work under the same conditions receive no compensation for their overtime labor."

Cordially yours,

JAMES J. DAVIS.

It appears from the testimony given before the committee on December 15, 1922, that:

IMMIGRANT INSPECTORS AND THEIR WORK.

The duties, responsibilities, and character of the work of immigrant inspectors are of such importance, affecting, as they do, the future welfare of the country, that any measure that will improve the conditions under which they perform service will do much to promote efficiency, improve the personnel, and tend to make these officers proud of their work and their positions.

The purpose of the immigration laws, as intended by Congress, is to provide for a discriminating selection of applicants for admission to the country, so as to keep out those who are undesirable, prevent a lowering of the standards of citizenship, and preserve the mental, moral, and physical make-up of the Nation from the deteriorating influence of aliens who are physically, mentally, morally, or racially undesirable.

The frequent changes in the immigration laws indicate the great importance that Congress attaches to the immigration problem and reflects the concern of the statesmen in their efforts to maintain the institutions and the people of the Nation in the high position which the United States has attained among the governments of the world.

The Immigration Service is intrusted by Congress with the responsibility of carrying out its policies and programs in this important work, and it is only reasonable that the service should consist of first-class officers, who are interested in their work and who feel that their devotion to duty will be appreciated and properly rewarded. Incident to such efficient personnel, proper organization demands that they perform service under the best possible conditions, and that they receive such compensation as will continue to improve the morale of the force and encourage the proper esprit de corps.

The immigrant inspectors are the guards at the gateway of the New World. They are the first Government officers to meet incoming strangers, and it is essential that they be of such caliber and personality as to be fitting representatives of the United States Government. First impressions are lasting; and it is proper that strangers coming to our country should be favorably impressed with the appearance, efficiency, and considerateness of the Immigration Service.

The work of immigrant inspectors is distinctly different from that of any other class of Government employees or Government activity, inasmuch as it is their duty to control the stream of hundreds of thousands of aliens who come to the United States each year. The immigration staff handling this great mass of people from every country and clime in the world, which is composed of all classes and strata of society, from peasant to potentate and diplomat to domestic servant, have a complex and highly important duty to perform in the enforcement of the immigration laws, the requirements for which are developed to a high degree in most inspectors who have had considerable experience in the work. These experienced men are important adjuncts to the Government, and every effort should be made to give them an appropriate income so that they may maintain themselves in a manner commensurate with their positions.

Inspectors must weed out from the aliens applying for admission all who fall within any of the excluded classes, which are enumerated below. They must know the immigration laws and regulations thoroughly and must decide promptly, firmly, and tactfully the very important question as to whether the aliens applying for entry shall be admitted or rejected. This duty, which has such an important bearing on the quality of our future citizenship, is one of great responsibility, and it should not be left to anyone who might be inclined to do it perfunctorily.

To properly conduct the examination of applicants for admission inspectors must have some knowledge of the peculiarities of the various aliens, so that they may be able to bring out all the information necessary for a proper decision. Many of the inspectors speak several foreign languages, and most of those who do not are able to conduct the inspection in several languages. Interpreters are used where the inspectors can not speak the language of the alien. Frequently this work has to be done under most unfavorable conditions—at night, on trains and shipboard, when persons are generally sleepy, tired, or nervous.

The officers engaged in this important work of enforcing the immigration laws should be such as would reflect credit on the Government, the service, and themselves. They should be well dressed, of pleasing personality and address, and know how to combine tact and consideration with a firm sense of duty. To obtain, maintain, and retain such a force it is essential that they be well paid and treated with consideration. Many of their duties are extremely irksome, and they are frequently attended with great personal risk. A particularly unpleasant feature is that they are almost constantly exposed to unjust criticism or false accusation by those displeased with the conduct of or the action taken in certain cases.

DUTIES OF IMMIGRANT INSPECTORS.

1. To board all incoming vessels and trains from foreign countries, see that the ship's papers concerning the passengers and crew are in proper order, and have the captains make oath to the truth of such documents, as required by law.

2. To quickly and accurately pass on the cases of all passengers claiming citizenship. (Hundreds of persons are discovered each year falsely claiming citizenship.)

3. To promptly examine all aliens as to their admissibility under the immigration law.

4. To examine all passports and determine if they are regular and valid.

5. To detain for special inquiry all aliens not clearly and beyond a doubt qualified to land.

6. To examine the crews of all vessels, both passenger and freight, and detain those not eligible to enter or who may be diseased.

7. To temporarily detain certain aliens, such as those whose addresses are indefinite, or who may have lost their addresses, or who may accompany others who are held for further medical observation.

8. To detain pending the appearance of relatives children and women destined to New York and vicinity who have never been in the United States before; this with a view to seeing that the aliens fall into proper hands.

9. To act as judges in quasi judicial capacity as members of boards of special inquiry, which boards investigate the cases of those detained because they are not clearly and beyond a doubt qualified to land, examining the aliens, their relatives or other witnesses, and ordering admission or deportation of the applicant.

10. To supervise the detention of all aliens until they are allowed to land or are deported.

IS THE OLDER IMMIGRATION ANY BETTER OR WORSE THAN THE NEWER?

We have recently seen how Italy has quietly and peacefully handled a change in the manner of the conduct of its Government and how successfully that change has been. As we have said, no one will assert that the Polish Government which has been recently set up is not endeavoring in every possible way to maintain its stability. The same is true of Czechoslovakia, where common sense and reason seem to be the guiding standard in all changes being done. Yet under the proposed legislation if the census of 1890 be taken as the basis, these people will be discriminated against. If we look across the seas and see how things have been turned topsy-turvy by the miners and railroad men, it must set thinking men to slowly come to the belief that immigration from Great Britain is not in any respect better, as far this country is concerned, than those who have come from the other countries and who have helped build our subways, construct our buildings, lay the railroad tracks, and, in general, do the rough work of the Nation.

NO ROOM HERE FOR THE FALSE PROPAGANDIST.

The person who attempts to raise religious and racial prejudice is unworthy of American citizenship. We are in grave danger of losing our sense of fair play and treating men according to their real worth. So extensive has been the carrying on of false propaganda against the foreign born and immigration in general that hatred and prejudice against them seem temporarily, it is to be hoped, to have supplanted reason and common sense. What have been heretofore conceded and undisputed facts as to the foreign-born rendition of hard work in the building of roads, railroads, subways, and building construction are now being denied by writers in muckraking magazines, who seem bent to make money on sensationalism and forgetting the numerous warnings which have been sounded by every true American statesman for more than a hundred years, that he who creates racial and religious schisms in our midst is unworthy of American citizenship and false to its ideals and traditions. No milder words can express the true characterization of such creatures. Not contented simply giving facts, they persist in drawing false conclusions even after having adopted false premises as a basis thereof. The same is true of lecturers and writers who are coming here to sow the seeds of racial and religious dissent and simultaneously mulcting Americans of their dollars.

The American people in their hearts are the fairest and most just on the face of the globe. How long will they permit this spirit of intolerance and falsehood to be preached? How long will they permit these poisoners of public opinion to reap the harvest of dollars from the sale of such publications, and at the same time damaging the body politic? Every believer in the liberty and freedom of the press to have the right to publish the facts must give these matters grave concern and thought. To vilify human beings because they are immigrants or their descendants, without real reason, regardless of whether they are citizens or declarants, is a pastime which eventually must produce evil consequences. I make these remarks after having watched for more than eight years the growth of this un-American spirit in our midst. The real American realizes that

patriotism does not consist merely in fighting for one's country on the battle field. It means more than that. It means the desire and the will to serve the Republic most faithfully at such a time as the Nation requires one's services.

The real patriot to-day is the man who gives the best that he possesses in behalf of the American people, whether in public service or in private life. To merely work and to expend one's earnings, are actions that a machine could just as well perform. We are living in an age when the individual must not only serve himself but must make constant sacrifices for the common welfare. By that I mean that it is the duty of every citizen to participate in every movement which tends in any degree to improve the body politic and the general welfare of the community in which he resides. Such a citizen when he simply votes does not consider that by such an act alone he has performed his full duty to his country. He takes an interest in the public-school system by actively participating in the discussion as to whether children are getting the most that can be secured from that particular educational curriculum. He makes every effort to improve conditions in his immediate neighborhood and urges the establishment of playgrounds for children. He occasionally finds time to visit public institutions for the purpose of learning how they are being managed and perhaps make some suggestions. He learns early in life that it is better to help develop and build up than to be one whose sole occupation in life is to criticize, destroy, and tear down. He loves his country and flag most who does all in his power to observe most faithfully both the moral and legal law in what he does. Now and then he finds time to visit the hospitals and write letters for such physically incapacitated patients who need such aid or render other assistance. He observes his own religious faith and respects the beliefs of his neighbors. He loves his home life and takes a deep interest in the education of his own children. No sacrifice is too great for him to make in their behalf. He learns early in life that public office is a public trust. He would rather give up his office than surrender his conscience. He puts truth above all things. He hates the hypocrite. He demands sincerity.

When his country calls for volunteers he is not a slacker. He is one who believes in deeds and not mere utterances. He observes the Ten Commandments and is not jealous of the prosperity of his neighbor, regardless of the place of his birth. Such is the real patriotic American citizen. Such is the type that we desire our citizens to be. Such a kind does not seek thanks and does not expect it. Such a type is rarely found mentioned in the newspapers or other public prints. He goes through life loyal, honest, energetic, faithful, devoted, and a constant inspiration to all who know him, and when he passes from this world to the far beyond his friends who remain realize that a faithful servant of this world has met his reward.

Mr. ACKERMAN. Mr. Speaker, this law will prove a boon to humanity. Anything that tends to make more interesting a clean, instructive, fascinating hobby, or assists in facilitating the extension of such a popular pastime as stamp collecting, is conferring a blessing on a group estimated by some to be as large as a million persons in this country.

While this act amends the penal code in the direction indicated, yet it is a moot question at the present time whether the laws now existing were intended to cover the illustrations which would make clearer to the mind's eye spaces in a stamp album or to visualize from the description in the text of catalogues. These crude black and defaced illustrations which have been used ever since stamp collecting started, some three-quarters of a century ago, are merely pathfinders for the correct places where the genuine specimen should be placed and in no sense can they be considered as a substitute for the original article. If there is anything that the true collector abhors, it is a counterfeit or a repaired or imperfect specimen.

Besides bringing to the coffers of the United States Treasury a sum exceeding $100,000 per annum of net revenue, through the sales of stamps at the philatelic agency of the Post Office Department, and in addition thereto defraying all the expense of making the new dies and plates, the Government secures at all times the collateral interest by having this million pairs of eyes throughout the country actively engaged in looking out for anything that rogues might do in their efforts to foist upon the public counterfeit stamps or securities. It can be readily seen that the educational effect of encouraging this clean, upbuilding, instructive hobby has a worth far greater than is perceptible at first.

All classes and ages, from the lowliest and youngest to the most influential and the oldest, and also both sexes, become devotees of this fascinating pursuit which has no deleterious effects and which if pursued along proper lines is not only a source of pleasure but may become a means of substantial profit, in the event that the hobby for any reason is abandoned. Governments could not do better than to assist in such a meritorious pursuit as this one and it is hoped that this action of Congress will be a forerunner of more consideration on behalf of public officials in the future than has been manifested in the past for the ubiquitous stamp collector.

An article in Ewens Weekly Stamp News, recently published, gives the number of collectors on the globe at 2,930,000 and the number of collectors annually buying one or more catalogues at 250,000.

Another authority gives the number of collectors in the respective countries as follows:

Germany	440,000
Austria-Hungary	110,000
Great Britain	363,000
Russia, Scandinavia, Spain, Portugal, Italy, Balkan States	60,000
France, Belgium, Netherlands, Switzerland, Luxemburg	300,000
United States and Canada	1,000,000
Mexico, Central and South America	20,000
Africa and Australia	10,000
Asia	20,000
Total for the globe	2,323,000

These figures are believed to be substantially accurate. In any event they indicate the growing popularity of philately, which has far outstripped that of numismatics, which for centuries has been looked upon as well worthy of high consideration not only by all civilized governments but by the most distinguished savants and literati. Our own Government at the Smithsonian Institution maintains a curator and publishes a list of the stamps of the United States issued up to 1920, and by reason of this legislation the pages of the catalogue may in the future be embellished with illustrations, thus increasing its usefulness to the average collector.

The long line of literature which has been issued touching upon philately in later years has been added to by the issuance of a "Who's Who," wherein may be found the name of celebrities, from the rulers of the greatest nations, princes of royal blood, to statesmen, admirals, generals, actors, foresters, singers, and philosophers in all parts of the globe. All these classes have recognized the intellectual value of this hobby. Its far-reaching educational value is accompanied by a charm of persistence which grips the enthusiast, by a devotion that never can be totally eliminated. The collectors of the country are grateful to Congress for having enacted this legislation.

Mr. COLLIER. Mr. Speaker, the Legislature of the State of Mississippi during the session of 1922 adopted the following resolution, which, under leave to print, I am inserting in the CONGRESSIONAL RECORD.

The matter referred to is as follows:

Mr. Clark called up for consideration the following resolution, favorably reported by division B of the judiciary committee, and moved its adoption, which motion prevailed:

Requesting the State board of health and Representatives in Congress to use their influence to have hospital established for the treatment of ex-service men of the American Expeditionary Forces who have Bright's disease.

Whereas Bright's disease and diabetes are the two most dreaded and deadly diseases with which the human race is afflicted, there being in 1920 87,685 deaths in the United States—over 82 per cent as many deaths from these as from tuberculosis, which was 106,000. Robinson Springs water, from Pocahontas, Miss., is an important adjunct to the recognized plan of treatment, as attested by prominent physicians of Mississippi and other States who have used it in their practice, such as Dr. John B. Elliot, sr., who was professor of theory and practice of Tulane University for many years; Dr. E. H. Galloway, ex-secretary of the State board of health; Dr. S. W. Glass, ex-president of the State board of health and president of the State Medical Association; Dr. W. W. Hall, member of the State board of health; Dr. O. M. Turner; Dr. J. P. Berry; Dr. L. H. Howard; Dr. Willis Walley, ex-president of the State Medical Association. Robinson Springs water has been used by them and shipped to nearly every State in the Union for over 10 years, and has proven of almost universal benefit in the treatment of these diseases. If this water will cure, or even benefit, a small per cent of those who suffer with Bright's disease and diabetes, for the sake of suffering humanity the world should know it officially: Be it

Resolved by the House of Representatives of Mississippi, That the State board of health shall request the health department of the United States Government to investigate by actual treatment with Robinson Springs water ex-service men of the American Expeditionary Forces suffering with kidney trouble, and to keep a record of the treatment and the results so as to determine of how much benefit the Robinson Springs water is in Bright's disease and diabetes.

Resolved further, That our Senators and Congressmen are requested to use their influence and take such action as is necessary to have the United States Government make such investigation; and if the water proves beneficial in Bright's or diabetes, to establish a hospital at the springs for the treatment of ex-service men of the American Expeditionary Forces, providing the owners of Robinson Springs shall furnish all water used in the treatment of ex-service men and charity patients, not exceeding the number of 200 at one time, for five years free of cost.

Resolved further, That the establishment of the hospital and treatment shall be done without cost to the taxpayers of the State of Mississippi.

A true copy from the journal of the House of Representatives of the State of Mississippi.

GEO. B. POWER, *Clerk.*

THE STATE OF MISSISSIPPI,
Executive Department.

To all who shall see these presents, greeting:

Be it known that George B. Power, whose name is subscribed to the annexed certificate, was on the day of the date thereof the duly qualified and legally acting clerk of the House of Representatives of the Mississippi Legislature in the State of Mississippi; that his attestation to the annexed certificate is in due form of law and made by the proper officer; and that full faith and credit are due to all his official acts.

In testimony whereof I have caused the great seal of the State to be hereunto affixed.

Given under my hand at the city of Jackson this 3d day of November, A. D. 1922.

[SEAL.] LEE M. RUSSELL, *Governor.*

By the governor:

JOS. W. POWER,
Secretary of State.

Senate Resolution No. 38, requesting the State board of health and Representatives in Congress to use their influence to have a hospital established for the treatment of ex-service men of the American Expeditionary Forces who have Bright's disease.

Whereas Bright's disease and diabetes are the two most dreaded and deadly diseases with which the human race is afflicted, there being in 1920 87,685 deaths in the United States—over 82 per cent as many deaths from these as from tuberculosis, which was 106,000. Robinson Springs water from Pocahontas, Miss., is an important adjunct to the recognized plan of treatment, as attested by prominent physicians of Mississippi and other States who have used it in their practice, such as Dr. John B. Elliott, sr., who was professor of theory and practice of Tulane University for many years; Dr. E. H. Galloway, ex-secretary of the State board of health; Dr. S. W. Glass, ex-president of State board of health and president of State Medical Association; Dr. W. W. Hall, president of State board of health; Dr. O. M. Turner; Dr. J. P. Berry; Dr. L. H. Howard; Dr. Willis Walley, ex-president of State Medical Association. Robinson Springs water has been used by them and shipped to nearly every State in the Union for over 10 years, and has proven of almost universal benefit in the treatment of these diseases. If this water will cure or even benefit a small per cent of those who suffer with Bright's disease and diabetes, for the sake of suffering humanity the world should know it officially: Be it

Resolved by the Senate of the State of Mississippi, That the State board of health shall request the Health Department of the United States Government to investigate by actual treatment with Robinson Springs water ex-service men of the American Expeditionary Forces suffering with kidney trouble, and to keep a record of the treatment and results, so as to determine how much benefit the Robinson Springs water is in Bright's disease and diabetes.

Resolved further, That our Senators and Congressmen are requested to use their influence and take such action as is necessary to have the United States Government make such investigation, and if the water proves beneficial in Bright's or diabetes to establish a hospital at the springs for the treatment of ex-service men of the American Expeditionary Forces, providing that the owners of Robinson Springs shall furnish all water used in the treatment of ex-service men and charity patients, not exceeding the number of 200 at one time, for five years free of cost.

Resolved further, That the establishment of the hospital and treatment shall be done without cost to the taxpayers of the State of Mississippi.

Adopted by the Mississippi State Senate April 5, 1922.

J. H. WILLIS,
Secretary of the Senate.

THE STATE OF MISSISSIPPI,
Executive Department.

To all who shall see these presents, greeting:

Be it known that J. H. Willis, whose name is subscribed to the annexed certificate, was on the day of the date thereof the duly qualified and legally acting secretary of the Senate of the Mississippi Legislature in the State of Mississippi, that his attestation to the annexed certificate is in due form of law and made by the proper officer, and that full faith and credit are due to all his official acts.

In testimony whereof I have caused the great seal of the State to be hereunto affixed.

Given under my hand at the city of Jackson this 3d day of November, 1922.

[SEAL.] LEE M. RUSSELL, *Governor.*

By the governor:

JOS. W. POWER, *Secretary of State.*

FOREIGN RELATIONS OF THE UNITED STATES.

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, submitting documents pertaining to the foreign relations of the United States for 1915, and "Foreign Relations of the United States, the History of the World War as Shown by the Records of the Department of State," with a view to their publication under the existing appropriations for printing and binding in the Department of State. Subsequent volumes of these documents will be sent to the Government Printing Office from time to time.

WARREN G. HARDING.

THE WHITE HOUSE, *February 24, 1923.*

ENROLLED BILLS SIGNED.

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

H. J. Res. 460. Joint resolution accepting the sword of General Richard Montgomery;

H. R. 14254. An act to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922;

H. R. 13660. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1924, and for other purposes;

S. 1405. An act for the relief of William Collie Nabors;

S. 419. An act for the relief of the owners of the steamship *Esperanza;*

S. 1590. An act for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Sheaffer, deceased;

S. 3351. An act for the relief of G. Dare Hopkins;

S. 3594. An act for the relief of Anton Rospotnik and the exchange of certain lands owned by the Northern Pacific Railway Co.;

S. 3118. An act for the relief of Herbert E. Meilstrup;

S. 3171. An act for the relief of the trustee of the estate of Hillsboro Dredging Co., a corporation, bankrupt;

S. 1502. An act for the relief of Thomas E. Owen;

S. 3256. An act for the relief of A. L. Gramling;

S. 4345. An act for the relief of E. J. Reynolds;

S. 2853. An act for the relief of persons suffering damage by reason of proceedings for the condemnation of land for Camp Benning, Ga.;

S. 937. An act to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen;

S. 4028. An act for the relief of John N. Halladay;

S. 2934. An act to provide for the issuance to John W. Stanton by the Secretary of the Interior of patent to certain land upon payment therefor at the rate of $1.25 per acre;

S. 2746. An act for the relief of William Howard May, ex-marshal of the Canal Zone; William K. Jackson, ex-district attorney of the Canal Zone; and John H. McLean, ex-paymaster of the Panama Canal, now deceased;

S. 3154. An act for the relief of C. M. Rieves;

S. 2632. An act for the relief of Martin Cletner;

S. 107. An act for the relief of Robert Edgar Zeigler;

S. 2323. An act for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased;

S. 2168. An act for the relief of Jesse C. Dennis and William Rhett Eleazer;

S. 1670. An act for the relief of Buffkin & Girvin;

S. 1516. An act for the relief of Lewis W. Flaunlacher; and

S. 726. An act for the relief of George Emerson.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States; to the Committee on Foreign Affairs.

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma; to the Committee on Indian Affairs.

S. 3761. An act for the relief of James Moran; to the Committee on Military Affairs.

S. J. Res. 274. Joint resolution to provide for the participation of the United States in the observance of the one hundredth anniversary of the enunciation of the Monroe doctrine and of the ninety-second anniversary of the death of James Monroe; to the Committee on Industrial Arts and Expositions.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 27, 1923, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MOORES of Indiana: Joint Select Committee on Disposition of Useless Executive Papers. H. Rept. 1713. A report on the disposition of useless papers in the Department of the Interior. Ordered to be printed.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 14351. A bill to authorize bridging the Ohio River at Moundsville, W. Va.; without amendment (Rept. No. 1715). Referred to the House Calendar.

Mr. SHAW: Committee on Immigration and Naturalization. H. J. Res. 171. A joint resolution providing for immigration to meet the emergency caused by an acute labor shortage in the Territory of Hawaii; without amendment (Rept. No. 1717). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14368. A bill to authorize the county of Hennepin, in the State of Minnesota, to construct a bridge and approaches thereto across the Minnesota River at points suitable to the interests of navigation; with amendments (Rept. No. 1718). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14381. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Charles Mix County and Gregory County, S. Dak.; without amendment (Rept. No. 1719). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14382. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Hughes County and Stanley County, S. Dak.; without amendment (Rept. No. 1720). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14383. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; without amendment (Rept. No. 1721). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14384. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Potter County and Dewey County, S. Dak.; with an amendment (Rept. No. 1722). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 14385. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.; with an amendment (Rept. No. 1723). Referred to the House Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. STEENERSON: Committee on the Post Office and Post Roads. H. R. 11723. A bill to authorize and provide for the payment of the amounts expended in the construction of hangars and the maintenance of flying fields for the use of the Air Mail Service of the Post Office Department; adverse (Rept. No. 1714). Referred to the House Calendar.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 452. A joint resolution authorizing and directing the President to immediately take vigorous and drastic steps to enforce the collection of $3,500,000,000 owed by the Government of France to the Government of the United States, with interest thereon from the time the United States advanced said sum to the Government of France until said sum is paid (Rept. No. 1716). Laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROACH: A bill (H. R. 14427) to pension soldiers and sailors of the World War; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 14428) granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Moorhead, Minn., and Fargo, N. Dak.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14429) granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Grand Forks, N. Dak., and East Grand Forks, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. VAILE: A bill (H. R. 14430) to provide for the enrollment and Americanization of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. LANGLEY: A bill (H. R. 14431) to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide for the construction of additional hospital facilities and to provide medical, surgical, and hospital services and supplies for persons who served in the World War, the Spanish-American War, the Philippine insurrection, and the Boxer rebellion and are patients of the United States Veterans' Bureau; to the Committee on Public Buildings and Grounds.

By Mr. FAIRCHILD: A joint resolution (H. J. Res. 461) proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Representatives in Congress, and the terms of Representatives, and fixing the time of the assembling of Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. JOHNSON of Washington: A resolution (H. Res. 563) authorizing the Committee on Immigration and Naturalization to investigate labor conditions in Hawaii; to the Committee on Rules.

By Mr. ARENTZ: Memorial of the Legislature of the State of Nevada petitioning Congress to adopt and submit to the several States of the Union an amendment to the Constitution of the United States authorizing Congress to regulate the employment of child labor in the industries of the United States; to the Committee on the Judiciary.

By Mr. BARBOUR: Memorial of the Legislature of the State of California favoring the establishment of a forest experiment station in California; to the Committee on Appropriations.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon favoring legislation guaranteeing the price of wheat; to the Committee on Agriculture.

By Mr. LEATHERWOOD: Memorial of the Legislature of the State of Utah petitioning Congress to grant relief to settlers of the United States; to the Committee on Irrigation of Arid Lands.

By Mr. RAKER: Memorial of the Legislature of the State of Montana relative to the construction of public roads into and through national forests, Indian reservations, and other public-land areas; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Oregon relative to State officers being allowed access to the income-tax returns filed under the Federal income tax law; to the Committee on Ways and Means.

By the SPEAKER (by request): Memorial of the Legislature of the State of Oregon petitioning Congress to enact legislation regulating the marketing of wheat; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HICKEY: A bill (H. R. 14432) granting a pension to Frederich Beckman; to the Committee on Pensions.

Mr. McPHERSON: A bill (H. R. 14433) granting a pension to Mollie F. Stinson; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14434) granting a pension to Eliza Savage; 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:

7440. By the SPEAKER (by request): Petition of the Synod of Pennsylvania of the Presbyterian Church, indorsing House Joint Resolution 131; to the Committee on the Judiciary.

7441. Also (by request), petition of Federation of Citizens' Associations of the District of Columbia, opposing the eviction of tenants in alley houses until a year's time from June 1, 1923; to the Committee on the District of Columbia.

7442. Also (by request), petition of members of American Legion Auxiliary of Roy Kelly Post, No. 90, Ashland, Wis., urging the Military Affairs Committee to report out the Bursum bill; to the Committee on Military Affairs.

7443. Also (by request), petition of the National Association of Manufacturers, New York City, N. Y., favoring the enactment of House bill 8928; to the Committee on Reform in the Civil Service.

7444. Also (by request), petition of citizens of Provincetown, Mass., requesting Congress to fix a maximum price on coal; to the Committee on Interstate and Foreign Commerce.

7445. Also (by request), petition of Minneapolis Unit, No. 85, Steuben Society of America, requesting that our Government protest against the French invasion of Germany; to the Committee on Foreign Affairs.

7446. Also (by request), petition of Muehlenberg Unit, No. 86, Steuben Society of America, Milwaukee, Wis., protesting against the action of France in invading Germany; to the Committee on Foreign Affairs.

7447. By Mr. ABERNETHY: Petition of North Carolina Cotton Growers' Association, urging the passage of the Capper bill relative to rural credits; to the Committee on Banking and Currency.

7448. By Mr. ANSORGE: Petition of Big Brother Movement (Inc.), New York, favoring an amendment to the Constitution providing that Congress shall have power to limit or prohibit the labor of persons under 18 years of age; to the Committee on the Judiciary.

7449. Also, petition of New York City Federation of Women's Clubs, urging speedy enactment of House bill 13136; to the Committee on Reform in the Civil Service.

7450. By Mr. ARENTZ: Resolution of State Board of Stock Commissioners, University of Nevada, Reno., Nev., urging Congress to secure adequate and permanent provisions for financing live stock and farming operations; to the Committee on Banking and Currency.

7451. By Mr. GALLIVAN: Petition of Thomas J. Fitzgerald Post, No. 561, Veterans of Foreign Wars, Joseph F. Daly, commander, South Boston, Mass., urging and petitioning Congress to enact at once into law the Bursum bill, S. 1565; to the Committee on Military Affairs.

7452. By Mr. HICKEY: Petition of Lafayette Lodge, No. 9, Brotherhood of Railroad Signalmen of America, Lafayette, Ind., asking that no action be taken by Congress which would tend to increase immigration into the United States; to the Committee on Immigration and Naturalization.

7453. By Mr. KELLER: Petition of Central Cooperative Commission Association, South St. Paul, Minn., recommending certain amendments to packer control act; to the Committee on Agriculture.

7454. Also, petition of Rev. P. E. Rick and 77 other citizens of St. Paul, Minn., urging favorable action upon House Joint Resolution 412, proposing to extend aid to the peoples of the German and Austrian Republics; to the Committee on Foreign Affairs.

7455. Also, petition of Minnesota State Board of Health, with reference to appointment of hospital heads under Veterans' Bureau; to the Committee on Interstate and Foreign Commerce.

7456. By Mr. KETCHAM: Petition of 15 citizens of St. Joseph, requesting that aid be given the starving people of the German and Austrian Republics; to the Committee on Foreign Affairs.

7457. By Mr. KIESS: Papers accompanying House bill 9739, granting an increase of pension to Mary D. Bilbay; to the Committee on Invalid Pensions.

7458. By Mr. KISSEL: Petition of Woman's Republican Club (Inc.), of New York, urging Congress to pass the subsidy bill for a merchant marine; to the Committee on the Merchant Marine and Fisheries.

7459. Also, petition of Automobile Merchants' Association (Inc.), New York City, N. Y., approving Senate bill 4202, providing for a national police bureau; to the Committee on the Judiciary.

7460. By Mr. McLAUGHLIN of Michigan: Petition of 30 citizens of Michigan, favoring the abolition of the discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

7461. By Mr. MEAD: Petition of the New York Patent Law Association, favoring the enactment of House bill 8928; to the Committee on Reform in the Civil Service.

7462. By Mr. PERKINS: Petition of W. Irving Conklin and others, of Hackensack, N. J., for repeal of section 900, paragraph 7, internal revenue bill, to eliminate discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

7463. By Mr. RAKER: Petition of Sacramento Chamber of Commerce, Sacramento, Calif., urging appropriation for an Army of 150,000 men and 13,000 officers; to the Committee on Appropriations.

7464. Also, petition of Daylight Post, No. 229, American Legion, Department of California, San Francisco, Calif., relative to the Ku-Klux Klan; to the Committee on the Judiciary.

7465. Also, petition of Federal Employees' Union No. 1, 746 Pacific Building, San Francisco, Calif., indorsing and urging the passage of House bill 13382, an act fixing the compensation of certain officials of the customs service; to the Committee on Expenditures in the Treasury Department.

7466. By Mr. ROUSE: Petition of 92 citizens of Campbell County, Ky., protesting against the enactment of any legislation toward the change of the present immigration laws that will permit admission of aliens other than provided by law; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *February 27, 1923.*

(Legislative day of Monday, February 26, 1923.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Fletcher	Lenroot	Sheppard
Ball	Frelinghuysen	Lodge	Shields
Bayard	George	McKellar	Shortridge
Borah	Gerry	McKinley	Smith
Brandegee	Glass	McLean	Smoot
Broussard	Gooding	McNary	Spencer
Bursum	Hale	Moses	Stanfield
Cameron	Harreld	New	Stanley
Capper	Harris	Norbeck	Sterling
Caraway	Harrison	Norris	Sutherland
Colt	Heflin	Oddie	Swanson
Couzens	Hitchcock	Overman	Townsend
Culberson	Johnson	Page	Wadsworth
Cummins	Jones, N. Mex.	Pepper	Walsh, Mass.
Curtis	Jones, Wash.	Phipps	Walsh, Mont.
Dial	Kendrick	Poindexter	Warren
Dillingham	Keyes	Pomerene	Watson
Edge	King	Ransdell	Weller
Ernst	Ladd	Reed, Pa.	Williams
Fernald	La Follette	Robinson	Willis

Mr. LA FOLLETTE. I wish to announce that the junior Senator from Iowa [Mr. BROOKHART] is engaged on business of the Senate.

Mr. PHIPPS. My colleague [Mr. NICHOLSON] is absent on account of illness.

The VICE PRESIDENT. Eighty Senators having answered to their names, a quorum is present.

JUDGMENTS IN CLAIMS AGAINST THE UNITED STATES (S. DOC. NO. 312).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims, submitted by the Secretary of the Treasury, and requiring an appropriation for their payment, as follows: Under the War Department, $75,481.96, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication (S. Doc. No. 313) from the President of the United States, transmitting, pursuant to law, schedules of claims in amount $104,178.75, allowed by the General Accounting Office, as covered by certificates of settlement, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of law, for service of the several departments and independent offices, and requiring an appropriation to cover the same, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication (S. Doc. No. 314) from the President of the United States, transmitting, pursuant to law, a judgment rendered against the Government by the United States District Court for the Western District of Virginia, and requiring an appropriation for its payment, etc., under the United States Housing Corporation; Mattie B. Overbey *v.* the United States, $437.50, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS FOR LOSSES OF PRIVATELY OWNED PROPERTY (S. DOC. NO. 316).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, submitting an estimate of appropriations, in amount $20,794.63, to pay claims adjusted pursuant to law, and requiring an appropriation for their payment, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.