

MARINE CORPS

Norman G. Burton to be colonel.
Charles R. Sanderson to be lieutenant colonel.

TO BE MAJORS

John L. Doxey. Benjamin A. Moeller.
John A. Gray. Archibald Young.
Paul C. Marmion. Harold C. Pierce.
Lowry B. Stephenson. Harry K. Pickett.

TO BE FIRST LIEUTENANTS

Guy B. Beatty. Ivan W. Miller.
John G. Clauising. Joe N. Smith.
John M. Greer. Louis E. Marie, jr.
William E. Maxwell. Arthur J. Burks.
Clarence R. Wallace. James S. Monahan.
Ronald A. Boone. John A. Bemis.
Charles S. Finch. John C. McQueen.
Paul B. Watson. Howard N. Kenyon.
William B. Onley. William N. McKelvy.
Robert D. Foote. Andre V. Cherbonnier.
James H. Strother. William W. Davies.

POSTMASTERS

ALABAMA

Robert Patterson, Selma.

ARKANSAS

Walter E. Glasco, Bigelow.
Lola E. Fergeson, Havana.
Samuel C. Scott, Wheatley.

CONNECTICUT

William H. S. McEwen, Glenbrook.

FLORIDA

Cecilia E. Kilbourn, Carrabelle.
Donald A. Flye, Haines City.
William C. Johnson, Jensen.
Agnes M. Moremen, Maitland.
Orville L. Bogue, Oxford.
Bonnie B. Wilson, Sneads.

IDAHO

Lowell H. Merriam, Grace.
Ransom M. Coburn, Lewiston.
Homer E. Estes, Moscow.
Wells McEntire, Preston.
Charles Brebner, St. Maries.
Joseph O. McComb, Troy.

ILLINOIS

Otto W. J. Henrich, Des Plaines.
Bruce C. Krugh, Homer.
Guy R. Correll, Hutsonville.
John W. Miller, Okawville.
Elza F. Gorrell, Newton.
Robert Murphy, Tilden.

KANSAS

Sloan E. Cathcart, Mayetta.

KENTUCKY

Henry I. Neely, Hazel.
William E. Winslow, Wingo.

MISSISSIPPI

Lily B. Maxwell, Camden.
Charles B. Turner, Ellisville.
Thomas A. Chapman, Friar Point.
Mattie B. Catching, Georgetown.
Robert J. E. Barwick, Glen Allan.
Mary E. Herring, Madison Station.
Marion W. Thornton, Pachuta.
Enfield Wharton, Port Gibson.

NEBRASKA

Ralph R. Brosius, Valentine.

NEW YORK

John B. Houghton, Indian Lake.
Eugene F. Gorse, Jefferson.
Milton C. Armstrong, Long Eddy.
William B. Voorhees, Roscoe.
Frank Wright, Salem.
Charles H. Huntoon, Sayville.
Winfield McIntyre, Woodbourne.
August Abt, Woodridge.

NORTH CAROLINA

Grover L. Harbinson, Maiden.
Cecil M. Griffin, Rural Hall.

NORTH DAKOTA

Eldor G. Sagehorn, Stanton.

TEXAS

William C. Kenyon, Amarillo.
John W. Ward, Big Spring.
Hugh B. Eades, Blossom.
Joseph N. Johnson, Dalhart.
Charles E. Bradford, Decatur.
Oscar Yeager, Ringgold.
Peter G. Lucas, San Antonio.

WEST VIRGINIA

Madge M. Adkins, Hamlin.
Clay A. Wilcox, Piedmont.

WISCONSIN

William C. McMahon, Cumberland.
John E. Hinley, Wabeno.

WITHDRAWALS

Executive nominations withdrawn from the Senate February 15, 1926

First Lieut. Marvin Wade Marsh, Infantry, to be captain, from February 2, 1926.

Second Lieut. Frank Joseph Spettel, Infantry, to be first lieutenant, from February 2, 1926.

HOUSE OF REPRESENTATIVES

MONDAY, February 15, 1926

The House met at 12 o'clock noon.

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

Blessed Lord God, Thou dost for us exceeding abundantly more than we can ask or think. We know Thee by all the words that bring us joy, peace, and hope. In a world with such partial glimpses and broken lights we give Thee our deepest gratitude for such wonderful blessings. These are the greatest truths of life. O merciful God, may we have fine conceptions of sacrifice and service. Strengthen us with a solemn and fixed determination to judge and measure all problems with an enlightened conscience. When our sunset is on the shore, the river, and the hill, by the light of the cross may we find our way home. Amen.

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

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD, from the Committee on Appropriations, and by direction of that committee, reported the bill (H. R. 9341) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes (Rept. No. 285), which was read the first and second time and, with the accompanying papers, referred to the Union Calendar and ordered to be printed.

Mr. SANDLIN reserved all points of order.

THE REVENUE BILL

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 1, the revenue bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

Mr. SOSNOWSKI. Mr. Speaker, I object.

Mr. GREEN of Iowa. Then, Mr. Speaker, I move that the rules be suspended and the resolution which I send to the desk be passed.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Mr. GREEN of Iowa moves to suspend the rules and pass the following resolution:

"House Resolution 135

"Resolved, That the bill (H. R. 1) to reduce and equalize taxation, to provide revenue, and for other purposes, with the amendments of the Senate thereto, be taken from the Speaker's table; that the Senate amendments thereto be disagreed to; that the conference requested by the Senate on the disagreeing votes of the two Houses thereon be agreed to; and that the Speaker, without intervening motion, appoint the managers on the part of the House."

The SPEAKER. Is a second demanded?

Mr. GARRETT of Tennessee. Mr. Speaker, personally, I have no objection to the motion passing, and I do not feel disposed to demand a second.

Mr. CRISP. Mr. Speaker, I do not see the gentleman from Texas [Mr. GARNER] here just now. I want to say that, so far as I am concerned, I am in favor of the motion made by the gentleman from Iowa.

Mr. GARRETT of Tennessee. I understand it to be agreeable to the gentleman from Texas [Mr. GARNER].

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken; and two-thirds having voted in the affirmative, the rules were suspended, and the resolution was passed.

The SPEAKER. Under the resolution just adopted, the Chair appoints as conferees on the part of the House Mr. GREEN of Iowa, Mr. HAWLEY, Mr. TREADWAY, Mr. GARNER of Texas, and Mr. COLLIER.

CONSENT CALENDAR

MEMORIAL TO THE UNKNOWN SOLDIER

The first business on the Consent Calendar was the resolution (H. J. Res. 83) to authorize the completion of the memorial to the Unknown Soldier.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object—

Mr. BACON. Mr. Speaker, in view of the absence of the gentleman from Massachusetts [Mr. LUCE], the chairman of the Committee on the Library, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS THE SUSQUEHANNA RIVER

The next business on the Consent Calendar was the bill (H. R. 3794) granting the consent of Congress to the counties of Lancaster and York, in the State of Pennsylvania, to jointly construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa.

The Clerk read the title of the bill.

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

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 1) entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," had requested a conference with the House thereon, and had appointed Mr. SMOOT, Mr. MCLEAN, Mr. REED of Pennsylvania, and Mr. SIMMONS as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendments bills of the following titles:

H. R. 4032. An act granting consent of Congress to the Brownsville & Matamoros Rapid Transit Co. for construction of a bridge across the Rio Grande at Brownsville, Tex.; and

H. R. 6515. An act granting the consent of Congress to the Gateway Bridge Co. for construction of a bridge across the Rio Grande between Brownsville, Tex., and Matamoros, Mexico.

BETHLEHEM STEEL CO.

The next business on the Consent Calendar was the bill (H. R. 7732) amending an act of March 4, 1925, for the relief of employees of the Bethlehem Steel Co., Bethlehem, Pa.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for the carrying out of the award of the National War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., Bethlehem, Pa.," approved March 4, 1925, shall be so construed as to operate for the relief of those otherwise within its terms who entered the employ of the Bethlehem Steel Co. on or after August 1, 1918, equally with those who were in such employ on July 31, 1918: *Provided*, That the action of the Secretary of War in exercising in good faith the authority conferred upon him by the said act shall be deemed to be final and conclusive.

Mr. UNDERHILL. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. UNDERHILL: Page 2, line 2, after the word "Provided," strike out the remainder of line 2 and all of lines 3 and 4 and insert in lieu thereof the following: "That no claim arising under the provisions of this act shall be paid until it shall have been settled and adjusted by the General Accounting Office."

The amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

NATURALIZATION OF CERTAIN WORLD WAR VETERANS

The next business on the Consent Calendar was the bill (H. R. 7176) to supplement the naturalization laws by extending certain privileges to aliens who served honorably in the military or naval forces of the United States during the World War.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BACON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and that it retain its place on the calendar.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TUITION OF CROW INDIAN CHILDREN, MONTANA PUBLIC SCHOOLS

The next business on the Consent Calendar was the bill (H. R. 186) authorizing the payment of tuition of Crow Indian children attending Montana State public schools.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That nothing contained in the provisions of section 16 of the act of June 4, 1920, Public, No. 239, shall be construed to preclude the payment of tuition for Crow Indian children enrolled and educated in Montana State public schools, pursuant to annual or existing appropriations of public money for payment of such tuition.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

SALE OF BURNT TIMBER ON THE PUBLIC DOMAIN

The next business on the Consent Calendar was the bill (H. R. 7370) to authorize the sale of burnt timber on the public domain, approved March 4, 1913.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. SNELL. Reserving the right to object, it seems to me that we ought to have some explanation of this bill. It is rather far-reaching.

Mr. SINNOTT. The bill is a very simple bill. The present law of March 4, 1913, which we seek to amend, permits the Secretary to sell timber that was damaged by fire prior to the passage of that act. This bill merely reenacts the present law and amends it by inserting in line 10 "dead or down" timber, and, furthermore, any timber after the passage of the act since 1913, damaged by fire, may be sold by the Secretary. It only relates to the public lands and does not cover national forests.

Mr. SNELL. In the original act the Secretary could not sell dead and down timber?

Mr. SINNOTT. No; only that covered by the term "killed or seriously and permanently damaged by forest fires."

Mr. SNELL. We have a provision in the New York constitution, and we have been afraid to open up the matter for fear that people would start fires for the purpose of getting damaged timber to be sold. It is an open proposition and liable to run into some trouble.

Mr. SINNOTT. There is a severe penalty inflicted upon anyone who sets fire to timber on the public land.

Mr. SNELL. I appreciate that.

Mr. SINNOTT. There has been a great deal of dead and down timber which the Secretary has been unable to sell because there was no law authorizing it, so the timber lies there and rots.

Mr. SNELL. The reason it was not put in the original law was because it was thought better to take the chance of not selling it.

Mr. SINNOTT. The department feels, and I think it is right, that it should have the right to sell the dead and down

timber and the timber damaged by fire. There is no reason for anyone setting fire to timber in order to get it on the market because the Secretary already has the right to sell live timber.

Mr. LEAVITT. If the gentleman will allow me, it has been found that the disposal of dead and down timber is an added protection rather than an added danger from the standpoint of fire, under the regulations that have been worked out to handle the matter.

Mr. SNELL. Is there any estimate as to how much of this timber there is?

Mr. SINNOTT. No; it is all over the country outside of the national forests. The Secretary states in his letter to me that it involves a considerable amount of timber.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. I think the gentleman from New York raises quite a serious question. The gentleman from Oregon answers him by saying there is a law that prevents one from setting fire to timber. How are you going to catch anyone that sets the fire on public lands when there is no one within 10 miles of him and there are millions of acres?

Mr. SINNOTT. They have caught a great many people during the summer for setting fires carelessly.

Mr. BLANTON. My colleague has called attention to the fact that there may be people who will set fires and burn this timber in order to put it on the market.

Mr. SINNOTT. It seems to me preposterous to think that anyone dealing in timber on a very large scale is going to set fire to a forest in order to purchase it, because he has no assurance that he will get it. It is put up to the highest bidder.

Mr. BLANTON. My distinguished colleague from Minnesota [Mr. CARSS] has called my attention to such a practice.

Mr. SINNOTT. There might be an isolated case here and there.

Mr. CARSS. Mr. Speaker, there have been many cases of that kind in my country, where, for instance, the homesteader took up a valuable timber claim, and when a large lumber concern wanted to buy the claim, if they could not buy it at their own figure, in some mysterious manner the timber was burned. Then the settler had to sell it the first year, because after the worms got into it it would be useless.

Mr. SINNOTT. It can not be sold under this bill unless the settler approves of the sale.

Mr. CARSS. I do not object, because I realize that if a fire does start and timber on public land is damaged, the Government should be able to recover something, and this bill will enable the Government to do that. It sets up a tendency to set these fires. If you could prevent such fires and still recover when there has been a legitimate loss, it seems to me that it would be good legislation.

Mr. SINNOTT. I think it is good legislation.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize the sale of burnt timber on the public domain," approved March 4, 1913 (37 Stat. L. p. 1015), be, and the same is hereby, amended so as to read as follows:

"That the Secretary of the Interior is hereby authorized, under such rules as he may prescribe, to sell and dispose of to the highest bidder, at public auction or through sealed bids, dead or down timber or timber which has been seriously or permanently damaged by forest fires, on any lands of the United States, outside the boundaries of national forests, including those embraced in unperfected claims under any of the public land laws, also upon the ceded Indian lands, the proceeds of all such sales to be covered into the Treasury of the United States: *Provided*, That such dead, down, or damaged timber upon any lands embraced in an existing claim shall be disposed of only upon the application or with the written consent of such claimant, and the money received from the sale of such timber on any such lands shall be kept in a special fund to await the final determination of the claim.

Sec. 2. That upon the certification of the Secretary of the Interior that any such claim has been finally approved and patented, the Secretary of the Treasury is hereby authorized and directed to pay to such claimant, his heirs, or legal representatives, the money received from the sale of such timber upon his land, after deducting therefrom the expenses of the sale; and upon the certification of the Secretary of the Interior that any such claim has been finally rejected and canceled, the Secretary of the Treasury is hereby authorized and directed to transfer the money derived from the sale of such timber upon the lands embraced in such claim to the general fund in the Treasury derived from the sale of public lands, unless by legislation the lands from which the timber had been removed had been there-

fore appropriated to the benefit of an Indian tribe or otherwise, in which event the net proceeds derived from the sale of the timber shall be transferred to the fund of such tribe or otherwise credited or distributed as by law provided.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

CONVEYING CERTAIN LANDS TO STATE OF MICHIGAN

The next business on the Consent Calendar was the bill (H. R. 7482) to provide for conveyance of certain lands in the State of Michigan for State park purposes.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, I reserve the right to object. I think the gentleman from Michigan [Mr. McLAUGHLIN] ought to accept an amendment on page 2, at line 14.

Mr. McLAUGHLIN of Michigan. My idea was that notice should be given, and the Secretary of the Interior might ask for evidence as to how the land was being used. He could weigh the evidence and determine whether or not the land is being used in accordance with or contrary to the terms and intent of the act, and not have the matter settled arbitrarily and title reinvest automatically in the Government. There will be no difficulty about it. I have talked with officials of the department about it, and they are satisfied with the language as it is.

Mr. BEGG. The point I call to the attention of the gentleman from Michigan is this: This land is lake frontage, is it not?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. BEGG. I do not know what lake frontage in Michigan is worth, but I know it is mighty valuable land in Ohio. It is proposed in this bill to turn this lake frontage of so many acres over to the State of Michigan for a dollar and a quarter an acre to be used for park purposes. Then there is the provision that I do not particularly like in line 14, which provides that if in the future at any time the State ceases to use the land for any purpose inconsistent with the act, viz., for a park, then at the option of the Secretary of the Interior, after due notice to the State, "and such proceeding as he shall determine," the title to the land shall revert; that is, it is the Secretary of the Interior who shall determine this. If, in 10 years from now, the State would find it did not want to spend enough money to keep that up as a public park and citizens of Michigan would go in there and build cottages and make a summer home colony, the Congress will have lost all jurisdiction, unless the Secretary of the Interior would choose to exercise his rights.

I think the provision leaving it to the discretion of the Secretary of the Interior ought to be stricken out. I am in favor of the passage of the bill, but I am also in favor of the land reverting to the Government if the State of Michigan does not use it for public park purposes. I know what happens on these reservations many times. I know that on Lake Erie land that is worth thousands of dollars an acre has been bought up by a few men and kept for a game and fish preserve. I do not believe that if the matter were tested to the court of last resort these people could make their title stick, but what private individual has money enough and wants to fight a club of wealthy individuals? I do not believe we ought to permit anything like that to ever come up, and we can stop it if we just strike out parts of two sentences. Will the gentleman from Michigan agree to accept that amendment, namely, to strike out line 14 to the end of the word "interior" and then line 15, on page 2, after the word "State." Then if the State of Michigan does not continue to use this for park purposes, by its own refusal and failure it causes the land to revert back to the United States, and there will be no difficulty in selling it at a greater price than a dollar and a quarter an acre. What has the gentleman from Michigan to say to that?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, the bill provides for the transfer of this land to the State of Michigan—the same to be held and made available permanently by said State as a State park under such rules and regulations as may be necessary and proper for use thereof by the public: *Provided*, That should the State of Michigan fail to keep and hold the said land for park purposes or devote it to any use inconsistent with said purposes, then at the option of the Secretary of the Interior, after due notice to said State and such proceeding as he shall determine, title to said land shall revert to and be reinvested in the United States.

This is a lot of waste sand-dune land along the shore of Lake Michigan, largely drifting sand. I am very familiar

with such lands, having lived many years in that immediate vicinity. Further inside, away from the lake, practically parallel with the shore of the lake, is as fine a fruit country as there is in the State of Michigan, and that means as there is anywhere in the United States. The occupied land was taken up many years ago and much of it is highly cultivated. The land described in this bill and now under consideration has lain there subject always to homestead entry; nobody wished it.

That is the best evidence in the world that it has no value for agriculture or for permanent use or occupation. Now, it is the purpose of the State of Michigan, if now permitted to acquire the land, to retain it permanently as a State park, the purpose being, as I understand it, to make such improvements as are or shall become necessary or feasible; also partly—largely, I think—for the purpose of retaining it permanently, as it is one of the original, unique, and interesting natural features in that part of the country.

Mr. BEGG. Will the gentleman yield right there?

Mr. McLAUGHLIN of Michigan. Just a moment. Let me answer more particularly the objection the gentleman from Ohio made.

Mr. BEGG. That is what I was going to ask the gentleman.

Mr. McLAUGHLIN of Michigan. Now, in regard to the authority, or, as the bill says, the option of the Secretary of the Interior to determine whether or not this land is being properly used by the State. It would not be right or just to the State of Michigan if the Secretary should arbitrarily, without notice, without a hearing, have title to and control of this property automatically revert to the Government. My idea—

Mr. BEGG. Right there.

Mr. McLAUGHLIN of Michigan. My idea in drafting the bill was that the Secretary should give notice—

Mr. BEGG. The gentleman from Ohio has not offered to cut out the notice feature. He says, after due notice it shall revert, but does not leave it to the option of the Secretary of the Interior to do or not to do if the State of Michigan fails to utilize this land for the purpose for which it is given.

Mr. SINNOTT. Mr. Chairman, I am afraid of the amendment of the gentleman. The bill itself provides a summary method for the Government to resume title to the land, namely, the action by the Secretary of the Interior. The Secretary of the Interior makes a finding of fact under the law. That finding of fact can not be reviewed in the courts. Now the gentleman proposes to strike that out and the gentleman invites the very complications which he seeks to avoid concerning that. He throws the matter into the courts. He gives the State of Michigan an opportunity to review the matter in a court of equity.

Mr. BEGG. Will the gentleman yield?

Mr. SINNOTT. Wait until I have finished the statement. Under this bill the Secretary himself decides the question of fact and there is no review of his decision. It affords a summary method of resuming title by the United States.

Mr. BEGG. The gentleman is evidently a good lawyer, and I make no professions because I am not, but I would like to ask the gentleman to point out where there is any possible chance to get into the court?

Mr. SINNOTT. Who is going to act—

Mr. BEGG. The only person is the Secretary of the Interior.

Mr. SINNOTT. No; the gentleman strikes him out of the bill.

Mr. BEGG. After due notice.

Mr. SINNOTT. The gentleman strikes him out of the bill.

Mr. BEGG. What the part I am objecting to in the bill is not what the gentleman is talking about at all. It is to leaving it to the option of the Secretary of the Interior to exercise his discretion. If the Secretary of the Interior does decide to do something, what is he going to do? There is not anything in the bill as it stands. He may send out and tell them they will have to pay an annual rental of \$1,000 a year for the purpose of living on there in cottages and giving a perpetual lease.

Mr. SINNOTT. He would have no right to do that.

Mr. BEGG. He has his option, as I understand—

Mr. SINNOTT. The gentleman is getting away from the original proposition, I think.

Mr. BEGG. I beg the gentleman's pardon; I am not.

Mr. SINNOTT. The gentleman is throwing the matter into the courts where there could be an interminable lawsuit, whereas under this bill the Secretary may take summary action and declare the land forfeited.

Mr. BEGG. All right. The bill as it is written says:

At the option of the Secretary of the Interior after due notice to said State and such proceeding as he shall determine.

Supposing he determines to go into the courts? He has a right to under this bill.

Mr. BLANTON. No. He has a hearing in his office on the matter.

Mr. BEGG. He can do anything. He can dicker on the side or do anything with that provision in there; he can do anything that that said Secretary wants to do.

Mr. BLANTON. It is a proceeding within his jurisdiction and in his own office.

Mr. BEGG. I would like to ask the gentleman from Pennsylvania [Mr. GRAHAM], a man in whom I have every confidence, Does not that permit him to go to law or permit him to make a contract on the side for the lease or any kind of proceeding he wants to take? The gentleman from Pennsylvania says to me—it is a rather hasty opinion—but he says he believes I am right in my contention.

Mr. BLANTON. Does the gentleman expect "to argue" the bill out of court?

Mr. BEGG. When we sell lake-front land, in spite of what the gentleman from Michigan [Mr. McLAUGHLIN] says, that it is nothing but sand, we are doing a very risky thing.

Mr. BLANTON. The remedy, then, is for the gentleman to object to it.

Mr. BEGG. I want to fix it right. We have the same thing in my own State to-day, of land that you can not buy for a million dollars, simply because a man with vision went in there and established the best bathing beach this side of Atlantic City.

Mr. BLANTON. There is very little of this lake-shore land left, and yet the gentleman from Ohio [Mr. BEGG] stands up here and does not object. I am going to object to it and end it, Mr. Speaker.

Mr. ARENTZ. Mr. Speaker, will the gentleman yield for a question in all fairness?

Mr. BLANTON. If I have the floor; yes.

Mr. ARENTZ. Where is this lake-shore land located?

Mr. BLANTON. In Michigan. The gentleman can seed that over with lawn grass and get rid of that sand.

Mr. ARENTZ. There are hundreds of miles of lake shore in Michigan that has nothing on it.

Mr. BLANTON. You can put something on it. Lawn grass will grow in sand anywhere. I am objecting to this bill and trying to save this million dollars' per acre land, a thousand acres of same for the people.

Mr. McLAUGHLIN of Michigan. I would like to ask the gentleman from Texas if he will withdraw his objection if the bill is amended in the manner suggested by the gentleman from Ohio?

Mr. BEGG. It is safe now.

Mr. BLANTON. Is the Congress going to embark on the policy of granting a State park to every State in the Nation—a thousand acres of land? If Congress will treat all the States alike I will agree to vote for this bill, but to the proposition that Congress grant to one State a thousand acres of valuable lake-shore land for a State park, I shall object.

The SPEAKER. Does the gentleman from Texas object?

Mr. BLANTON. Yes; I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

INSPECTION OF BATTLE FIELD AT APPOMATTOX COURT HOUSE, VA.

The next business on the Consent Calendar was the bill (S. 1493) to provide for the inspection of the battle fields and surrender grounds in and around old Appomattox Court House, Va.

The title of bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

SEC. 2. In appointing the members of the commission created by section 1 of this act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields and sur-

render grounds of old Appomattox Court House, Va., and the historical events associated therewith.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle fields and surrender grounds in and around old Appomattox Court House, Va., in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1926.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 in order to carry out the provision of this act.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER. The Clerk will report the next bill.

BRONZE GUNS FOR GRANT MEMORIAL BRIDGE AT POINT PLEASANT, OHIO

The next business on the Consent Calendar was the bill (H. R. 7019) to provide for condemned 12-pounder bronze guns for the Grant Memorial Bridge at Point Pleasant, Ohio.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I would like to ask what is going to be the new policy of Congress? We passed a bill permitting the governors of the States to have a prorata proportion of these guns distributed in the States.

Mr. FROTHINGHAM. This is not that kind of a gun.

Mr. BLANTON. What kind are these?

Mr. FROTHINGHAM. These are condemned American cannon. The others were German.

Mr. BLANTON. I did not so understand.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby authorized to deliver to the U. S. Grant Memorial Association of Ohio four condemned 12-pounder bronze guns at the Rock Island Arsenal, Rock Island, Ill., to mark the Grant Memorial Bridge on the Atlantic and Pacific Highway at Point Pleasant, Ohio: *Provided*, That no expense shall be incurred by the United States through the delivery of these guns.

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER. The Clerk will report the next bill.

DISCHARGE OF ENLISTED MEN IN NAVAL SERVICE OR MARINE CORPS UNDER 21 YEARS OF AGE

The next business on the Consent Calendar was the bill (H. R. 8183) to authorize the discharge of any person under 21 years of age enlisting in the naval service or Marine Corps without the written consent of the parent or guardian.

The title of the bill was read.

The SPEAKER. Is the objection to the present consideration of this bill?

Mr. BEGG. Reserving the right to object, Mr. Speaker, unless somebody can show some reason why this bill should be enacted into law I shall object.

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

Mr. BEGG. Yes.

Mr. LAGUARDIA. We have a similar provision in the Army, as I understand.

Mr. BEGG. I do not think it ought to be there. It got through, not because of me but in spite of me.

Mr. LAGUARDIA. I do not think there should be any limitation there at all.

Mr. BEGG. I think plenty of boys under 21 years of age are not damaged by service in the Army, and the parents are not damaged, and I think that in many instances the boys are benefited. If the parents are happy and the boys are happy, they ought not to be discharged.

Mr. JONES. I will state to the gentleman in this connection that this is worded practically the same as the provision in the present Army law. It is the same as the existing law except as to this phase of it. This extends the time from 60 days to 6 months within which to file an application for a discharge, and it also provides travel pay for the boy when he is

discharged, which is not allowed at the present time. I will state to the gentleman that the naval officers say that the present law, contrary to what they had expected at first, has worked out well and has tended to increase rather than decrease the efficiency of the Navy, because it has gotten a satisfied personnel.

Mr. BEGG. Will the gentleman yield?

Mr. JONES. Yes.

Mr. BEGG. If this is to be enacted into law as the policy of the Congress, why could not my boy enlist in the Navy or Marine Corps and, perhaps, get a trip to China, get over there, and then I ask for his discharge, in which event he would get 5 cents a mile with which to come home. It seems to me that would be a pretty good stunt.

Mr. JONES. I will state to the gentleman that the Navy can always protect itself by demanding proof of the boy's age, and demanding that in advance, which they usually do.

Mr. BEGG. The gentleman happens to know my own son, and if he went up and swore he was 21 years of age it would be pretty hard to determine that was not true unless they should write to his parents.

Mr. JONES. Well, the gentleman has an unusual boy, really; but I will say to the gentleman that if he were disposed to do that at all he could do it under the present law.

Mr. BEGG. But he does not get 5 cents a mile to come home on.

Mr. JONES. When a boy is wrongfully enlisted and goes away from home, does not the gentleman think the Government should pay his way back?

Mr. BEGG. No; I do not think so. In the first place, the boy can not get away from the training camp to-day until the expiration of 60 days' time, and it seems to me that before the expiration of those 60 days the parents of the boy would have time to file their objections.

Mr. JONES. I will state to the gentleman that they do very often get many miles away from home within the 60 days and, besides, in many cases the 60 days have elapsed before the parent knows sufficient facts either as to his rights or as to procedure.

Mr. BEGG. No; that can not be, because that is contrary to the law.

Mr. JONES. No; the gentleman is mistaken, I think.

Mr. BEGG. I will ask my colleague [Mr. FRENCH] to confirm that, because he is familiar with the regulations.

Mr. JONES. I am under the impression that I have known of one case where a boy, within the 60 days, was halfway across the Pacific.

Mr. FRENCH. I will state to the gentleman that at present there are four training camps in the United States, one at San Diego, one at the Great Lakes, one at Newport, and one at Hampton Roads. The boys are required to undergo training at one of these camps for two months before they are assigned to their naval duties.

Mr. JONES. That may be required under the regulations, but perhaps it is not always done.

Mr. FRENCH. I think the gentleman is mistaken in that.

Mr. JONES. I will state that Admiral Shoemaker and other naval officers appeared before the committee and approved this bill with the amendment that has been inserted.

Mr. FRENCH. No. I think the gentleman is in error when he says that in any case a boy is taken and sent to sea without the two months' training.

Mr. JONES. Well, it does not make any difference whether I am in error or not about that. The fact remains that this legislation will serve a useful purpose. I had the impression, but whether that is true or not does not make a great deal of difference. Admiral Shoemaker appeared at the hearing and approved the bill with the amendment which he suggested; and two or three other naval officers were there and said they had no objection to the bill if it carried the amendment which has been inserted. That appears in the hearing. They came up, approved the bill, and said it was workable.

Mr. FRENCH. Will the gentleman yield?

Mr. JONES. Yes.

Mr. FRENCH. Did not officers from the Navy Department say that the bill would be workable and that, so far as they were concerned, they would approve the bill, but that it would add thousands of dollars to the Navy in expense?

Mr. JONES. They estimated \$23,000 additional to what it is now taking. That is, according to the figures they gave, and I am taking their own figures. To this they added the travel subsistence and pay, between \$5,000 and \$6,000 as I recall.

It will only take \$28,800; and surely, in order to have a better satisfied Navy, a better personnel, which they say this does

encourage, and inasmuch as it has the approval of Admiral Shoemaker and all the naval officers who appeared before the committee, there can not be any serious objection to it. I have here the evidence before the committee, and I would be glad to have the gentleman read it.

Mr. FRENCH. Would the gentleman object to striking out the amendment added by the Naval Committee and inserting in lieu thereof words that would mean that he should be discharged for his own convenience?

Mr. JONES. No; I do not think that ought to be done. I am perfectly willing that the gentleman shall offer it and let the House pass on it.

Mr. FRENCH. In other words, give six months as the period of time within which he could be discharged, but require that he pay his own expenses home instead of saddling that expense onto the Treasury.

Mr. JONES. Let me state to the gentleman that this would only add \$28,800, and I think the better feeling the public will have toward the Navy if this is carried out would more than compensate for that.

Mr. BEGG. I have never voted for that provision in either the Army or the Navy bill, and I do not think it ought to be in those bills.

Mr. JONES. But the House has approved them, and Admiral Shoemaker was asked the direct question whether he would approve the bill with the amendment which is suggested here and he said yes.

Mr. SNELL. What percentage of the young men in the Navy are less than 21 years of age?

Mr. JONES. They said last year, after this new amendment went into effect, that within the first five months they had 26 men that they discharged; and they estimated, at that rate for five months, there would be 78 men discharged during the whole year if they were discharged in that proportion throughout the year.

Mr. SNELL. That is the number that could take advantage of this bill even if passed at the present time?

Mr. JONES. Even if passed at the present time it would not be over 78 men, and they stated that the number had been very much smaller than they had expected, and that the amendment had worked out admirably. They had not expected it to do so, but they stated they had been satisfied with the way it had worked, and according to their figures it takes about \$300 to enlist a man and pay all of these incidental expenses.

Mr. SNELL. Do I understand there are only 78 men in the Navy at this time who could take advantage of this bill?

Mr. JONES. There would not be that many now. There were only 26 men, according to the statements of these officers before the committee, during the first five months of the administration of the law that came within its terms, and they estimated that throughout the year there would be about 78 men.

Mr. SNELL. If there are less than 78 out of the many thousand in the Navy, it does not seem to me we ought to pass a special law for that particular class. I supposed there were a great many more than that.

Mr. JONES. I will state in answer to that that with 78 men in the Navy in this situation, their parents become dissatisfied, and when they become dissatisfied all their neighbors become dissatisfied, and that causes a great deal of ill feeling toward the Navy, which this bill would eliminate. I suppose one reason there were not more was the care the naval officers took in ascertaining the ages of the applicants.

Mr. LAGUARDIA. If the gentleman will permit, what this bill does is to prevent the enlistment of these boys, and it will make the recruiting officers careful not to enlist them. I have personal knowledge that in the New York district they enlist these boys at 16 and 17 years of age, and there is absolutely no justification for it.

Mr. JONES. I think they once did that, but I do not believe that is done very much any more.

Mr. CHALMERS. Will the gentleman yield?

Mr. JONES. Yes.

Mr. CHALMERS. I sympathize with the gentleman in his effort to have a satisfied personnel in the Army and the Navy and the Marine Corps, and I want to ask the gentleman whether, if this bill goes into effect, it would mean the discharge of every boy under 21 years of age who requests it and who is backed up by his parents?

Mr. JONES. No.

Mr. CHALMERS. If the request is made within six months.

Mr. JONES. No; it would mean that hereafter a boy who enlists and who is under 21 years of age, and who has enlisted without the written consent of his parent or guardian, may be discharged on the application of his parent or guardian; but if he was more than 21 years of age, or if he had the written

consent of his parent or guardian, he could not be discharged, except under existing law.

Mr. CHALMERS. Would not that result in discrimination? I have a case in my district where a young lad 17 or 18 years of age got his parents' consent to join the marines. After he got into the work he found it much different than he expected. He now wants his discharge. He wants to go home and go to school. His parents want him home; but he can not get out, and I can not get him out. He is very unhappy. His family is unhappy. This condition can not help but break down the morale of the corps. I hope something may be done to relieve the situation in the case of very young recruits.

Mr. JONES. I think in that case the Navy has complied with all the requirements, and this would not take care of a situation of that sort.

Mr. DENISON. But you would not have a contented Navy in that event.

Mr. JONES. The proposition is that you cause discontent out in the country when people think you have wronged them. When a boy is enlisted under 21 years of age, without consulting his parents or without the written consent of his parents or guardian, and that is shown, and the Navy turns down a request for his discharge, then that parent is dissatisfied because he thinks he has been wronged. His neighbors also become dissatisfied, and it all tends to create a prejudice against the Navy and tends to destroy efficiency. That kind of a boy is usually not as valuable as one who complies with the regular requirements, and the experience of the Navy has proven that to be true.

Mr. BEGG. Will the gentleman yield?

Mr. JONES. Yes.

Mr. BEGG. Under the law a boy under 18 years of age can get out of the Navy now at any time, and this bill only applies to a boy between the ages of 18 and 21 years.

Mr. JONES. Yes.

Mr. BEGG. I do not know that this is true of every boy, but the average boy who has not a fairly good head on him at 18 years of age is ever going to amount to very much, in my opinion. I am not worried much about a youngster from 18 years of age on. Most of the boys in the country that the gentleman is talking about take care of themselves from the time they are about 16 years of age, and there is no need to worry about these 18-year-old lads.

I think the Navy has a way to get some work out of them if they are in the service, and I am not worried about that end of it.

Mr. JONES. But it does not help the Navy any.

Mr. BEGG. No; but you will never get a condition where everybody is going to be happy, and I think we are getting unusually sympathetic about the lad who is 18 years of age or over and has gone ahead and enlisted without asking his father and his mother. Some of the best men in the country have done that very thing.

Mr. JONES. I will state to the gentleman that in all the commercial and business relationships of the country a boy is supposed to be under the control of his parents until he is 21 years of age.

Mr. BEGG. Technically and legally; yes.

Mr. JONES. And if such a boy is able to take care of himself the parent is willing to give permission; but if he is not, the parent ought to have control of the boy.

SEVERAL MEMBERS. Regular order!

THE SPEAKER. Regular order is demanded. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

Mr. JONES. I will just state to the gentleman that this proposition was suggested as an amendment to the Committee on Appropriations when the Navy bill was being considered, and the gentleman from Idaho [Mr. FRENCH] rose and said it ought to go to the legislative committee. The gentleman intended to make a point of order but said it would receive proper consideration if it went to the legislative committee, and now the gentleman seems inclined to make objection.

Mr. BEGG. The gentleman from Idaho did not have anything to do with it.

Mr. JONES. But he has been present here and, as I thought, urging the objection, and I just wanted to call attention to it. With the gentleman's assurance that he was not intending to object, I withdraw the reference to him.

THE SPEAKER. Regular order is demanded. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

CONSTITUTION AND STATE GOVERNMENT FOR NEW MEXICO

The next business on the Consent Calendar was the bill (H. R. 3925) to amend an act entitled "An act to enable the

people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States."

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. SNELL. Reserving the right to object, I think we ought to have some explanation of this.

Mr. MORROW. Mr. Speaker, the enabling act of New Mexico of June 20, 1910, provided that all lands granted by that act should be held by the State in trust, and that the proceeds would be disposed of only for the purposes indicated in the grant. This bill only provides that in a drainage district the lands belonging to the State which are within that district shall bear their proportionate part of the expense.

Mr. SNELL. It appears that the Secretary of the Interior does not approve of the bill.

Mr. MORROW. He says it is a matter for the State primarily. I will read a letter from the governor of the State. It is as follows:

STATE OF NEW MEXICO,
EXECUTIVE OFFICE,
Santa Fe, February 9, 1926.

Hon. JOHN MORROW, M. C.,

United States Congressional Office Building,

Washington, D. C.

MY DEAR MR. MORROW: The State of New Mexico is very much interested in the passing of H. R. 3925, in that it is essential to carry out the conservation program for the reclamation of lands in certain river valleys in New Mexico.

Under the laws of New Mexico the owners of lands and certain public officials are authorized to form conservancy districts for the purpose of draining water-logged lands and building dams and irrigation canals for the distribution of waters impounded. The cost of these improvements are made a lien against the property of owners who will be benefited, and bonds are issued by the conservancy district to finance the enterprise. All lands embraced within the area to be served by the improvements are subjected to the cost proportionate to the benefit derived.

The State of New Mexico owns sections 2, 32, 16, and 36 in each township, heretofore granted it by the United States Government. Under the terms of the grant the money derived from these sections is a trust fund for certain schools and institutions of the State. It is only fair that the State lands should bear its fair proportion of the burden of these necessary improvements in order to make the land available for agricultural purposes, and H. R. 3925 merely grants permission by the Congress for the State to pay from the income of the lands in question its proportionate share of the costs of the necessary improvements.

These conservancy districts are an effort on the part of the local people to finance irrigation and drainage for themselves without appealing to the United States Government for assistance and should, in my judgment, be encouraged by the Congress for that reason alone.

Inasmuch as the State owns four sections out of each township, or one-ninth of the land in each township, where the same has not been theretofore disposed of, it is only just and right that the State should bear its just proportion of the expense of the improvements, and it is also equitable that these expenses should be charged to the land that will be benefited by such improvements.

I sincerely hope and trust that you will succeed in convincing the House that the passage of this measure will be for the public benefit, in that it will aid in assisting the reclamation of lands without appealing to the United States Government for financial assistance, will enhance the value of the trust, increase the taxable wealth of the State, furnish new homes and new farms in the State, and form a benevolent cycle in the economic development of New Mexico.

With sincere best wishes, I am,

Yours very truly,

A. T. HANNETT, Governor.

Mr. SNELL. As I understand, the lands were granted to the State primarily for school purposes. Now it is proposed to use the income for drainage purposes.

Mr. MORROW. Not at all; the difference is this: The part of the land within a conservancy district might be three or four sections located in the district, and the State has no provision by law to pay for the drainage or irrigation and can not put a dollar into it. The lands could not be sold for that purpose. The rent derived could not be used for that purpose. It is the intention to amend the law so that the particular sections in the established district can bear their proportionate part of the expenses.

Mr. SNELL. That is exactly what I wanted to know. The particular sections could be used for drainage purposes, which the law does not now permit.

Mr. MORROW. Yes; and the lands have no value until they are drained, when they become valuable.

Mr. SNELL. How many other parts of the country have the same conditions?

Mr. MORROW. I think there are no other lands in any State that will be affected, because no such conditions pertain.

Mr. SNELL. The trouble is that when you bring in here a proposition for unanimous consent that changes a fundamental law it goes a long ways. A bill of this character ought to be fully and carefully discussed and every detail gone through with before it is passed.

Mr. MORROW. We did thrash it out in the committee and put in amendments to the law there.

Mr. SNELL. Was it a unanimous report of the committee?

Mr. MORROW. It was; and this only applies to New Mexico.

Mr. SNELL. Yes; but if any other State had the same conditions, they would come in here and want the law amended.

Mr. DENISON. Mr. Speaker, I do not believe a bill of this character should be considered on the consent calendar and I shall have to object.

The SPEAKER. Objection is heard.

AMENDMENTS FOR RELIEF OF CONTRACTORS

The next business on the Consent Calendar was a bill (H. R. 6376) to amend the act for relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, approved August 25, 1919, as amended by the act of March 6, 1920.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this involves a contract of \$63,000 and was let to this man within one month after the war, why could it not have been completed before the inflation occurred?

Mr. BEEDY. I will explain to the gentleman.

Mr. BLANTON. I am inclined not to object if the gentleman can explain it, but the Secretary of the Treasury says there were 20 other claims in identically the same situation which, if this bill is passed, will be brought against the United States involving \$200,000.

Mr. BEEDY. That is not the fact. I will explain that.

Mr. BLANTON. I am not inclined to object to the bill, but why not have one bill carrying all of them?

Mr. BEEDY. Well, there is an objection to that. Now, I want the gentleman to understand this, and I want every Member of the House to understand it.

Mr. Speaker, let me state this case as succinctly as I am able. As the gentleman from Texas [Mr. BLANTON] says, this contract was barred by just 18 days under the terms of the original act. The Mahoney Construction Co. case was the case on which the original legislation for relief of war contractors was based. It was cited as most typical and most deserving. It was discovered that by a slip in the drafting of the original act in the Treasury Department the date, instead of April 26, was made April 6, and while this case was cited to justify the original act, when it was passed they found that by the terminology of the act itself this case was excluded from relief.

There never was a more tragic instance of a slip in legislation which resulted in greater hardship. The matter dragged on, and owing to the pressure of legislation in the Congress we could not get this case before the House. The contract involved \$63,000. My friend has asked a fair question and it ought to be answered, and every Member of this House before he votes on the bill ought to know the answer to the question. His question was: Since this was a small contract, why was not it completed earlier? This contract involved the construction of a detention building, a quarantine station, on House Island, about 3 miles out in the harbor from Portland. It was urged that it must be completed as soon as possible, because it was hoped to put troops into it. In order to construct it, it involves the building into the steel structure of the building a special type of bunk called for in the contract. The war came on, and the Mahoney Construction Co. could not get the bunks. They went up to this manufacturing concern in Massachusetts, which was the only source of supply for these bunks. The Mahoney Construction Co. said, "Why can you not give us those bunks? We can not continue to build our steel structural roof, we can not build the steel ceiling, we can not put up the upright steel columns, because these bunks have to be fitted into the columns with a particular type of flange." The manufacturer in Massachusetts turned and, pointing to a

man in Army uniform, said, "This man is now my boss. I can not furnish you a single one of those bunks."

Mr. BLANTON. Mr. Speaker, I withdraw my reservation of objection.

Mr. BEEDY. Let me add this. Mr. Mahoney was an old man, who started in working with a pick and shovel. He saved in the course of his lifetime, after having been married 35 years, \$20,000. He took this Government contract, and in order to get it his wife had to go on the indemnity bond. That involved their home. His young partner, Mr. Conley, and his wife, Mrs. Conley, went on the bond, and that involved their home. One home is worth about \$15,000 and the other about \$8,000. We are holding off foreclosure proceedings to save those homes. Mr. Mahoney has gone back to work for the city in the ditch. Both partners will have lost their life savings in any event, because this bill does not enable them to get back the money they lost on their contract. It will enable them to pay bills now pending and to meet claims now in the courts, to meet obligations which were incurred to finish the job that they had agreed to do.

Mr. BLACK of Texas. The report on this bill does not show the amount of the contractor's claim.

Mr. BEEDY. The actual loss comes to between forty and fifty thousand dollars. There are outstanding obligations aggregating about \$48,000, every cent covering bills for material and labor used in completing this contract, and not a penny for the labor of these two partners in the Mahoney Construction Co., who were on the job from first to last. They supervised, they financed, they toiled at manual labor to keep their agreement under the contract. Under such a state of facts who can raise his voice in opposition to this bill?

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920, be, and the same is hereby, amended so that said act shall include the contractor for the steerage barracks for the United States quarantine station, erected at House Island, Portland Harbor, Me., and, as to said contractor, claims for reimbursement as provided by said act of August 25, 1919, as amended by act of March 6, 1920, may be filed within three months after the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

FORT SAM HOUSTON, TEX.

The next business on the Consent Calendar was the bill (H. R. 3996) authorizing the Secretary of War to convey certain portions of the military reservation of Fort Sam Houston, Tex., to the city of San Antonio, Bexar County, Tex., for street purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the city of San Antonio, Bexar County, Tex., by quitclaim deed, approximately 52,054 square feet of the Fort Sam Houston, Tex., military reservation for the purpose of making a public street out of Army Boulevard at or near the intersection of Broadway (formerly River Avenue), in the said city of San Antonio, Bexar County, Tex., more particularly described as follows: "Beginning at a United States monument in the east property line of Broadway (formerly River Avenue), same being the northwest corner of city block No. 3856; thence north 89 degrees 58 minutes east, a distance of 1,531.5 feet to a United States monument in the west line of United States Government reservation; thence north 0 degree 2 minutes west, a distance of 34 feet to a United States monument; thence south 89 degrees 58 minutes west, a distance of 1,281.5 feet to a United States monument; thence north 0 degree 2 minutes west, a distance of 22 feet to a United States monument; thence south 89 degrees 58 minutes west, a distance of 232.1 feet to a United States monument in the east line of Broadway (formerly River Avenue); thence south 17 degrees 42 minutes west, a distance of 58.8 feet, to the place of beginning," subject to such conditions, restrictions, and reservations as the Secretary of War may impose for the protection of the reservation.

With the following committee amendment:

Page 2, line 23, after the word "reservation," add: "and subject to a perpetual right of way over said land for the uses of any department of the Government of the United States."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

KOOTENAI INDIAN LANDS

The next business on the Consent Calendar was the bill (H. R. 7173) authorizing the Secretary of the Interior to dispose of certain allotted lands in Boundary County, Idaho, and to purchase a compact tract of land to allot in small tracts to the Kootenai Indians as herein provided, and for other purposes.

The Clerk read the title of the bill.

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

Mr. BLANTON. Mr. Speaker, I reserve the right to object in order to ask the gentleman from Idaho [Mr. FRENCH] a question. What importance has this bill more than the bill which the gentleman from Idaho [Mr. FRENCH] has twice killed, once as chairman of the Subcommittee on Appropriations, when he was chairman of the subcommittee recently in charge of the naval bill, and again a moment ago, when he stood up and incited the opposition to the Jones bill, which has been reported out of the Naval Affairs Committee, and which would relieve the mothers and fathers all over the country whose minor boys are enticed into the Navy and carried off to sea, by giving their minor boys back to them?

Mr. FRENCH. Mr. Speaker, I beg to say that I have no objection to the consideration of the bill to which the gentleman refers. I wanted to offer an amendment to it, however, in the event that it should be considered.

Mr. BLANTON. But when we offered to put the provisions of that bill into the naval affairs appropriation bill, which already contained lots of legislation, the gentleman from Idaho [Mr. FRENCH] objected to it and made the point of order that it was legislation which knocked it out, stating that he wanted it to come from the proper legislative committee. Then, as soon as the proper legislative committee brought the bill in here on the floor and it could pass, the gentleman was instrumental a moment ago in cutting its throat, thus preventing mothers and fathers from having their minor boys discharged; but I shall not object to the gentleman's bill. I just wanted to say to him that in the interest of the mothers and fathers whose minor children are being taken away from them every year and sent to sea with the Navy he ought to help bring that bill up here and help get the opposition to it out of the way and let it pass.

Mr. FRENCH. Mr. Chairman, I beg to say in reply to the suggestion of the gentleman from Texas that so far as the consideration of the other bill is concerned, to which the gentleman referred, I have no objection. On the other hand, when it is considered I desire to offer an amendment for the consideration of the House. Does the gentleman want any discussion of the bill which I have introduced or does he withdraw his objection?

Mr. BLANTON. None in the world. I just wanted to call the attention of the gentleman from Idaho [Mr. FRENCH] to the fact that his action is causing us to watch the Appropriations Committee, especially the subcommittees of that committee, in reference to matters.

Mr. FRENCH. That is correct.

Mr. SNELL. Will the gentleman explain what this bill does?

Mr. FRENCH. I will state in a few words just what the bill does. It provides a way by which the Interior Department may handle some 3,000 acres of Indian lands interspersed among lands owned by white people who are endeavoring to drain them through formation of a drainage district. The Indian lands ought not to be encumbered, and yet they should not prevent drainage.

There are about 120 Indians who are called detached Indians in that they are not connected with any reservation area. Years ago—some 30 years ago—these Indians were allotted lands along the Kootenai River, near to their ancestral home. The lands are scattered. Of the 120 Indians now belonging to this group only about two or three are Indians who received original allotments. These Indians unfortunately have not been improved mentally, physically, or morally by the conditions which have surrounded them, and it is not a desirable thing that money paid for heirship lands be turned over to them. As to the lands held in trust for the two or three original allottees, the bill

provides that concurrence of these allottees shall be had before sales shall be made. The heirship lands embrace nearly 3,000 acres. Under present law the Interior Department through the Indian Service could sell all the heirship lands and apportion the money to the heirs, who would be entitled to the same. This bill goes further than that and authorizes the department to purchase small acreages of land as homes for the individual Indians and retain the balance for the Indians' benefit.

Mr. SNELL. This just gives the department the right to sell some of the Indian lands and reinvest in other lands for the benefit of the Indians.

Mr. FRENCH. That is the essential part so far as the Indians are concerned, and to retain the balance in a trust fund for the benefit of the Indians. The whole thing is wrapped up in a drainage program—drainage of lands belonging to white settlers and of the lands in question. The department under present law could sell the heirship lands in my opinion, but there is doubt as to authority for reinvesting the funds.

Mr. SNELL. It does not cost anything to the Government?

Mr. FRENCH. Not much. Any cost whatever would be very trivial and in connection with administration of the law in the department and in the Bureau of Indian Affairs.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized in his discretion to sell through sealed bids in unit offerings not exceeding 80 acres certain allotted lands of the Kootenai Indians situated in Boundary County, Idaho, at not less than the appraised price and deposit the proceeds derived therefrom to the credit of the individual Indians entitled thereto and to use such individual funds so derived to purchase tracts not exceeding 5 acres for each Indian living at the time of the passage of this act. That the Secretary of the Interior shall issue patents in fee for lands sold hereunder to the purchaser upon payment of the purchase price, and trust patents shall be issued to the Indians allotted the tracts as hereinbefore provided containing restrictions against alienation for a period of 25 years: *Provided*, That where the lands are held for allottees the consent of said allottees shall be obtained: *And provided*, That the proceeds derived from the sale of the allotted lands over and above the amount required for the purchase of tracts for the individual Indians shall be available to the individual Indian's credit and may be used in the discretion of the Secretary of the Interior for the purchase of building material, clothing, farming implements, livestock, foodstuffs, and other necessary purposes, and for the payment of the reclamation charges that may be assessed against such Indian allotments by a drainage district created in pursuance to the State laws of Idaho for the diking and drainage of such lands.

The committee amendments were read, as follows:

Page 1, line 4, after the word "sell" insert "through sealed bids in unit offerings not exceeding 80 acres." Page 2, line 7, after the word "years," insert "*Provided*, That where the lands are held for allottees the consent of said allottees shall be obtained: *And*."

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

DESTRUCTION OF PAID UNITED STATES CHECKS

The next business on the Consent Calendar was the bill (H. R. 8034) to authorize the destruction of paid United States checks.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, may I inquire of the chairman of the committee why this bill was sent to the Committee on the Judiciary?

Mr. GRAHAM. The bill was transmitted from the Secretary of the Treasury to the chairman of the Committee on the Judiciary with the request that he introduce it, and I understand that it would naturally fall within the jurisdiction of the Committee on the Judiciary.

Mr. LAGUARDIA. We have a committee here on the destruction of useless public documents, and there is a great deal of formality concerning the destruction of useless documents.

Mr. GRAHAM. These are checks.

Mr. LAGUARDIA. I understand these are checks.

Mr. GRAHAM. These are matters that involve a legal question as to the destruction of these old checks. I would like to read for the information of the gentleman—

Mr. LAGUARDIA. I have it before me.

Mr. GRAHAM. As I say, this bill was transmitted by the Secretary of the Treasury, and he says:

This suggested legislation has the concurrence of the Comptroller General of the United States. It is not considered necessary that these checks be preserved for a longer time than six full fiscal years provided for in the proposed bill. A considerable part of these checks were retained in the files of the assistant treasurers of the United States prior to the discontinuance of their respective offices under the act of May 29, 1920, and are now stored at various places. In some instances the utilization of space in the buildings formerly occupied by the assistant treasurers required the removal of the checks to temporary filing space in outside buildings, there being neither space nor appropriation available for removing them to Washington at the time of such discontinuance, nor is there available Government space within the city of Washington for proper filing and preservation.

Mr. LAGUARDIA. Is the gentleman aware of the fact that the Secretary of the Treasury had no hesitation a few years ago in destroying canceled bonds? Yet now he complains that he has not space in which to store these checks. What is the hurry of destroying checks issued since April, 1917?

Mr. GRAHAM. I can not comprehend the reason for the inquiry that was made. These checks are all outside of the period covered by the statute of limitations. They are now an expense to the Government to preserve them. They are largely made up of checks that were in the possession of the assistant treasurers whose offices have been discontinued. There is no place to store them in Washington.

Now, the chief of this department asks that this bill be passed for the purpose of getting rid of the care and custody of those checks which are now utterly unimportant.

Mr. LAGUARDIA. Would the committee accept an amendment such as "prior to April 1, 1917," in lieu of "six full fiscal years prior to the date of destruction"? That would destroy all the checks and warrants prior to April 1, 1917.

Mr. GRAHAM. I do not think any specific date ought to be put in; but, just like the statute of limitations, it ought to be six years.

Mr. LAGUARDIA. I do not think we ought to destroy the war checks and war warrants at this time. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

ABOLISHING TERM OF DISTRICT COURT AT PORTSMOUTH, N. H.

The next business on the Consent Calendar was the bill (S. 2464) to amend section 95 of the Judicial Code, as amended.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, would it be agreeable to the gentleman from Pennsylvania [Mr. GRAHAM] to let this bill be passed over without prejudice?

Mr. GRAHAM. It is a Senate bill. It has already passed the Senate. It makes no new provision whatever except to discontinue the court at Portsmouth, which is agreeable to the bar and the court. There is no reason why it should be held at Portsmouth.

Mr. GARRETT of Tennessee. I do not object.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the second sentence of section 95 of the Judicial Code as amended is amended to read as follows:

"Terms of the district court shall be held at Concord on the last Tuesday in April, the first Tuesday in September, and the second Tuesday in December; and at Littleton on the second Tuesday in October."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER. The Clerk will report the next one.

APPEALS IN ADMIRALTY CASES

The next business on the Consent Calendar was the bill (H. R. 6536) to amend section 129 of the Judicial Code, relating to appeals in admiralty cases.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 129 of the Judicial Code is hereby amended by adding thereto the following:

"In all cases where an appeal from a final decree in admiralty to the circuit court of appeals is allowed, an appeal may also be taken to said court from an interlocutory decree in admiralty determining the rights and liabilities of the parties: *Provided*, That the same is taken within 15 days after the entry and service of a copy of such decree upon the adverse party; but the taking of such appeal shall not stay proceedings under the interlocutory decree unless otherwise ordered by the district court upon such terms as shall seem just."

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER. The Clerk will report the next one.

SENUCENTENNIAL CELEBRATION AT PHILADELPHIA, PA.

The next business on the Consent Calendar was the resolution (H. J. Res. 153) providing for the participation of the United States in the sesquicentennial celebration in the city of Philadelphia, Pa., and authorizing an appropriation therefor, and for other purposes.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. BANKHEAD. I object, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will report the next one.

RETIREMENT OF ARMY OFFICERS

The next business on the Consent Calendar was the bill (H. R. 3995) to amend the national defense act approved June 3, 1916, as amended by the act of June 4, 1920, relating to retirement.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I think that the present law as to retirement, instead of being enlarged in thus allowing men to retire on pay when they get to be 45 years old, ought to be restricted.

Mr. WURZBACH. I do not think the gentleman understands the purpose of this bill.

Mr. BLANTON. Yes; I think I understand the purpose, even more clearly than my friend. It is to put in some 45-year-old gentlemen on the retired list on Government pay for life who were not taken care of by the previous law.

When I get some time I am going to show my colleague from Texas and my other colleagues here just how much our various retirement laws have been abused both in the Army and in the Navy. I have about succeeded in getting together in my office a complete list of every retired officer in both the Army and in the Navy, with his age, his retirement pay, his health, and present occupation, and I am going to be able soon to show to my colleagues the number of these able-bodied young men, who have been educated by the Government, who are now on retired salary for life, and yet who are working for big corporations at tremendously big salaries. That practice ought to be stopped. While I am in sympathy with my colleague's desire to do justice to a few where something has been done for some of their associates—and I shall not object to this bill—I am going to put you on notice that I am going to show abuse after abuse in the Army and in the Navy by many officers who are retired, who ought now to be at work for the Government, considering the money they have been drawing yearly from the Treasury. We ought to stop this everlasting enlargement of the retirement laws.

Mr. SNELL. Mr. Speaker, I think we should have a full explanation of this bill. This is, of course, a general retirement bill, to be passed by unanimous consent.

Mr. WURZBACH. I want to say to the Members that this bill was fully discussed in the last Congress, and after a full discussion it was passed by the House by a vote of 220 for it to 30 against it. In other words, more than a majority of the entire membership of the House voted in favor of it. This bill is intended to remove a discrimination against a certain class of officers. By the defense act of June 4, 1920, it was considered that certain emergency officers should be commissioned in the Army on account of the peculiar qualifications they had. The amendment to the defense act provided that officers who were commissioned after July 1, 1920, and who were more than 45 years of age, should receive 4 per cent for each year of their service, where they were retired on account of age. Now, as a matter of fact, these officers being over 45 years of age at the

time they were commissioned—some of them being 56 years of age—it was thought right and proper that in case of their retirement on account of age they should not receive the same retirement pay allowed to an officer who went in as a young man, so they limited that retirement pay for age to 4 per cent for each year of such officer's service.

Mr. SNELL. And you raise it in this bill to 75 per cent?

Mr. WURZBACH. No; that is not the effect of it at all; but, as stated by Senator WADSWORTH when this bill was before the Senate during the last Congress—he was a member of the committee that framed the legislation for the commissioning of these emergency officers—the law inadvertently failed to make provision for their retirement pay on account of disability incurred in line of duty. The Comptroller General held, under the peculiar wording of the law, that the 4 per cent limitation also applied to retirement on account of disability, and in this respect clearly it is a discrimination against these emergency officers who were educated at their own expense and not at the expense of the Government, as is the case of a West Point graduate.

Mr. SNELL. How many officers does this affect?

Mr. WURZBACH. About 200.

Mr. SNELL. How much will it cost?

Mr. WURZBACH. I think I have the figures here. I want to state that this matter was submitted to the War Department, and they approved the bill in the last Congress, when they made their report, and also in this Congress.

Mr. SNELL. I think we ought to have something before the House showing just what this is going to cost.

Mr. WURZBACH. I want to state further to the gentleman, right in that connection, that under the present situation—

Mr. SNELL. Do not get away from the fact that I want to know how much this is going to cost.

Mr. WURZBACH. I do not think that ought to be material.

Mr. SNELL. I think that is very material. I do not think this bill should go through by unanimous consent without knowing the effect of the bill and just how much it is going to cost the Government. This is a retirement pay bill that is very important, and there are two or three other retirement pay bills before the House, so we ought to know how this affects the others and what their relative positions are. You put 200 men on the retired list by this bill, do you not?

Mr. WURZBACH. They are not put upon the retired list now. They will be retired in the future if they come within the provisions of the general law. This is not supposed to retire 200 men now, but it merely provides that when they become entitled to retirement on account of disability, the same as any other commissioned officer in the Army, they shall be retired on the same basis.

Mr. DENISON. This does not provide an additional retired list?

Mr. WURZBACH. Oh, no. This bill merely provides that a discrimination which now exists against this class of emergency officers, who are in the Regular Establishment to-day and doing the work of other Regular Army officers, shall be removed, and so they shall not be discriminated against when they are retired on account of disability incurred in line of duty. That is the whole thing. Senator WADSWORTH, as I have stated, said on the floor of the Senate that he was a member of the committee that wrote the amendment; that it was an oversight and it was inadvertently written so that these men were discriminated against.

Mr. SNELL. I think the gentleman ought to withdraw this bill so that we may know the actual facts and so the House may be informed as to what it is going to cost and what it means.

Mr. WURZBACH. I imagine it would be very difficult to tell just what it is going to cost.

Mr. REECE. Will the gentleman yield?

Mr. WURZBACH. Yes.

Mr. REECE. At present there are only seven who would be affected by the bill. There are 200 who might come under the provisions of the bill, but they would only come under the provisions of the bill in the event they were retired for disability incurred in line of duty.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. WURZBACH. Yes.

Mr. BLACK of Texas. The trouble is the way in which the gentleman has drawn the bill. By the bill you offer an inducement for an officer to make application for retirement on account of disability, because if he is retired for disability you give him 75 per cent of his retired pay, whereas if he remains in the service until he retires by reason of age you only pay him 4 per cent multiplied by the number of years he is in the service, which would be considerably less in many cases than he would get under the provisions of this bill. So

if this bill is to pass it ought to be amended, and not be so broad as it is now written.

Mr. WURZBACH. I think the gentleman will agree with me that the criticism he makes could be made against the retirement law generally.

Mr. BLACK of Texas. I do not admit that, for the simple reason that ordinarily an officer, when he enters the service as a young man, expects to stay in the service a long time, whereas by affirmative law we made an exception in the cases of these men and allowed them to be commissioned, who were beyond the age of 45, but we put into the law a provision that they should not receive retirement pay except at the rate of 4 per cent, multiplied by the number of years they were in the service. Now, I am ready to admit that the above provision was probably intended to apply to the question of age, and not disability, and the equities behind the bill are large; but if you permit retirement at 75 per cent on account of disability you encourage and invite these 260 men to make application for retirement before they reach the normal age of retirement.

Mr. WURZBACH. I am assuming, of course, that they will not be retired unless they are entitled to be retired.

Mr. BLACK of Texas. I think there has been considerable abuse of the retirement privilege in the War Department, and the gentleman will have to amend this bill in order to pass it by unanimous consent.

Mr. REECE. If it is brought up, the gentleman could offer that amendment.

Mr. BLACK of Texas. I suggest the gentleman ask that this bill go over without prejudice, and then we can confer about it. I think the language of the bill is entirely too broad.

Mr. LAGUARDIA. I would like to ask the gentleman a question. Has the gentleman asked that the bill go over?

Mr. WURZBACH. No.

Mr. REECE. Will the gentleman yield?

Mr. WURZBACH. Yes; I yield to the gentleman.

Mr. REECE. I think this is a very deserving bill.

Mr. BLACK of Texas. I think there are strong equities behind it, but the bill ought to be amended.

Mr. WURZBACH. What kind of amendment would the gentleman suggest?

Mr. BLACK of Texas. I would suggest that the bill be amended so as to provide for retirement for disability and that the retirement pay shall be 4 per cent of the officer's pay multiplied by the number of years he has been in the service, but in any case to be 50 per cent of his pay. The gentleman will have the bill objected to unless he asks that it go over without prejudice. I am willing to do justice to these men, but at the same time I want to do justice to the Treasury of the United States.

Mr. REECE. If I may make a suggestion about the amendment, if one should be offered, it should provide that if any of these men should be retired for disability, the amount of pay is not to be more than they would receive if they remained in the service until 64 years of age and were retired by reason of age.

Mr. BLACK of Texas. Something of that kind ought to be written into the bill.

Mr. REECE. The gentleman could offer that amendment on the floor here.

Mr. BLACK of Texas. That is the reason I have asked the gentleman to have it go over without prejudice. I think we can work out an amendment that will be just to these men and will be just to the Government. I am not arbitrary about it. I realize the equities of this contention, but the bill is too broad and I hope the gentleman will ask that it be passed over without prejudice.

Mr. WURZBACH. Has the gentleman objected or will the gentleman object?

Mr. BLACK of Texas. I will object.

Mr. WURZBACH. Then I ask unanimous consent, Mr. Speaker, that the bill may go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TIMBER CUT ON NATIONAL FORESTS OR PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 6261) to authorize the exportation from the State or Territory of timber lawfully cut on any national forest or on the public lands in Alaska.

The Clerk read the title of the bill.

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

Mr. SNELL. Mr. Speaker, reserving the right to object, I think we ought to have the bill explained to see just what it means.

Mr. LEAVITT. Mr. Speaker, the purpose of this bill, so far as timber sold from national forests is concerned, is simply to give a permanent legal standing to a practice that has been carried on for a great many years through legislation on the appropriation bills and therefore subject to points of order. In 1897 the law provided that timber might be cut on national forests for use and sale within the State or Territory in which the national forests exist; but, of course, as a business man, you know that no lumber concern, as the lumber business increases and the lumber industry has to look to the national forests for its supply, can carry on successfully and supply only the local trade in the one State in which a national forest exists. Therefore in the appropriation bills for a great many years there was legislation which did allow the exporting of timber to outside of the State in which the timber was cut. In 1924, however, a point of order was made on that provision, and sustained. This puts lumber concerns, dealing legitimately in national forest timber, in a position of uncertainty, and from a business angle it is desirable that there be passed a permanent law which will allow necessary export business to continue.

So far as the Territory of Alaska is concerned, the Delegate from Alaska can, perhaps, go into the situation more fully than I can. The present law does allow the exporting of pulp and pulp wood from Alaska; but there is a tremendous reservoir of timber overripe, and from a conservation standpoint ready to be cut, and which should be cut; but it can not now be advantageously sold because of the fact it can not be certainly shipped out of the Territory.

Mr. SNELL. Have they been cutting this timber right along up to this year?

Mr. LEAVITT. Not in Alaska.

Mr. SNELL. They have never cut it up there?

Mr. LEAVITT. Pulp and pulp wood.

We have had a great deal of discussion on the floor here about the locking up of the resources of Alaska and the small population there because the resources are not available, and the purpose of this, in conformity with strict conservation principles, is to allow a lumber industry to be built up in the Territory of Alaska, taking out timber that should be cut under strict forestry principles, and thus help support a larger population out of the resources of that Territory.

Mr. SNELL. It is to be cut under the general provisions of the law the same as on any other national forest?

Mr. LEAVITT. Yes; under strict conservation principles.

Mr. SUTHERLAND. May I say to the gentleman from New York that considerable of this lumber has been cut, and some of it has been exported under the provision in the appropriation bill which has been carried each year that authorizes the Secretary to permit its exportation.

Mr. SNELL. That is just what I asked the gentleman from Montana, and he said they were not cutting it.

Mr. SUTHERLAND. Yes.

Mr. LEAVITT. I repeat: Pulp and pulp wood have been allowed to be exported under the existing law. Otherwise only to a limited extent.

Mr. SUTHERLAND. And that is by permission of the Secretary of the Interior year after year.

Mr. SNELL. But no general lumbering has been done up there.

Mr. SINNOTT. They have allowed the exportation of birch timber.

Mr. SNELL. But not of softwood.

Mr. SINNOTT. No; except the pulp wood.

Mr. LAGUARDIA. And that has been done every year for years with the approval of the Secretary?

Mr. SNELL. Only pulp or pulp wood, as I understand it, and no large saw timber, for instance. Do both departments approve this bill?

Mr. LEAVITT. Yes; both the Department of the Interior and the Department of Agriculture.

Mr. BLANTON. Now, that the gentleman has satisfied the chief pulp-wood man of the House, I would like to ask the gentleman a question. Who is asking for this bill?

Mr. LEAVITT. It comes with a favorable report from both departments. It was introduced by the Delegate from Alaska.

Mr. BLANTON. Who started it on its legislative career?

Mr. LEAVITT. I have the idea that the departments themselves had a good deal to do with it, particularly the Forest Service.

Mr. BLANTON. Is the gentleman from Alaska in favor of this proposition?

Mr. SUTHERLAND. Yes; I introduced the bill.

Mr. BLANTON. Are there private interests behind this bill?

Mr. SUTHERLAND. No; no private interests.

Mr. BLANTON. There is no private interest behind this bill initiating it and pushing it through?

Mr. SUTHERLAND. Absolutely not.

Mr. BLANTON. The gentleman is interested only in getting this bill passed for the benefit of the people and for the benefit of the Government, and it is not for the benefit of some business enterprise?

Mr. SUTHERLAND. No, sir; absolutely not.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That timber lawfully cut on any national forest, or on the public lands in Alaska, may be exported from the State or Territory where grown if, in the judgment of the Secretary of the department administering the national forests, or the public lands in Alaska, the supply of timber for local use will not be endangered thereby, and the respective Secretaries concerned are hereby authorized to issue rules and regulations to carry out the purposes of this act.

With the following committee amendments:

Insert a comma after the following words: Line 3, after the word "forest"; line 4, after the word "Alaska"; line 6, after the word "forests."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

CONVEYING LANDS TO THE STATE OF MICHIGAN

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent to have Calendar No. 51, a bill (H. R. 7482) to provide for the conveyance of certain land in the State of Michigan for State-park purposes again laid before the House. The gentleman from Texas and the gentleman from Ohio have withdrawn their objections on condition that an amendment which I will offer be adopted.

The SPEAKER pro tempore (Mr. TILSON). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to transfer and convey to the State of Michigan the following-described parcels of land: Lots 3 and 4 and southeast quarter of southwest quarter of section 18; northwest quarter, northwest quarter of southwest quarter, and lots 2 and 3 of section 19; lots 1 and 2 of section 30, town 15 north, range 18 west, Michigan principal meridian, containing 492.34 acres of land more or less. All of fractional section 13; lots 1, 2, and 3 on the southeast quarter of southeast quarter of section 24; northeast quarter, north half of southeast quarter and southeast quarter of southwest quarter of section 25, town 15 north, range 19 west, Michigan principal meridian, containing 500.62 acres more or less, the same to be held and made available permanently by said State as a State park under such rules and regulations as may be necessary and proper for use thereof by the public: *Provided*, That should the State of Michigan fail to keep and hold the said land for park purposes or devote it to any use inconsistent with said purposes, then at the option of the Secretary of the Interior, after due notice to said State and such proceeding as he shall determine, title to said land shall revert to and be reinvested in the United States.

With the following committee amendment:

Page 1, line 4, after the word "directed" insert the words "upon payment of \$1.25 per acre."

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I move to amend by striking out on page 2 lines 14 and 15.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out lines 14 and 15.

The amendment was agreed to.

Mr. SEARS of Florida. Mr. Speaker, I move to strike out the last word. I want to congratulate my colleague from Michigan for getting this bill through, and I would like to know if he had a favorable report from the Department of the Interior.

Mr. McLAUGHLIN of Michigan. Yes.

Mr. SEARS of Florida. Is it Government land?

Mr. McLAUGHLIN of Michigan. Yes; Government land.

Mr. SEARS of Florida. The reason that I moved to strike out the last word was I have introduced one or two bills trying to get Government lands in Florida transferred to the

county or city or State for park purposes. I have just received a letter from the Department of the Interior saying they will not recommend the transfer of any Government land in Florida because land in Florida is so valuable, and I therefore presume the Government is so poor they can not afford to recommend it. I know that the lands in Michigan are not so very poor, but I wondered how the gentleman proceeded. I have been associated with him; I know he is a very persuasive gentleman, and I wish he would tell me how to proceed to get a favorable report.

Mr. McLAUGHLIN of Michigan. The situations in Florida and Michigan are radically different. These lands in Michigan have always been subject to homestead entry. They lie along the edge of a thickly settled community, but no entry on them for homestead purposes has been had for 75 years. They are of absolutely no value for agriculture, but it is an interesting and unique place in an interesting section of the country; they are great sand dunes, and the State wishes to acquire it for the purpose of making it more valuable for the people than it is in its original unique condition.

Mr. SEARS of Florida. There are lands in Florida in the same condition, but the Government wants them on account of their value. It may be because I wanted to name it the "Harding Memorial Park" that I received an unfavorable report.

The pro forma amendment was withdrawn.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

DRAWING OF GRAND JURORS IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 3833) to amend section 204 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 204 of the Code of Law for the District of Columbia be, and the same is hereby, amended so as to read as follows:

"SEC. 204. Drawing Jurors: At least 10 days before the first Tuesday of each month specified in section 202 when jury trials are to be had, said jury commission shall publicly break the seal of the jury box and proceed to draw therefrom, by lot and without previous examination, the names of such number of persons as the general term of the Supreme Court of the District of Columbia may from time to time direct to serve as grand and petit jurors in the Supreme Court of the District of Columbia; and shall forthwith certify to the clerk of the Supreme Court of the District of Columbia the names of the persons so drawn as jurors."

With the following committee amendment:

Page 2, line 6, after the word "forthwith," strike out the balance of the sentence and insert the following in lieu thereof: "designate 23 persons so drawn to serve as grand jurors and the remainder so drawn shall serve as petit jurors, and shall certify to the clerk of the Supreme Court of the District of Columbia the names of the persons so drawn as jurors: *Provided, however*, That if after designation any of the grand jurors should prove to be incompetent or should be excused from service by the court, or die or become otherwise disqualified or disabled, the court may fill any such vacancy or vacancies from the list of petit jurors."

Mr. BLANTON. Mr. Speaker, I ask for recognition on the amendment. The gentleman from Pennsylvania [Mr. GRAHAM] has been a very distinguished prosecutor in his State. Why does not he and his committee bring in a bill which will change this archaic provision that requires a Federal grand jury to be composed of 23 men? That is an unnecessarily large number. There is no good reason for having 23 men on a grand jury. They are usually the business men of the district, and when 12 or 15 of them could serve the Government just as well, why let this old law continue on the statute books and require 23 business men to act?

Mr. GRAHAM. Mr. Speaker, from time immemorial a grand jury has been composed of 23 men.

Mr. BLANTON. In the Federal court; yes.

Mr. GRAHAM. And in the State courts also at common law. A venire issues for the summoning of 24 men, and the court excuses one so that 12 could constitute a majority, which would be the number of an ordinary jury, and which number could find a true bill. The practice exists almost everywhere. I know of no exception. I do not think we ought to make an ex-

ception in the District of Columbia from the general course of practice. This request comes from the judiciary of the District asking us to correct a little difficulty that exists in the law.

Mr. BLANTON. I was asking the gentleman not about the District of Columbia, but with regard to the practice in the Federal courts existing throughout the United States. Why do we not provide for a smaller number? For instance, the State of Texas is a rather large State. The common law used to prevail there and it does prevail now except where changed by statute. For years and years we have provided that the grand jury can find a bill of indictment for the highest kind of crime when only 12 men sit on the grand jury, that being a legal grand jury in Texas. Every safeguard is thrown around the defendant's rights in a grand-jury room with only 12 jurors. In Texas 9 of the 12 grand jurors must concur to find a bill. If that is the case, why continue this archaic provision which has been the law for so long that the gentleman is afraid to disturb it?

Mr. GRAHAM. We do not now seek to provide for 23 men in this bill. The law as it stands on the statute books to-day makes 23 men necessary in the District of Columbia, the same as everywhere else, except in Texas and perhaps some one or two others. The exception, in the District of Columbia, unlike the law in Federal courts and most States, and unlike the common law here, there must be 23 men serving. Therefore when one man is shown to be unable to qualify it necessitates the commissioner coming in and going through the formality of calling additional men to serve on the grand jury. This bill simply provides that since the qualification of a grand and petit juror is exactly the same in the District, the court can be free to fill those vacancies from the general venire which will go out to summon grand jurors and petit jurors to fill up vacancies in the 23, and if anyone is disqualified through sickness or any other cause the court can then, without going to the expense and delay now necessary, put one or two or more men on the grand jury and fill up the vacancy or the vacancies.

Mr. BLANTON. That is a good amendment, and I am with the gentleman upon it. I am not inveighing against that at all; but if a grand jury could properly be composed of 12 or 15 men in the Federal Court, then the fact that the law requires 23 now should not deter the gentleman and his distinguished committee from bringing in a bill changing that and requiring only 12. I appeal to the gentleman's wide experience as a prosecutor. We do not need 23 men in a grand-jury room in the Federal courts to bring about justice. We could do with a fewer number of men. We could do with 12 men. A man charged with crime ought not to demand that his rights be passed on by a grand jury of more than 12 of his peers. I submit that to the gentleman.

Mr. GRAHAM. I shall take the matter under consideration. The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

TEMPORARY CLERK, SUPREME COURT, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 3834) to amend section 65 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 65 of the Code of Law for the District of Columbia be, and the same hereby is, amended so as to read as follows:

"SEC. 65. The general term of said court shall be open at all times for the transaction of business; and said court, by orders passed in general term, may regulate the periods of holding the special terms, fix the number of said terms, and alter the same from time to time, as public convenience may require; may direct as many terms of any of the special terms to be held at the same time as the public business may make necessary; may assign the several justices from time to time to the respective special terms; may establish written rules regulating pleading, practice, and procedure, and by said rules make such modifications in the forms of pleading and methods of practice and procedure prescribed by existing law as may be deemed necessary or desirable to render more simple, effective, inexpensive, and expeditious the remedy in all suits, actions, and proceedings: *Provided*,

That said rules shall not become effective until 30 days after the date when they are adopted and spread upon the minutes of the said general term: *And provided further*, That said court in general term shall not have power to make or establish rules regulating pleading, practice, or procedure in equity which are inconsistent with the rules in equity heretofore or hereafter adopted by the Supreme Court of the United States; may appoint a clerk and in the event of a vacancy in the office of clerk may designate one of the assistant clerks to act as clerk of the court until the vacancy shall have been filled, provided that if such vacancy occurs in vacation such designation may be made by the Chief Justice if in the District of Columbia or in his absence by the senior Associate Justice of said court then in said District. Said court in general term may appoint an auditor and also a crier and a messenger for each court in special term and all other officers of the court necessary for the due administration of justice, with the exception of all officers and employees in any manner connected with the probate term, and also United States commissioners; may hear charges of misconduct against any judge of the municipal court and remove him from office for cause shown; may admit persons to the bar of said court and censure, suspend, or expel them; and may pass all other orders not inconsistent with existing laws which may be necessary to the effective administration of justice in said court, but shall not hear any cause in general term: *Provided*, That the general term may assign more than one justice to a special term for the trial of a given case."

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

COUNTERFEITING OF GOVERNMENT TRANSPORTATION REQUESTS

The next business on the Consent Calendar was the bill (H. R. 8128) to punish counterfeiting of Government transportation requests.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or shall willingly aid or assist in falsely making, forging, or counterfeiting, in whole or in part, any form or request in similitude of the form or request provided by the Government for requesting a common carrier to furnish transportation on account of the United States or any department or branch thereof, or shall alter, or cause or procure to be altered, or shall willingly aid or assist in altering, any form or request provided by the Government for requesting a common carrier to furnish transportation on account of the United States or any department or branch thereof, or who shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, any such false, forged, counterfeited, or altered form or request, shall be fined not less than \$1,000 nor more than \$5,000, or imprisoned not less than 1 year nor more than 10 years, or both.

SEC. 2. That whoever, except by lawful authority, shall have control, custody, or possession of any plate, stone, or other thing, or any part thereof, from which has been printed or may be printed any form or request for Government transportation, or shall use such plate, stone, or other thing, or knowingly permit or suffer the same to be used in making any such form or request or any part of such a form or request, or who shall make or engrave, or cause or procure to be made or engraved, or shall assist in making or engraving, any plate, stone, or other thing, in the likeness of any plate, stone, or other thing designated for the printing of the genuine issues of the form or request for Government transportation; or who shall print, photograph, or in any other manner make, execute, or sell, or cause to be printed, photographed, made, executed, or sold, or shall aid in printing, photographing, making, executing, or selling, any engraving, photograph, print, or impression in the likeness of any genuine form or request for Government transportation, or any part thereof; or who shall bring into the United States or any place subject to the jurisdiction thereof any plate, stone, or other thing, or engraving, photograph, print, or other impression of the form or request for Government transportation, shall be fined not less than \$1,000 nor more than \$5,000, or imprisoned not less than 1 year nor more than 10 years, or both.

SEC. 3. The Secretary of the Treasury is hereby authorized to direct and use the Secret Service Division of the Treasury Department to detect, arrest, and deliver into custody of the United States marshal having jurisdiction any person or persons violating any of the provisions of this act.

With the following committee amendments:

Page 2, line 4, after the word "shall," insert the word "knowingly"; page 2, line 6, after the word "shall," insert the words "upon conviction"; page 2, line 7, strike out the words "less than \$1,000

nor"; and in line 8, page 2, strike out the words "less than one year nor"; page 2, line 7, after the word "shall," insert the words "upon conviction"; and in line 8, page 3, strike out the words "less than \$1,000 nor"; and in line 9, same page, strike out the words "less than one year nor."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill to punish counterfeiting, altering, or uttering of Government transportation requests."

Mr. MORTON D. HULL. Mr. Speaker, I move to strike out the last word. Mr. Speaker, I think it would be instructive to have the gentleman from Pennsylvania [Mr. GRAHAM] tell us just what the experience is that is intended to be covered by this bill?

Mr. GRAHAM. This is a bill which came from the Department of War, because from experience they found that the existing law did not enable them to pursue and punish persons who improperly issued and used requests for transportation, and in certain cases of which the Secretary speaks those requests for transportation were made and used by the parties and cost the transportation company \$1,000 in one instance, and various sums in others.

Mr. MORTON D. HULL. Who makes these requests for transportation, and to whom are they directed?

Mr. GRAHAM. They are made through the department and taken to the transportation company.

Mr. LAGUARDIA. Individual employees get these blanks. When I was in the Immigration Service the employees would get those blanks and simply fill them out and then the order was shown at the ticket office, and the ticket procured. Immigration inspectors, agents of the Department of Justice, and various others have regular blanks, and they give them a pad at a time.

Mr. GRAHAM. The gentleman is quite right. This is only meant to cover some openings in the existing law.

The SPEAKER pro tempore. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

CROW TRIBE OF INDIANS OF MONTANA

The next business on the Consent Calendar was the bill (H. R. 8185) to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled "An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first, fifth, sixth, eighth, and eighteenth sections of an act providing for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes, approved June 4, 1920 (41 Stat. L. pp. 751-757), be amended to read as follows:

"**SECTION 1.** That the Secretary of the Interior be, and he hereby is, authorized and directed to cause to be allotted the surveyed lands and such unsurveyed lands as the commission hereinafter provided for may find to be suitable for allotment, within the Crow Indian Reservation in Montana (not including the Big Horn and Pryor Mountains, the boundaries whereof to be determined by said commission with the approval of the Secretary of the Interior), and not herein reserved as hereinafter provided, among the members of the Crow Tribe, as follows, namely, 160 acres to the heirs of every enrolled member entitled to allotment who died unallotted after December 31, 1905, and before the passage of this act; next, 160 acres to every allotted member living at the date of the passage of this act, who may then be the head of a family and has not received allotment as such head of a family; and thereafter to prorate the remaining unallotted allotable lands and allot them so that every enrolled member living on the date of the passage of this act and entitled to allotment shall receive in the aggregate an equal share of the allotable tribal lands for his total allotment of land of the Crow Tribe.

Allotments made hereunder shall vest title in the allottee subject only to existing tribal leases, which leases in no event shall be renewed or extended by the Secretary of the Interior after the passage of this act, and shall as hereinafter provided be evidenced by patents in fee to competent Indians, except as to homesteads as hereinafter provided, but by trust patent to minors and incompetent Indians, the force and legal effect of the trust patents to be as is prescribed by the general allotment act of February 8, 1887, as amended (24 Stat. L. p. 388). Priority of selection up to 320 acres is hereby given to the members of the tribe who have as yet received no allotment on the Crow Reservation, and thereafter all members enrolled for allotment hereunder shall in all respects be entitled to equal rights and privileges, as far as possible, in regard to the time, manner, and amount of their respective selections: *Provided*, That Crow Indians, who are found to be competent may elect, in writing, to have their allotments, except as herein provided, patented to them in fee. Otherwise trust patents shall be issued to them. No patent in fee shall be issued for homestead lands of a husband unless the wife joins in the application, who shall be examined separately and apart from her husband and a certificate of the officer taking her acknowledgment shall fully set forth compliance with this requirement: *Provided further*, That any allottee classified as competent and any adult incompetent Indian, with the assistance of the superintendent, may lease his or her allotment or any part thereof and allotments of minor children dependent upon them for support without restriction, but the moneys received for all other minors shall be paid to the superintendent for the benefit of said minors, and where a group of allottees desire to lease their several allotments as a unit, such allottees may in writing agree to unite their several allotments and select a committee from their number to lease the whole thereof for and in their behalf under such terms as the said allottees may have previously agreed upon, but no lease shall be for a period longer than five years.

"**SEC. 5.** That such of the unallotted lands as are now used for agency, school, cemetery, or religious purposes shall remain reserved from allotment so long as such agency, school, cemetery, or religious institutions, respectively, are maintained for the benefit of the tribe: *Provided*, That the Secretary of the Interior, upon the request of the tribal council, is hereby authorized and directed to cause to be issued a patent in fee to the duly authorized missionary board or other proper authority of any religious organization heretofore engaged in mission or school work on the reservation for such lands thereon as have been heretofore set aside and are now occupied by such organizations for missionary or school purposes: *Provided further*, That not more than 640 acres may be reserved for administrative purposes at the Crow Agency, and six tracts of not exceeding 80 acres each, in different districts on the reservation, may be reserved for recreation grounds for the common use of the tribe, or purchased from the tribal funds if no tribal lands are available, and all such lands shall be definitely described and made a matter of record by the Indian Office: *Provided further*, That whenever any reservation herein specified shall no longer be needed for the purpose reserved, the same may be leased or disposed of by sale, in such manner as the said Crow Indians may determine.

"**SEC. 6.** That any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved for the benefit of the members of the tribe in common and may be leased for mining purposes, with the consent of the tribal council under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, but no lease shall be made for a longer period than 10 years, but the lessees may have the right to renewal thereof for a further period of 10 years upon such terms and conditions as the Secretary of the Interior may prescribe, and agreed to by said tribal council: *Provided*, That when any land is leased for mining purposes and development hereunder shall indicate the presence of minerals including oil and gas in paying quantities; the lessee or lessees shall proceed with all reasonable diligence to complete the development under said lease to extract the mineral including oil and gas from the land leased and to bring the product mined or extracted into market as speedily as possible unless the extraction and sale thereof be withheld with the consent of the Crow Tribe of Indians: *Provided, however*, That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals, which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *And provided further*, That at the expiration of 50 years from the date of approval of this act, unless otherwise ordered by Congress, the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs.

"**SEC. 8.** That any allotment or part of allotment provided for under this act, irrigable from any irrigation system now existing or hereafter constructed by the Government on the said reservation, shall bear its pro rata share, computed on a per-acre basis, of the expenditures made from tribal funds that were used in constructing such systems where the Indians in council had not specifically approved such expenditures, and all moneys except gratuities expended on the construction of such irrigation systems out of the appropriations from the Treasury of the United States, the amount so in the aggregate to be

borne to be ascertained and proclaimed by the Secretary of the Interior: *Provided*, That no additional irrigation system shall be established or constructed by the Government for the irrigation of Indian lands on the Crow Reservation unless and until the consent of the tribal council thereto has been duly obtained. All such charges against allotments authorized by this section shall be reimbursed in not less than 20 annual payments. The Secretary of the Interior may fix such operation and maintenance charges against such allotments as may be reasonable and just, to be paid as provided in rules and regulations to be prescribed by him. Unless otherwise paid, these latter charges accruing subsequent to August 1, 1914, may be paid from or made a charge upon the allottee's individual share of the tribal fund when said fund is available for distribution, and if any allottee shall receive patent in fee to his allotment before the amount so charged against his land has been paid, such unpaid amount shall become and be a lien upon his allotment, of which a record shall be kept in the office of the superintendent of the reservation at the agency; and should any Indian sell any part of his allotment with the approval of the Secretary of the Interior, the amount of such unpaid charges against the land so sold shall remain a first lien thereon and may be enforced by the Secretary of the Interior by foreclosure as a mortgage. The expenditures for irrigation work on the Crow Reservation, Montana, heretofore or hereafter made, as hereinbefore provided, are hereby declared to be reimbursable under such rules and regulations as the Secretary of the Interior may prescribe and shall constitute a lien against the land benefited, regardless of ownership, including all lands which have heretofore been sold or patented. All patents or other instruments of conveyance hereafter issued for lands under any irrigation project on the said Crow Indian Reservation, whether to individual Indians or to purchasers of Indian land, shall recite a lien for repayment of such irrigation charges hereinbefore provided for, if any, remaining unpaid at the time of issuance of such patent or other instrument of conveyance; and such lien may be enforced or, upon payment of all such irrigation charges assessed against such land, may be released by the Secretary of the Interior. Delivery of water to such land may be refused, within the discretion of the Secretary of the Interior, until all dues are paid: *Provided*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall vest until the owner of the land to be irrigated shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as may be deemed reasonable and proper for making effective the foregoing provisions: *Provided, however*, That in no case shall any allottee be required to pay, either construction, operation, or maintenance charges for such irrigation privileges, or any of them, until water can be actually delivered to his allotment: *Provided further*, That the Secretary of the Interior shall cause to be made immediately, if not already made, an itemized statement showing in detail the cost of the construction of the several irrigation systems now existing on the Crow Indian Reservation separately, the same to be placed at the Crow Agency, and with the Government farmers of each of the districts of the reservation, for the information of the Indians affected by this section.

"SEC. 18. That the sum of \$10,000, or so much thereof as may be necessary, of the tribal funds of the Crow Indians of the State of Montana is hereby appropriated to pay the expenses of the general council, or councils, or business committee, in looking after the affairs of said tribe, including the actual and necessary expenses and the per diems paid its legislative committee when visiting Washington on tribal business at the request of the Commissioner of Indian Affairs or a committee of Congress, said sum and the actual and necessary expenses to be approved by and certified by the Secretary of the Interior, and when so approved and certified to be paid.

The committee amendments were read, as follows:

Page 3, line 21, after the word "allottee," insert "classified as competent and any adult incompetent Indian with the assistance of the superintendent."

Page 3, line 23, after the word "thereof," strike out "without restriction, parents acting for children under age," and insert "and allotments of minor children dependent upon them for support without restrictions, but the moneys received for all other minors shall be paid to the superintendent for the benefit of said minors."

Page 9, line 1, after the word "water," strike out the words "has been" and insert "can be."

The question was taken, and the amendments were agreed to.

Mr. MORTON D. HULL. Mr. Speaker, I move to strike out the last word. Mr. Speaker, this bill covers some nine pages and amends a half dozen different sections of the law. It seems to me we are entitled to have some explanation from the chairman of the Committee on Indian Affairs as to just what it does.

Mr. LEAVITT. Mr. Speaker, while this bill seems to cover quite a good deal of ground and be rather extensive, the fact is that nearly all that is in the bill is the existing law at

the present time. There are here amendments to several sections of the law as it now exists pertaining to the Crow Indians of Montana, particularly to enable them to have a greater part in their own affairs. It has also to do with the question of payment for land irrigated on their reservation. To begin with, I wish to say that few bills have ever had more careful consideration by a committee. It was heard before two subcommittee meetings, at which a delegation of the Crow Indians was present. It was heard in the whole committee on two different occasions, and the benefit of the advice of the department was sought at every point. The first amendment is to section 1, and is to give greater participation by the Indians in the leasing of their own lands. It is felt that the Indians, having been given citizenship, and being in a position now to take a greater part in governmental affairs, are now ready to take a greater part in their own business affairs. This bill is bound about by sufficient restrictions to insure that the unrestricted Indians will have—

Mr. EDWARDS. If the gentleman will yield, is the report on this bill a unanimous report from the committee?

Mr. LEAVITT. Yes, indeed. Section 5 is amended with regard to the leasing of lands that are now in agency, school, cemetery, and religious use where the need of such use ceases to exist. This simply provides, for the benefit of the Indians, that leases may be made thereon. The amendment to section 6 has to do with requirements in connection with the extension of leases now existing to oil lands on the reservation and on future leases of that kind the consideration and consent of the tribal counsel shall be required, and due diligence shall also be required of the lessees in carrying out the terms of the leases.

Mr. BLANTON. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. BLANTON. I found one method by which I could determine whether an Indian bill was in favor of the real Indian or the white Indian, but unfortunately it is after the bill is passed.

I notice that every time we pass a bill for the real Indians they come around to our offices and thank us, but if the bill is for the white Indians we never see them. Has the gentleman noticed that?

Mr. LEAVITT. To some extent that is true. But in the consideration and preparation of this bill I am sure the gentleman will be pleased to know that a delegation, first of six and later of three Crow Indians, personally were before the committee continually, and they are still in the city.

The amendment to section 8 has to do with irrigation matters. Irrigation was started on the Crow Reservation very largely without the consent and understanding of that tribe. However, the consent of the tribe was given for the expenditure of certain amounts out of the tribal funds. Out of the General Treasury somewhere between \$400,000 and \$500,000 has been spent in addition to that, and other expenditures were out of the tribal funds, without the consent of the Crow Indians. This measure provides that the part of the money taken from the General Treasury shall be reimbursed and chargeable against the individual lands that have been brought into the irrigation system, and also that the individual lands shall pay back to the tribal funds all that has been taken without the consent of the Indians; but the money taken out of the tribal funds with the consent of the Indians shall be a charge against the tribal fund.

Section 18 simply removes a restriction on the total amount that can be expended in one year in payment of expenses of delegations visiting Washington on their business. It leaves it to the discretion of the Secretary of the Interior. This is from tribal funds entirely.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

REPAIRS TO ROADS AND BUILDINGS IN AMERICAN SAMOA

The next business on the Consent Calendar was the bill (H. R. 8911) authorizing an appropriation of \$11,000 for the purpose of aiding in the repair of damage done to roads, water systems, schools, and other public buildings in American Samoa.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$11,000, which sum may be expended, under the direction of the Governor of American Samoa, for the purpose of aiding in the repair of damage done to roads, water systems, schools, and other public buildings as the result of the hurricane which visited American Samoa on January 1, 1926.

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

GRANT OF PUBLIC LANDS TO THE CITY OF PHOENIX, ARIZ.

The next business on the Consent Calendar was the bill (H. R. 6384) to amend the acts of June 7, 1924, and March 3, 1925, granting public lands to the city of Phoenix, Ariz.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the first proviso of the acts of June 7, 1924 (43 Stat. L. p. 643), and of March 3, 1925 (43 Stat. L. p. 1213), each entitled "An act granting certain public lands to the city of Phoenix, Ariz., for municipal, park, and other purposes," is hereby amended to read as follows:

"Provided, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior shall prescribe."

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

BRIDGE ACROSS THE MISSISSIPPI RIVER IN MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 5013) extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by act of Congress approved February 16, 1924, and amended by act approved February 7, 1925, to be built by the Chicago, Milwaukee & St. Paul Railway, its successors and assigns, across the Mississippi River, within or near the city limits of St. Paul, Ramsey County, and Minneapolis, Hennepin County, Minn., are hereby extended two years and three years, respectively, from February 16, 1926.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment as follows:

On page 2, line 1, strike out the word "three" and insert in lieu thereof the word "four."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

EMPLOYMENT OF CONSULTING ENGINEERS FOR COOLIDGE DAM

The next business on the Consent Calendar was the bill (H. R. 6374) to authorize the employment of consulting engineers on plans and specifications of the Coolidge Dam.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BEGG. Reserving the right to object, Mr. Speaker, I would like to have some explanation of this bill. Why is it necessary to have outside engineers rather than Army Engineers on this job?

Mr. HAYDEN. The engineers of the Bureau of Indian Affairs have prepared three different designs for the Coolidge Dam. One design is the ordinary massive masonry type, which is so much heavier than the impounded water that it holds itself in place by its own weight. The engineers have designed a multiple-arch dam and another called the multiple-dome type. The multiple-dome dam is fashioned on the shape of an eggshell, and it is claimed that by using this design a saving of \$1,000,000 can be made on the cost of constructing the Coolidge Dam. If it is perfectly safe, I would like to see the dam built in that form. But we must be sure that it is safe, because the structure is supposed to last for all time. I therefore introduced this bill to authorize the employment of consulting engineers to check up all the plans and specifications and advise the Secretary of the Interior whether it is possible to save \$1,000,000 while maintaining every factor of safety.

Mr. BEGG. Where does the gentleman expect to get a board of engineers with any more experience in construction work of this kind than those employed in the Government service?

Mr. HAYDEN. I hope that the Secretary of the Interior will select Major General Langfitt, who was chief of engineers in France and who was on the board of Army engineers which in 1914 made a general report on the San Carlos project. The Secretary of the Interior desired to employ him, but the Comptroller General ruled he could not be given any compensation in addition to his pay as a retired Army officer.

Mr. BEGG. I am not averse to paying him something for special work.

Mr. HAYDEN. That is what this bill permits.

Mr. BEGG. That is not the point at all, but the bill strikes me rather queerly. It provides for the hiring of three outside engineers at \$75 a day. Would it not be better to pay one \$150 a day, if necessary to get him? What is the idea of going outside and hiring two more? That is a thing I can not understand.

Mr. HAYDEN. Another engineer that I would like to see employed is Mr. Louis C. Hill, who supervised the construction of the Roosevelt Dam on Salt River and who is now engaged in private practice in California. Having built a dam in the same kind of country we should have the benefit of his experience. I think his services can be secured for the price named in the bill.

Mr. BEGG. What price does the gentleman have in mind?

Mr. HAYDEN. Seventy-five dollars a day.

Mr. BEGG. For how many days?

Mr. HAYDEN. The bill fixes a limit of total compensation at \$3,500.

Mr. BEGG. Why does not the gentleman make it \$3,500, because surely there will be a bill rendered for the full amount?

Mr. HAYDEN. This bill was drafted after consultation with the Comptroller General, Mr. McCarl, who assures me that the Government is perfectly safeguarded by its terms.

Mr. BEGG. I think you might as well appropriate \$3,500 for three engineers, because I think it will take that much, and I think the gentleman will find it will take it.

Mr. HAYDEN. If that should be the case, it will be money well spent, especially if the engineers can bring about a large saving in the ultimate cost of the dam.

Mr. BEGG. I will not object to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc., That in carrying into effect the provisions of the act of June 7, 1924 (43 Stat. L. p. 476), entitled "An act for the continuance of construction work on the San Carlos Federal irrigation project in Arizona and for other purposes," the Secretary of the Interior is authorized, in his judgment and discretion, to employ for consultation on plans and specifications for the Coolidge Dam, as he may deem necessary, the services of not more than three experienced engineers, determined by him to have the necessary qualifications, without regard to civil-service requirements, and at rates of compensation to be fixed by him for each respectively, but not to exceed \$75 per day for each engineer, respectively, not exceeding in the aggregate more than \$3,500 for any engineer so employed for the time employed and actually engaged upon such work, and which compensation shall be inclusive of all travel and other

expenses incident to the employment: *Provided*, That a retired officer of the Army may be employed by the Secretary of the Interior as consulting engineer in accordance with the provisions of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

WITHDRAWAL OF CERTAIN LANDS OF THE INDIAN SCHOOL AT PHOENIX, ARIZ.

The next business on the Consent Calendar was the bill (H. R. 8652) to provide for the withdrawal of certain lands as a camp ground for the pupils of the Indian school at Phoenix, Ariz.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the east half southwest quarter and the southeast quarter section 20; the north half northeast quarter section 29, all in township 3 north, range 3 east, Gila and Salt River meridian, Arizona, temporarily withdrawn from settlement, entry, sale, or other disposal by presidential order dated February 27, 1925, for use as a camp ground for the pupils of the United States Indian school at Phoenix, Ariz., be, and they hereby are, permanently withdrawn for the purpose indicated in said order: *Provided*, That this withdrawal shall not affect any existing legal right of any person to any of the withdrawn lands.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

EXCHANGE OF CERTAIN PUBLIC LANDS NEAR YUMA, ARIZ.

The next business on the Consent Calendar was the bill (H. R. 7911) to authorize the exchange of certain public lands and the establishment of an aviation field near Yuma, Ariz.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Arizona some questions in regard to this bill. Is this aviation field to belong to the Government?

Mr. HAYDEN. Yes. Title to the land remains in the United States.

Mr. BEGG. How much land are we to give to the private individual owning 160 acres of land in exchange for the land he gives up?

Mr. HAYDEN. An equal area.

Mr. BEGG. The bill does not so state.

Mr. HAYDEN. That is my understanding.

Mr. BEGG. The bill states that he is to be given an amount of land equal in value and not in area, unless I am in error.

Mr. HAYDEN. Nothing is said about value.

Mr. BEGG. Well, let us see whether there is.

Mr. HAYDEN. The lands to be exchanged are all within the same section. The way the Government land lies now it could not very well be used as an aviation field. The owners of some other lands are willing to make an exchange so as to square up a quarter section for the Government for use as a public aviation field.

Mr. BEGG. I would like to have the gentleman point out any limitation on the amount of land that may be given in exchange.

Mr. HAYDEN. The gentleman from Ohio may be correct about that. I introduced the bill as drafted in the Department of the Interior. However, all of the exchanges must be within the limits of one section, and I do not know of any reason why one part of it is not as good as another. So I presume it will be an exchange equal in total area.

Mr. BEGG. The bill authorizes the Secretary of the Interior to exchange any public land he may choose to exchange.

Mr. HAYDEN. Within that particular section.

Mr. BEGG. Yes; and any amount.

Mr. HAYDEN. The plat of the section, which I saw, indicated that there could not be any exchange except in equal amounts.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object, does this bill provide for the transfer of certain described lands, as described in the bill, or does it permit the general transfer of one piece of land owned by the Government for another piece?

Mr. HAYDEN. The exchanges are all within the same section.

Mr. McLAUGHLIN of Michigan. Does the bill describe the land?

Mr. HAYDEN. The bill describes it as being within section 9, township 9, south of range 23, west of the Gila and Salt River meridian, Arizona.

Mr. McLAUGHLIN of Michigan. Some years ago a law was passed called the lieu law, by which the Government of the United States was authorized to transfer land for land of similar area anywhere that anybody wished to part with, and the result was that the Government parted with a great deal of the finest timber land that was ever out of doors for a lot of worthless stuff that was turned over to it.

Mr. HAYDEN. I am familiar with the facts connected with that exchange, and I agree with the gentleman that the Federal Government was badly cheated.

Mr. McLAUGHLIN of Michigan. If this bill provides for a general transfer of land, it ought not to go through.

Mr. HAYDEN. It does not. The bill provides only for an exchange within one specified section; that is all.

Mr. BLANTON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. BLANTON. Whenever that occurs it is a reflection upon the Cabinet officer who happens to be the Secretary of the Interior, is it not?

Mr. McLAUGHLIN of Michigan. I do not know just when this was done.

Mr. BLANTON. He is the one who permits it to be done under his supervision.

Mr. McLAUGHLIN of Michigan. I do not remember just when it was done or who was the Secretary of the Interior, but I know the lieu law never should have been passed.

Mr. HAYDEN. It was a very bad law.

Mr. McLAUGHLIN of Michigan. And the operations under it were scandalous.

Mr. BEGG. Will the gentleman from Arizona yield?

Mr. HAYDEN. Certainly.

Mr. BEGG. Would the gentleman object to an amendment on page 1, line 8, right after the figure 9, inserting the words "of equal area," so that it would read "of equal area in exchange for the east half of the southeast quarter and the northwest quarter of the southeast quarter of said section 9"?

Mr. HAYDEN. I accept the amendment.

Mr. LAGUARDIA. Mr. Speaker, further reserving the right to object, the gentleman from Arizona will recall that the committee reported an amendment inserting the word "public," and I want the Record to show that it is the intention of this House that this field shall be operated as a public field in the fullest sense of the word. That is the gentleman's understanding, is it not?

Mr. HAYDEN. It is the desire of all the citizens of Yuma County that this land be given the greatest possible use as a public aviation field in the widest sense of that term.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That in order that the entire southeast quarter of section 9, township 9, south of range 23, west of the Gila and Salt River meridian, Arizona, may be reserved for a public aviation field, the Secretary of the Interior is hereby authorized to issue unrestricted patent for any public land in said section 9 in exchange for the east half of the southeast quarter and the northwest quarter of the southeast quarter of said section 9.

With the following committee amendment:

In line 5, page 1, after the word "for," strike out the word "an" and insert the words "a public."

The committee amendment was agreed to.

Mr. BEGG. Mr. Speaker, I offer an amendment.

• The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEGG: On page 1, line 8, after the figure "9," insert the words "of equal area."

The amendment was agreed to.

The Clerk read as follows:

Sec. 2. That upon the exchange being completed the entire southeast quarter of said section 9 shall be reserved as a public field for the landing and taking off of aircraft of all descriptions: *Provided*, That the board of supervisors of Yuma County, Ariz., shall by resolution agree to assume the expense of clearing and maintaining the field, and that the following conditions are agreed to:

That operators of Government-owned aircraft shall always have free and unrestricted use of said field; that rules and regulations governing the operation of aircraft upon said field shall include and coincide with

rules and regulations prescribed and promulgated by the War Department; that Government departments and agencies operating aircraft shall have the right to erect and install upon said land such structures and improvements as the heads of such departments and agencies may deem advisable, including facilities for maintaining supplies of fuel, oil, and other materials for operating aircraft; that in case of emergency, or in the event that it shall be deemed advisable by the Secretary of War, the War Department may assume absolute control of the management and operation of said field.

With the following committee amendment:

Page 2, line 1, after the word "a," insert the word "public."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I move to strike out the last word.

The committee offered the amendment inserting the word "public" in order to make it absolutely clear and leave no doubt whatever that in giving this land it is the intention of the House that this field shall be operated as a public field. In other words, the bill provides specifically that Government-operated planes shall have access to this field and the use of this field at all times. The field is to be operated as a public field and may be used at all times by any plane operated by a private individual or a private company.

This is one of the first fields that has been opened in this way, where Government land is given over to a municipality, or, as in this case, a board of supervisors. Aviation in this country is sorely in need of landing fields. We can not have too many of them, because in a cross-country flight or in establishing regular routes landing fields at intermediate points make it very much easier to navigate and very much safer.

Municipalities throughout the country have established public landing fields, but there are not enough of them. The municipalities that have the foresight and the vision to provide landing facilities and facilities for fuel for aviation, for heavier-than-air machines or lighter-than-air machines, will in a few years find that they are on the lanes of traffic, and municipalities or States that fail to make such provision may find themselves out of the lane of traffic.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. From the gentleman's experience in aviation, I would like to ask him whether he considers it a wise policy on the part of the Army to permit one man to drive off in a plane by himself and visit different parts of the country at will.

Mr. LAGUARDIA. I think it is excellent.

Mr. BLANTON. For one man to do so?

Mr. LAGUARDIA. Yes; and I will tell you why.

Mr. BLANTON. Does not the gentleman think there ought always to be at least two men in the plane?

Mr. LAGUARDIA. Some planes will not carry two men.

Mr. BLANTON. I am talking about the instances I mention where they permit a young officer to take his plane and fly and see his girl four or five hundred miles away or fly across the country to see his people, and keep his plane there a few days. Do you not think he needs an assistant in case of accident?

Mr. LAGUARDIA. Not necessarily. There are some planes that will not carry two. Suppose he is in a pursuit plane, then there is only accommodation for one pilot.

Mr. BLANTON. Does the gentleman think it a wise policy on the part of the Army to permit one man to use a pursuit plane in making a visit of this kind? It is being done all the time here, and they travel four or five or six or seven hundred miles to see their family or to see their friends, and then they keep the plane at their home for several days and then fly back to their station.

Mr. LAGUARDIA. If he flies four or five hundred miles, I will say to the gentleman from Texas, a trip of that kind for training in navigation and useful flying is worth more than one month's flying over a field. If you should ask me if I thought it worth while to allow him to fly 50 miles to see his girl, I would say "no." But if he flies 500 miles and navigates his plane for that distance, finding his way there and back, that one trip is worth more than a month of flying over an aviation field. It is the very best kind of training.

Mr. BLANTON. Are there not instances where damage may be done to the plane if only one man is there to take care of it, whereas if there were two experienced men they could avoid a great deal of damage?

Mr. LAGUARDIA. The reverse is also true; and if the accident is of such a serious nature as to kill one man, if there were two you would kill two men instead of one.

Mr. BEGG. Mr. Speaker, I want to ask the gentleman from Arizona one other question. On page 2, line 12, it says "said field shall include and coincide with rules and regulations pre-

scribed and promulgated by the War Department." I want to ask the gentleman if he ought not to have his bill so worded that the Post Office Department, if it wants to use it, can have it available? Suppose the War Department refuses to let the Post Office Department utilize the field; they would come here and ask for another appropriation.

Mr. HAYDEN. It provides that the Government, under regulations, shall have unrestricted use of the field.

Mr. BEGG. But suppose the Government lets the contract to a private individual that carries the mail between two points and this is one of the necessary places where they should land. Does not the gentleman think that it should have the use of that field?

Mr. HAYDEN. That is what the field would be for.

Mr. WOODRUFF. I would like to ask the gentleman from Ohio if he could imagine a combination of circumstances where the War Department would object to the landing of a mail-carrying plane?

Mr. BEGG. Yes; and without any great stretch of the imagination.

Mr. WOODRUFF. Then the gentleman has a more vivid imagination than I have; I can not imagine it.

Mr. BEGG. Suppose a private company had a right to carry the mail from Chicago to Los Angeles and this was one of the places that they wanted to land, and suppose the War Department said, "You can not land here unless you pay a rental of \$1,000 a month."

Mr. WOODRUFF. Can the gentleman imagine a combination of circumstances where the War Department would say to a contractor carrying the mail that he could not land on that field?

Mr. BEGG. I can readily imagine it.

Mr. WOODRUFF. Then, as I said before, the gentleman has a very much more vivid imagination than I have.

Mr. BEGG. Does the gentleman from Michigan have any instances in mind where the War Department furnishes a free depot to the Pennsylvania Railroad, or any other railroad, because they carry the United States mail?

Mr. WOODRUFF. No; but the Pennsylvania Railroad does something besides carrying the United States mail.

Mr. BEGG. That is true of planes carrying the mail under the post office bill. I think the House ought to look ahead as well as to look behind and then afterwards say they did not think about it.

Mr. WOODRUFF. The gentleman will agree that if circumstances of that nature should arise, it is a very easy matter for the House to amend the bill.

Mr. BEGG. Not so easy.

Mr. LAGUARDIA. I want to say that this matter came up in the committee, and these rules and regulations that are mentioned are regulations for the operation of the field which are to be prescribed by the War Department.

Mr. BEGG. How does the gentleman from New York read any meaning like that into this language when it states that the War Department shall make rules and regulations governing it? Suppose that it made a regulation that only a monoplane should light on this field?

Mr. LAGUARDIA. No; it says the rules and regulations governing the operation—they are traffic regulations of the field and nothing else.

Mr. BEGG. Well, I call the attention of the House to the matter. I think we are making an error in not providing for the commercial mail carrier.

Mr. LAGUARDIA. That is why I put in the word "public" to let the record show that it is the intention of this House that the regulations referred to shall operate as traffic regulations of the field and nothing else.

Mr. BEGG. The gentleman thinks that if the War Department should issue an order that no private planes should land on this field they could land there anyway.

Mr. LAGUARDIA. Yes.

Mr. BEGG. I can not look at it in that way.

Mr. LAGUARDIA. I hope the gentleman will not leave it that way.

Mr. BEGG. I must leave it in that way.

Mr. LAGUARDIA. That was not the intention of the committee.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

PURCHASE OF CERTAIN LANDS FOR THE CAHUILLA INDIAN RESERVATION

The next business on the Consent Calendar was the bill (H. R. 8184) to authorize the Secretary of the Interior to purchase

certain land in California to be added to the Cahuilla Indian Reservation and authorizing an appropriation of funds therefor.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this is not a case where the Government gives up some of its own land, or appropriate some of its own land. This is a case where the Government is authorized to buy additional land while it has lots of land going to waste.

Mr. LEAVITT. The situation is this. There have been two or three separate surveys in regard to the lines of the Indian reservation. The first survey intended to give to the Indians the section of land in which these 20 acres are.

Mr. BLANTON. How much is it going to cost?

Mr. LEAVITT. Two thousand dollars.

Mr. BLANTON. Mr. Speaker, I withdraw the reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to purchase a certain tract of land containing approximately 20 acres situated in the southeast quarter of section 5, township 8 south, range 3 east of San Bernardino meridian, in California, adjacent to the Cahuilla Indian Reservation, the legal description and area of said tract to be accurately determined: *Provided*, That said land when purchased shall be added to and become a part of the Cahuilla Indian Reservation: *Provided further*, That the sum of \$2,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to cover the purchase price of the land.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty-five Members present, not a quorum.

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

The motion was agreed to.

The doors were closed.

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

[Roll No. 34]

Andrew	Denison	Lineberger	Spearing
Bloom	Flaherty	Luce	Stalker
Bowles	Fredericks	Nelson, Wis.	Summers, Tex.
Box	Gibson	Norton	Swoope
Britten	Glynn	O'Connor, N. Y.	Thompson
Carter, Calif.	Goldsborough	Peavey	Tincher
Connolly, Pa.	Hoch	Perlman	Tydings
Cox	Hull, William E.	Rayburn	Vare
Cramton	Jacobstein	Reed, N. Y.	Weller
Crowther	Kendall	Robinson, Iowa	Wilson, Miss.
Crumpacker	Knutson	Rouse	Yates
Davey	Lee, Ga.	Sinclair	

The SPEAKER. Three hundred and eighty-four members have answered to their names, a quorum.

Mr. VESTAL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PUBLIC BUILDINGS BILL

Mr. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, to enable the Secretary of the Treasury to provide suitable accommodations in the District of Columbia for the executive departments, and independent establishments of the Government not under any executive department, and for courthouses, post offices, immigration stations, customhouses, marine hospitals, quarantine stations, and other public buildings of the classes under the control of the Treasury Department in the States, Territories, and possessions of the United States, he is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, such sites and additions to sites as he may deem necessary, and to cause to be constructed thereon, and upon lands belonging to the Government conveniently located and available for the purpose (but exclusive of military or naval reservations), adequate and suitable buildings for any of the

foregoing purposes, and to enlarge, remodel, and extend existing public buildings under the control of the Treasury Department, and to purchase buildings, if found to be adequate, adaptable, and suitable for the purposes of this act, together with the sites thereof, and to remodel, enlarge, or extend such buildings and provide proper approaches and other necessary improvements to the sites thereof. When a building is about to be constructed on a site heretofore acquired and such site is found by the Secretary of the Treasury to be unsuitable for its intended purpose, he is hereby further authorized and empowered to acquire a new site in lieu thereof by purchase, condemnation, exchange, or otherwise, and to dispose of the present site by public sale and to execute the necessary quitclaim deed of conveyance: *Provided*, That in carrying into effect the provisions of this act, in so far as it relates to buildings to be used in whole or in part for post-office purposes, the Secretary of the Treasury, under regulations to be prescribed by him, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed and the selection of sites therein.

The Secretary of the Treasury is authorized to carry on the construction work herein authorized by contract, or otherwise, as he deems most advantageous to the United States, and in case appropriations for projects are made in part only, to enter into contracts for the completion in full of each of said projects.

In all cases where the construction of buildings in the District of Columbia, under the provisions of this act, requires the utilization, in the opinion of the Secretary of the Treasury, of contiguous squares as sites thereof, authority is hereby given for closing and vacating such portions of streets as lie between such squares and such alleys as intersect such squares, and the portions of such streets and alleys so closed and vacated shall thereupon become parts of such sites.

SEC. 2. (a) The work of preparing designs and other drawings, estimates, specifications, and awarding of contracts, as well as the supervision of the work authorized under the provisions of this act, shall be performed by the Office of the Supervising Architect, Treasury Department, except as otherwise provided in this act, but in designing and constructing buildings under the provisions of this act preference shall be given so far as practicable to standardized types, and in other cases where possible and appropriate to commercial types modified to meet governmental requirements, rather than to buildings of monumental character.

(b) The Secretary of the Treasury is authorized, in his discretion (1) to procure advisory assistance when deemed advantageous in special cases involving design or engineering features, and (2) to employ, to the extent deemed necessary by him in connection with the construction of buildings for the Departments of Commerce and Labor, the architects who were successful in competition heretofore held for a building for the then Department of Commerce and Labor, and to pay reasonable compensation for such services.

(c) The Secretary of the Treasury is authorized to employ such additional technical, scientific, and clerical assistance in or under the Office of the Supervising Architect, both in the District of Columbia and in the field, as he deems necessary, and to fix such rates of compensation therefor as he deems proper, not, however, in excess of the maximum rates paid for the same or similar service in other departments, such employment to be made in accordance with the civil service laws, rules, and regulations, and to submit to Congress through customary channels estimates for appropriations for compensation for such personal services and for travel, subsistence, and other expenses involved in making any investigation or survey of building conditions or in the examination of sites which he may find to be necessary.

SEC. 3. In carrying into effect the provisions of existing law authorizing the acquisition of land for sites or enlargements thereof, and the erection, enlargement, extension, and remodeling of public buildings in the several cities enumerated in Senate Document No. 28, Sixty-eighth Congress, first session, and including public buildings at St. Louis, Mo., authorized by the public buildings act approved March 4, 1913, amended by the act of January 17, 1920, and Newark, N. J., authorized by the public buildings act approved March 4, 1913, amended by the act of August 11, 1913, extension of the Federal building at Utica, N. Y., authorized by the public buildings act approved March 4, 1913, extension of the Federal building at Missoula, Mont., authorized by the public buildings act of March 4, 1913, the additional buildings for the Marine Hospital at Chicago, Ill., authorized by the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved July 19, 1919, and for medical officers' quarters at the marine hospital at Savannah, Ga., authorized by the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved July 19, 1919, and for the construction of marine hospital facilities at Detroit, Mich., authorized by the act, Public No. 278, Sixty-eighth Congress, approved June 7, 1924, the Secretary of the Treasury is hereby authorized to disregard the limit of cost fixed by Congress for each project, to purchase additional land for enlargement of sites and to enter into contracts for all or so many of said buildings heretofore authorized to be constructed, but not yet

under contract, as may be possible within a total additional limit of cost of \$15,000,000: *Provided*, That in constructing the buildings embraced herein, the Secretary of the Treasury is authorized, in his discretion, to provide space in such buildings for other activities or branches of the public service not specifically enumerated in the act or acts authorizing the acquisition of the sites, or the construction of the buildings, or both.

SEC. 4. The Secretary of the Treasury shall submit annually and from time to time as may be required estimates to the Bureau of the Budget, in accordance with the provisions of the Budget and Accounting Act, 1921, showing in complete detail the various amounts it is proposed to expend under the authority of this act during the fiscal year for which said estimates are submitted.

SEC. 5. For the purpose of carrying out the provisions of this act the sum of \$150,000,000, in addition to the amount authorized in section 3 hereof, is hereby authorized to be appropriated, but under this authorization, and from appropriations (exclusive of appropriations made for "remodeling and enlarging public buildings"), heretofore made for the acquisition of sites for or the construction, enlarging, remodeling, or extension of public buildings under the control of the Treasury Department, not more than \$25,000,000 in the aggregate shall be expended annually: *Provided*, That such amount as is necessary, not to exceed \$50,000,000 of the total amount authorized to be expended under the provisions of this act, shall be available for projects in the District of Columbia, and not more than \$10,000,000 thereof shall be expended annually.

In each of the cities in which a site is to be acquired under the provisions of this act the Secretary of the Treasury shall solicit proposals by public advertisement. Such advertisement shall be published for a period of 20 days in one of the newspapers in said city having the largest circulation for the sale of land suitable for the purpose. The Secretary of the Treasury shall cause the sites offered, and such others as may be found to be suitable or desirable for the purpose, to be examined in person by an agent employed or detailed for the purpose, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

That in case a site or additions to a site acquired under the provisions of this act contains a building or buildings, the Secretary of the Treasury is hereby authorized, in his discretion, to rent until their removal becomes necessary such of said buildings as may be purchased by the Government, or the land on which the same may be located where the buildings are reserved by the vendors, at a fair rental value, the proceeds thereof to be deposited in the Treasury of the United States, and a report of the proceedings to be submitted to Congress annually.

That, so far as practicable, all buildings constructed, enlarged, or extended under the provisions of this act shall be unexposed to danger of fire from adjacent buildings by an open space of at least 40 feet on each side, including streets and alleys: *Provided*, That the Secretary of the Treasury may, in his discretion, acquire sites on which an open space of the extent hereinbefore specified can not be reserved, and he is likewise authorized, whenever in his judgment such action is necessary and warranted, to reduce the open space about any Federal building heretofore constructed and under the custody and control of said department.

In carrying into effect the provisions of this act, if the Secretary of the Treasury deems it to be to the best interests of the Government to construct Federal buildings to take the place of existing Federal buildings, he is hereby authorized to cause the present buildings to be demolished, in order that the sites may be utilized in whole or in part for such buildings, or where in his judgment it is more advantageous to construct a Federal building on a different site in the same city, to sell any such building or buildings and the site or sites thereof, at such time and on such terms as he deems proper, and to convey the same to the respective purchasers thereof by the usual quit-claim deed, and to deposit the proceeds of the sales thereof in the Treasury as miscellaneous receipts.

SEC. 6. The provisions of section 10 of the legislative, executive, and judicial appropriation act for the fiscal year ended June 30, 1920, approved March 1, 1919, relating to the assignment of space in public buildings in the District of Columbia, shall apply to all buildings constructed, extended, or enlarged under the provisions of this act in the District of Columbia, and no land for sites or enlargement of sites therefor shall be acquired or land belonging to the United States be taken for sites or enlargement of sites therefor, without prior approval of the commission created by said act of March 1, 1919; no contract shall be let for any building or the enlargement or extension of any building in the District of Columbia, under the provisions of this act without the approval of said commission as to the assignment and general arrangement of space therein; and said commission shall determine the order in which buildings or enlargement of buildings in the District of Columbia, under the provisions of this act shall be constructed.

SEC. 7. That the Secretary of the Treasury is hereby further authorized and empowered to cause such survey and investigations of public-building conditions to be made, and such data obtained as he deems necessary properly to carry into effect the provisions of this act.

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. Is there objection?

Mr. LANHAM. Mr. Speaker, reserving the right to object, in view of the great importance of this bill, and the amount which is carried, would the gentleman from Indiana be willing to agree to an extension of time for debate such as would be occupied by the process of ordering a second?

Mr. ELLIOTT. Mr. Speaker, I have no power to authorize an extension of this time. Here is the situation: This bill comes up on a day when the Consent Calendar is being called, when all of the Members who have bills on that calendar are anxious to get a hearing on their respective bills. The rules provide in a case of this kind for 40 minutes' debate, and I would not feel justified under the circumstances in agreeing to an extension of time that would be still taking up time that ought to be devoted to other bills.

Mr. LANHAM. Would the gentleman object to a request for unanimous consent to extend the time for, say, 10 minutes, 5 minutes on a side?

Mr. ELLIOTT. I do not believe anything could be gained by that. The rules provide for 40 minutes' debate in a case of this kind.

Mr. LANHAM. It would take that much time practically to go through the tellers in the process of ordering a second.

Mr. ELLIOTT. If the gentleman would agree not to take up any more time in getting the bill under consideration, I would not object to an extension of 10 minutes, but if it is the purpose to use up the time in having tellers to determine whether or not we shall have a second, then I see no purpose in giving the 10 minutes.

Mr. LANHAM. Then, Mr. Speaker, if it be in order, I ask unanimous consent that the time for debate be extended for 10 minutes, 5 minutes to be controlled by the gentleman from Indiana under his motion to suspend, and 5 minutes by myself under the order for a second.

Mr. CHINDBLOM. Mr. Speaker, I think the question of a second should be determined first.

Mr. BEGG. I think the gentleman from Texas ought to couple his request for unanimous consent for the extension of time with a request that a second be considered as ordered. I think the gentleman should make the two requests in one.

Mr. LANHAM. Mr. Speaker, I am quite in accord with that, and I ask unanimous consent that a second be considered as ordered, and that the time for debate be extended 10 minutes, 5 minutes of that to be controlled by the gentleman from Indiana and 5 minutes by myself.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered and that the rule providing a limit of 40 minutes' debate be extended in this case to 50 minutes, one-half to be controlled by the gentleman from Indiana [Mr. ELLIOTT] and one-half by himself. Is there objection?

Mr. LOZIER. Mr. Speaker, reserving the right to object if reasonable time is allowed for debating this measure, I am sure that no one would object to an expeditious disposition of it, but what is to be gained by an additional five minutes?

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none. The gentleman from Indiana [Mr. ELLIOTT] is entitled to 25 minutes and the gentleman from Texas [Mr. LANHAM] is entitled to 25 minutes.

Mr. ELLIOTT. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. WOODRUM]. [Applause.]

Mr. WOODRUM. Mr. Speaker and gentlemen of the House, I think there would not be a great deal of controversy among the membership of the House over the very urgent need of some kind of a building program. It has been repeatedly pointed out on the floor of this House, as well as conclusively shown in the hearings before the Committee on Public Buildings and Grounds, that there is an emergency existing in the housing problem of the Federal Government. It has been shown here on the floor of the House that the Internal Revenue Department is now scattered in 10 separate buildings, the General Accounting Office is scattered in 21 buildings, and the Agricultural Department in 45 different buildings. A constituent told me a short time ago he had to take a guide and taxicab in order to find his way from different departments of the city of Washington. Not only that, gentlemen, but valuable

public records and even human lives are daily menaced by fire. The condition in Washington alone is intolerable, and I do not believe the American Congress can further justify itself in refusing to take some action to relieve this situation. Not only is this condition true in Washington but it is true in the States, and every Representative of this Nation by personal experience in his own district knows it is high time we start upon some program to relieve this need. If I myself had the task, as I have not, of framing a public building bill, I would not have done it upon the theory of this bill. I would rather frame it upon a different theory, but my brief experience here has shown me that you can not get everything you want and can not have your own individual ideas incorporated in legislation passed here, but sometimes we have to take the best that we can get. Some gentlemen say, "Why do we have to take this kind of a bill when we can get another kind?" I say, "Of course, you know this is an administration program; it is an administration measure and policy and the theory of the administration; and the administration, certainly in this instance, has the power and control of this House to carry that policy into execution." The question that confronts the Congress is, Are you willing to start out on this kind of a program? At least you make this much progress toward relieving the pressing needs of the country, and always have the right, gentlemen, to reverse and change it if time should show it is unwise. If you pass this bill and start out on this program and it is found the bill is not equitably and justly administered, the same power exists in the Congress to repeal the legislation and start out upon a different program. But some gentlemen say that under this bill there will be places that need Federal buildings that will not get them. Unquestionably that is true, because the hearings show that it will take four or five hundred million dollars to relieve all the needs of the country, and that can not be done at one time. It will be true that there will be some places that will need buildings that will not get them. But I have no fear that any place will be given a public building that does not need one, and the expenditure of \$100,000,000 would relieve that much of the pressing needs of this country.

I know of no piece of legislation coming under my immediate notice that has been the subject of more apprehension and misunderstanding than this particular proposal.

This is clearly administered in the following quotation from the minority report on the bill:

We have too fresh a recollection of the recent action of the courts in affirming the conviction of a former head of the Veterans' Bureau who was trusted with the expenditure of large sums to make it entirely palatable for us to view with approval the provisions of this bill and to contemplate the immense amount of money that must be administered by sundry individuals, we know not who, and that to extend over a long period of time.

It has been a common thing to hear the expression from Members of the House:

I am not in favor of turning over \$165,000,000 to be expended and administered by two Cabinet officers.

The present proposal is not subject to such a construction even under the wildest flight of the imagination. In the first place, it does not appropriate a single dollar, it is merely an authorization. In the second place, it does not give the power to either of the two cabinet officers mentioned to spend a single dollar of the amount of money authorized until they have first selected the sites and submitted the sites for the approval or disapproval of Congress. Under this bill the Secretary of the Treasury, acting in certain instances with the Postmaster General upon information and facts particularly in their possession and knowledge, selects certain sites where Federal buildings are needed. They come to Congress with their proposal and Congress gives approval or disapproval of the allocations. Not more than \$25,000,000 of the fund can be allocated in any one year, and it is quite within the power of the Congress, at any time it sees fit to do so, to repeal the act or to refuse to appropriate the funds, if it believes the bill is not being justly and equitably administered. The program as outlined in this bill will require six or seven years for completion, and during all of that time the Congress continues to have control over the appropriations required to carry out its provisions.

The fear has been expressed by some of my colleagues on this side of the House that this legislation may be a powerful political weapon in the hands of the Republican Party. My answer to that is simply this, and speaking entirely from a partisan standpoint: I hope and believe that in the very near future the great Democratic Party will have convinced the

American people that their interests will be best promoted by giving into its hands the power and responsibilities of Government. Indeed, there are many among us who are so optimistic as to believe that the time is fast approaching when the Democratic Party will have control of the affairs, at least, of the legislative branch of the Government. If that is true, then if they disapproved the policy hereby inaugurated, they could change it, and at least, under such circumstances, we need have no fear about the great Democratic States of the Nation receiving their just and equitable proportion of Federal buildings.

It is possible that under the present proposal some place where an urgent need exists may be left out, but I have no fear that any place will be given a building where such need does not exist.

On the whole the present bill is a blow at pork-barrel legislation, and in harmony with economy and efficiency in governmental expenditures.

The SPEAKER. The time of the gentleman has expired.

Mr. WOODRUM. May I have one additional minute?

Mr. ELLIOTT. I yield the gentleman one minute.

Mr. WOODRUM. My distinguished friend from Mississippi by his minority report says inferentially that this bill turns this fund over to the Secretary of the Treasury to spend. Why, it does not turn a dollar over to him, not a dollar. It does give him power to select sites and bring these allocations to the Budget and through the Budget to the Committee on Appropriations, always coming back to this House for its approval of that part of the program. [Applause.]

Mr. LANHAM. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. TAYLOR]. [Applause.]

Mr. TAYLOR of Tennessee. Mr. Speaker, I desire to ask unanimous consent to extend my remarks by having printed at their conclusion two parallel tables, one showing the amount of revenue each State paid into the Federal Treasury during the year ending June 30, 1925, and the other the amount each State would receive were the amendment which I proposed in committee applied to the proposed bill.

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

Mr. TAYLOR of Tennessee. Mr. Speaker and gentlemen of the House, it is indeed with no ordinary reluctance that I oppose this motion to suspend the rules for the consideration of the Elliott bill, since my personal friend and colleague, the distinguished chairman of the committee that reported the bill under consideration, is so enthusiastically for it. But, gentlemen of the House, my position and action on the pending measure is the result of a deep sense of personal and official obligation and responsibility to my constituency; and I feel that duty to constituency should be the paramount consideration that should actuate primarily every Member of this distinguished body. [Applause.]

Therefore, construing my first duty and allegiance to my district, my second duty and allegiance to the State from which I hail, and my third duty and allegiance to the Nation, I can arrive at but one conclusion and that is that I would be untrue to both my district and my State were I to support this motion. [Applause.]

But, they tell us this is an administration measure. My colleagues, I emphatically challenge this statement. It is true the President, in his message, inveighed against what is commonly known as "pork barrel" legislation, and indicated that he would veto a public buildings bill fashioned after the old omnibus type, but he did not outline or suggest any such proposition as we have before us to-day. [Applause.] I admit that the Executive would probably give the Elliott bill his approval, but in my judgment, if it were amended to conform to the population pro rata suggestion that I submitted to the committee, but which the adoption of this motion would bar us from offering, the President would undoubtedly sanction it with equal alacrity.

My friends, I am an administration Republican of the old-fashioned "standpat," yea, "yellow dog" variety. [Applause.] I yield to no man in my admiration for President Coolidge or in my loyalty to his principles. And therefore I resent the imputation sought to be made by some that opposition to this motion is hostility to the administration.

Mr. Speaker, the imperative need for public buildings is universally conceded. This need has grown into such gigantic proportions that it is now recognized as a national emergency. Largely due to the war and the consequent condition of the Treasury, we have had no public-buildings legislation for 13 years; and as a result thereof there is an importunate need for public buildings in every State and congressional district

in the Union. The advocates of this motion tell us that we are unduly alarmed; that our needs will be provided for. Now, if they are in good faith in this assurance, what possible objection or harm can there be in inserting in this bill a provision which will guarantee and absolutely require an equitable distribution of this appropriation. [Applause.]

They also tell us that this is only the beginning of a great building program and that other appropriations will follow in rapid succession. By what possible right or authority do gentlemen assume to give this assurance? We all know that this Congress can not speak for or bind its successors. And besides, if this is to be the beginning of a great public buildings era, why not begin by recognizing every State and as many congressional districts as possible, because it is admitted that there is not a State or congressional district in the whole country where the need for public buildings relief is not both present and pressing.

I offered an amendment to the bill in committee providing that the \$100,000,000 to be spent outside the District of Columbia be distributed among the States and Territories in proportion to their respective populations. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. LANHAM. I yield to the gentleman two minutes additional.

The SPEAKER. The gentleman from Tennessee is recognized for two minutes more.

Mr. TAYLOR of Tennessee. This amendment lost by only one vote. The bill thus amended would guarantee a just and equitable distribution, and how any fair man can object to this is beyond my power of comprehension.

It can not be disputed that under the bill as written certainly numerous congressional districts and many entire States will receive no benefits whatever. We all pay our proportion of the taxes required to run the Government; we are all equally loyal to the Stars and Stripes; then why not distribute this fund among us upon some equitable basis? If it is not the purpose of some of you to gobble up this appropriation, why this unseemly insistence on considering the bill in a manner which will not admit of amendment and which is usually resorted to when legislative barbarism is to be practiced and perpetrated? [Applause.]

The proponents of this bill have adopted a very clever strategy. The report accompanying the bill is, indeed, a very plausible document, and it abounds in many and divers ingenious inducements to the unwary. But mind my prediction, my friends, these sugar-coated inducements expressed in glittering generalities will turn out to be but an iridescent dream and will turn to ashes in the final analysis. [Applause.]

Let me say to you who are attracted by the inducements that have been dangled before you, help us defeat this motion and I guarantee to you that with what is known as the Taylor amendment the public-building projects in which you are interested will be doubly assured.

In conclusion, Mr. Speaker, I wish to say that I am just as strong for a public buildings bill as any Member of this body, but I want the bill to have written in its face the positive assurance that each and every State will receive its just proportion of the sum appropriated. I call your attention, my colleagues, to the fact that the proposed bill confers tremendous power—more power, in fact, than a Republican administration should want or a Democratic administration have.

The SPEAKER. The time of the gentleman from Tennessee has again expired.

Mr. TAYLOR of Tennessee. May I have one minute more?

Mr. LANHAM. Mr. Speaker, I yield to the gentleman one minute more.

The SPEAKER. The gentleman from Tennessee is recognized for one minute more.

Mr. TAYLOR of Tennessee. We are all human and therefore subject to the weaknesses and temptations of the flesh. While I do not impugn the motives or question the integrity of purpose of anyone, nevertheless, without some provision in this bill to secure and safeguard the rights of the various States, I predict that its administration, if enacted into law, will be constantly attended by the most dangerous suspicions and criticisms from all sections of the country. [Applause.]

I regret to say that the Public Buildings and Grounds Committee has committed harikari so far as its future usefulness is concerned. There is hardly any further excuse or justification for its existence, and it might as well apply for instanter receivership. [Applause.] But it remains to be seen whether this House—this body that has always had the determination and the courage to insist upon its constitutional rights will now abdicate them and surrender them to a governmental bureau. It remains to be seen whether it will insist on its right to func-

tion, or whether it will unconditionally cede to another branch of Government privileges and prerogatives which it has enjoyed and jealously guarded since the beginning of this Republic. [Applause.]

Mr. Speaker, I submit the following table showing the distribution of the \$100,000,000 among the States, as provided by the Taylor amendment:

Distribution of the \$100,000,000 as provided by Taylor amendment

Name	Population	Amount
Alabama	2,348,174	\$2,223,000
Arizona	334,162	316,000
Arkansas	1,752,204	1,659,000
California	3,426,861	3,245,000
Colorado	939,629	889,000
Connecticut	1,386,631	1,307,000
Delaware	223,003	211,000
Florida	968,470	917,000
Georgia	2,895,832	2,743,000
Idaho	431,866	408,000
Illinois	6,485,280	6,144,000
Indiana	2,930,390	2,775,000
Iowa	2,404,021	2,275,000
Kansas	1,789,257	1,675,000
Kentucky	2,416,630	2,298,000
Louisiana	1,793,509	1,703,000
Maine	768,014	727,000
Maryland	1,449,661	1,373,000
Massachusetts	3,852,356	3,648,000
Michigan	3,663,412	3,475,000
Minnesota	2,387,125	2,260,000
Mississippi	1,790,618	1,696,000
Missouri	3,404,055	3,223,000
Montana	548,889	519,000
Nebraska	1,296,372	1,223,000
Nevada	77,407	73,000
New Hampshire	443,083	419,000
New Jersey	3,155,900	2,990,000
New Mexico	360,350	340,000
New York	10,382,227	9,841,000
North Carolina	2,559,123	2,423,000
North Dakota	646,872	612,000
Ohio	5,759,394	5,457,000
Oklahoma	2,026,283	1,920,000
Oregon	783,389	742,000
Pennsylvania	8,720,017	8,262,000
Rhode Island	604,397	572,000
South Carolina	1,683,724	1,594,000
South Dakota	636,547	602,000
Tennessee	2,337,885	2,214,000
Texas	4,663,228	4,418,000
Utah	440,396	425,000
Vermont	352,428	332,000
Virginia	2,309,187	2,186,000
Washington	1,856,621	1,285,000
West Virginia	1,463,701	1,386,000
Wisconsin	2,632,067	2,492,000
Wyoming	194,402	183,000
Alaska	55,036	52,000
Hawaii	225,912	242,000
Total		100,000,000

Summary of internal-revenue receipts, year ended June 30, 1925, by States

States ¹	Income tax	Miscellaneous taxes	Total
Alabama	\$8,288,275.40	\$1,151,810.61	\$9,440,086.01
Alaska	194,373.20	23,704.73	218,077.93
Arizona	1,416,794.43	290,718.73	1,707,513.16
Arkansas	4,692,973.75	649,291.81	5,342,265.56
California	92,884,521.21	28,893,000.99	121,777,522.20
Colorado	11,740,667.75	2,474,496.36	14,215,164.11
Connecticut	26,565,630.68	10,385,817.95	36,951,448.63
Delaware	6,563,730.62	1,753,257.17	8,316,987.79
District of Columbia	12,480,534.83	1,949,880.39	14,430,215.22
Florida	12,118,724.67	8,705,066.08	20,823,730.75
Georgia	12,613,731.56	2,586,995.62	15,200,727.18
Hawaii	5,067,186.25	682,623.11	5,749,809.36
Idaho	1,437,069.46	312,487.67	1,749,557.13
Illinois	159,415,517.66	42,416,402.81	201,831,920.47
Indiana	23,702,838.24	14,743,591.01	38,446,429.25
Iowa	10,716,799.85	2,837,444.13	13,554,243.98
Kansas	15,140,741.11	2,238,783.38	17,379,524.49
Kentucky	14,324,935.92	13,889,384.82	28,214,320.74
Louisiana	12,396,172.35	4,836,389.21	17,232,561.56
Maine	7,682,797.60	1,243,408.95	8,926,206.55
Maryland	25,110,611.82	5,948,803.34	31,059,415.16
Massachusetts	99,444,237.57	19,464,846.65	118,909,084.22
Michigan	100,868,402.20	94,858,092.63	195,726,494.83
Minnesota	22,426,721.53	5,586,493.97	27,983,215.50
Mississippi	8,483,059.12	525,718.09	4,009,777.21
Missouri	42,467,573.63	18,993,604.70	61,461,178.33
Montana	1,885,190.42	564,377.73	2,449,563.15
Nebraska	5,031,386.67	1,803,698.84	7,485,085.51
Nevada	451,905.66	165,763.04	617,668.70
New Hampshire	3,221,550.83	1,236,823.02	4,458,379.85
New Jersey	66,137,027.83	44,062,679.23	110,199,707.06
New Mexico	733,076.51	121,436.40	854,512.91
New York	496,709,727.73	161,876,264.48	658,583,962.21
North Carolina	15,877,646.25	151,085,228.90	160,962,875.15
North Dakota	667,994.23	256,341.60	924,335.83

¹ Including the Territory of Alaska and the District of Columbia.

Summary of internal-revenue receipts, etc.—Continued

States	Income tax	Miscellaneous taxes	Total
Ohio.....	\$95,526,111.67	\$46,970,972.54	\$142,497,084.21
Oklahoma.....	9,820,419.90	1,801,375.26	11,621,796.16
Oregon.....	6,784,101.67	1,439,738.60	8,223,841.27
Pennsylvania.....	189,164,203.75	57,427,951.81	246,592,155.56
Rhode Island.....	14,234,137.95	2,130,784.62	16,364,922.57
South Carolina.....	5,787,515.35	835,875.20	6,623,390.55
South Dakota.....	858,943.34	340,204.13	1,199,147.47
Tennessee.....	11,770,201.37	5,176,469.94	16,946,671.31
Texas.....	28,885,747.79	5,787,792.29	34,673,543.08
Utah.....	3,385,994.71	761,242.45	4,147,237.16
Vermont.....	3,001,689.45	338,949.38	3,340,638.83
Virginia.....	15,303,807.61	33,324,469.37	48,628,276.98
Washington.....	12,334,154.38	2,606,472.24	14,940,626.62
West Virginia.....	12,044,165.99	4,430,949.35	16,475,115.34
Wisconsin.....	26,697,560.11	9,462,874.69	36,160,434.80
Wyoming.....	1,450,159.93	240,388.66	1,690,548.59
Philippine Islands.....		818,746.05	818,746.05
Total.....	1,761,659,049.51	822,481,218.73	2,584,140,268.24

Mr. ELLIOTT. Mr. Speaker, I yield three minutes to the gentleman from Iowa [Mr. KOPP].

The SPEAKER. The gentleman from Iowa is recognized for three minutes.

Mr. KOPP. Mr. Speaker and Members of the House, as has been said by the preceding speakers, we are confronting a great emergency. The situation is really a very serious one. The time has come when there must be a public building program. The need is imperative. Almost daily suffering communities are appealing to us for relief. In fairness and justice there should not be further delay.

For myself, I am fully convinced that the Elliott bill, the bill which we are now considering, is the only public building bill that has any possible chance of being enacted into law at the present session of Congress.

For that reason I supported this bill in committee, and for the same reason I am now supporting it on the floor. In my judgment, if this bill is defeated it will mean that there will be no legislation on the subject during this entire Congress.

Mr. KVALE. Why?

Mr. KOPP. Because it will be impossible to get the House and the Senate and the President to agree upon any other bill. It can not be done.

We must understand the situation. This is not a choice between the Elliott bill and some other public buildings bill. When the roll is called to-day your choice will be made between the Elliott bill and no bill. That is the real issue. I believe in looking facts squarely in the face.

I freely confess, Members of the House, that if I had my way entirely I would favor a somewhat different bill. But I recognize that not many of us can have our way entirely in Congress. Only a few are accorded that high privilege. Under the existing conditions I believe the Elliott bill is the best bill and the only bill obtainable, and for that reason I shall vote for it. [Applause.]

Whatever differences there may be as to the Elliott bill, I am sure there are no differences of opinion as to the character and service of the distinguished chairman of the Committee on Public Buildings and Grounds [Mr. ELLIOTT], the author of the bill. [Applause.] There are many eminent Members on both sides of the House. I respect and admire them all; but none is more sincere, none is more earnest, none is more honest, and none is more faithful to the people than DICK ELLIOTT, of Indiana. [Applause.]

Mr. LANHAM. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. MANLOVE].

The SPEAKER. The gentleman from Missouri is recognized for three minutes.

Mr. MANLOVE. Mr. Speaker, just as a start off, I want to reply to my Democratic friend, the distinguished gentleman from Virginia [Mr. WOODRUM], who has referred to this as "an administration policy."

My regard for our great President and his Cabinet is unbounded, but nowhere has he indorsed this measure. No, sir; my friend, taking away from the people the precious liberty of representative government is not Republican doctrine. [Applause.] Cramming legislation by bureaus down the throats of the American people is not a Republican policy! [Applause.]

If any of my Republican friends have promised you that by voting for this bill you were taking a little ride on the Grand Old Elephant, they are fooling you. Take care! No, indeed, this is not the old reliable G. O. P. Elephant they are offering you. Take another look at those letters. They are reversed.

They read P. O. G. That means "post office grab." Look again! That pack on his back is the "emergency list" pork barrel. I looked in there and I saw about 50 "emergency" hams for large cities represented by gentlemen on your side of the House. They have smelled that barrel and their votes will show it. [Applause.]

This measure authorizes the Secretary of the Treasury to select new sites, sell sites already owned by the Government, and contract for \$165,000,000 in buildings. Of this sum \$50,000,000 is allocated to the District of Columbia, \$15,000,000 to complete buildings already authorized, and \$100,000,000 to the 48 States. This bill further provides that, of this latter sum, not more than \$15,000,000 can be spent in any one year; hence, we see it will require practically seven years to complete this building program.

A representative of the Treasury Department presented the committee with a list of 86 cities where "emergencies" exist, the requirements for which exceed the one-hundred millions. Under the "emergency" list plan, six States would receive over \$72,000,000. Twenty States, including the great States of Missouri, Kansas, and Oklahoma (outside of an allowance to St. Louis), would receive nothing.

The gentlemen who have spoken in favor of this bill admit they do not like it, but make the excuse that "It's the best we can get;" that "It's this or nothing." Who told you so? The people, your people, want respectable Government buildings. They have reposed confidence in you to come here and demand them with a fearless determination. Are you going to abdicate the representative authority of this great body? Men, let us not surrender this important legislative function to bureaucracy!

Some one said the appropriations must be passed upon by this House. This bill authorizes the Secretary of the Treasury to contract for the expenditure of this monumental sum, and the appropriation of the money is perfunctory.

Now, my Republican brethren, we have great fundamental policies, a great President, a Secretary of the Treasury who has steered this, the greatest Nation on earth, over the rocks of financial readjustment, and a Postmaster General who is entirely capable and fair. But why saddle these splendid gentlemen with added responsibilities? They must in turn delegate them to subordinates. A representative of the Treasury Department so testified.

I am one Congressman willing to accept every responsibility which comes my way. The people who elected us had faith that we would be strong enough and able enough to meet every emergency as it arose. Are we going home and say to our constituents, "We are not equal to the task, but we have left your building program in the hands of subordinates in the Treasury Department. Go see them."

One of my very good friends, the distinguished gentleman from Iowa [Mr. KOPP], just now offered a sad apology when he said: "It is this or nothing." I have heard that before. Who is it that says, "It is this or nothing"? Who is it dictating to this Congress? I have not heard anyone telling me we can not carry out the wishes of the people of this country; and the wishes of the people are that we shall function as their Representatives and not hide behind a department or a bureau. [Applause.]

My colleagues, you whose districts are not included in this list of large city "emergency" designations are closing the door of opportunity for the people of your district for at least seven years. I plead with you, do not do it.

Some of my weak-kneed Republican brethren have been saying "I hope this will not pass, but I have got to vote for it." Who said so? Did your constituents say so? Have you consulted their wishes? I love the people of my district. I take them into my confidence on every possible occasion. We are partners. We just talk things over—Democrats and Republicans alike. That is exactly what we have done relative to this bill. I did not like the policy of this measure, but I thought the folks at home might not look at it as I did, so I sent out copies of the bill. Among others, I sent 25 copies to prominent Republicans. If you who come from districts which will get nothing under this bill according to this "emergency" list will lend me your ears, I will read you a few of the 23 replies which I received from those stalwart southwest Missouri Republicans.

Listen to this one:

The Commercial Club wants to go on record as being against H. R. 6559, which provides for construction of certain buildings, for following reasons: First, the bill tends to build up a strong centralized Government, which we are against; second, too much power and money in one man's hands [applause]; third, we are thoroughly convinced that if this bill should become a law many places that badly need public

buildings would never be considered. We approve minority views and urge you to vote against it.

That is signed by a Republican president of that chamber of commerce. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. LANHAM. Mr. Speaker, I yield the gentleman one additional minute.

Mr. MANLOVE. Here is another one:

The Secretary of the Treasury and Postmaster General already have more duties than they can look after. The selection of places and buildings must actually be done by subordinate clerks, who are responsible to no one in particular. This is a responsibility which Congressmen assume with their election.

Here is another one:

I can say without hesitation that this bill evidently is not drawn in the interest of the fifteenth district of Missouri or any other district of its type. If I were a Congressman from this district, I would fight it to the last ditch.

Here is another one, without any suggestions on my part, and from Republicans, too:

Do you know anything the people of this city could do to defeat this bill? The club appreciates the fact that you have sent them an advance copy of this bill.

The SPEAKER. The time of the gentleman from Missouri has again expired.

Mr. LANHAM. Mr. Speaker, I yield the gentleman one additional minute.

Mr. MANLOVE. Here is another one from a chamber of commerce:

The chamber of commerce, at its regular monthly meeting, passed a motion condemning the bill which has recently been reported from the Committee on Public Buildings in Congress, and asked our Congressmen and two Senators to vote against it.

Here is another one, a telegram:

Hasn't Secretary Mellon enough to do without having a job, which Congressmen are paid to do, passed on to him? Some of those buck-passing Congressmen from the smaller districts will have a lot to straighten out among the people at home if they vote to take away the representative voice of the people and put it in the hands of subordinates in Washington bureaus. I hope you stand up.

[Applause.]

I am reading from Republicans. Here is another one:

I think you ought to be against such a bill, and it is the opinion of every one I have heard talk, and they all sure did appreciate your calling their attention to it.

Here is another one:

Joe, if you vote for that bureaucratic post office bill, no need to come home.

The SPEAKER. The time of the gentleman from Missouri has again expired. [Applause.]

Mr. ELLIOTT. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. OLIVER].

Mr. OLIVER of New York. Mr. Speaker, all of the Republican speakers seem to be Democrats and all of the Democrat speakers seem to be Republicans. [Laughter.] I am in favor of this bill because it starts a program of public building. For 13 years we have had no public buildings bill. I do not believe we have any other way to get buildings than to go ahead and authorize somebody to build. I do not believe we are passing this out of the control of Congress, because the Secretary of the Treasury and the Postmaster General under the terms of this bill have to come to the Appropriations Committee of Congress with a program for review, ratification, or amendment on the part of Congress. [Applause.] I think that is a fair statement of the purpose and plan of this bill.

I know full well some of the history of the old-fashioned omnibus bills. Let me say that you can not pass any kind of a public buildings bill that will not be condemned and criticized by the people who are left out or by the people who think they are going to be left out. There is no question about that. The old public buildings bills were a delusion and a snare. Everybody in Congress who was left out fought them like mad, because everyone left out felt he was politically ruined. Every public buildings bill of the old-fashioned type had a filibuster conducted against it, and the committee was left in the position of getting Members who had introduced six bills to keep quiet when only one bill was passed and the other five were left unpassed. You gentlemen all know the practical politics that goes with a proposition like that.

I am for this bill, because it conforms to the budget system advocated by both parties. We can not get away from the fact that without a bill of this character, where a Budget Director controls the amount of money which is to be provided by Congress, we have no budget at all. We have declared in favor of a budget just as much as the other side has declared in favor of a budget, and I do not believe that the Congress of the United States is giving up a constitutional power. The Constitution does not say we should select the buildings; it says we shall pass a law to provide for buildings. That is all. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. LANHAM. Mr. Speaker, I yield one minute to the gentleman from Utah [Mr. COLTON].

Mr. COLTON. Mr. Speaker, in the interests of economy and efficiency, I think we ought to commence a building program, but I am not yet ready to subscribe to the doctrine that if we do not suspend the rules and pass this bill, without any debate and without any consideration whatever, Congress can not pass a public buildings bill. [Applause.]

The parliamentary situation is this: The measure is brought before us under a motion to suspend the rules and we are allowed only 20 minutes on each side to debate this very important measure. At the end of that time, without any chance to debate the measure or to offer any amendment whatsoever, we will be required to vote upon the motion.

In this summary manner we are disposing of \$165,000,000 of the people's money and surrendering all our right to say where that money is to be expended.

It is very popular to use the term "pork barrel" in this connection. No one is in favor of a "pork barrel" system. Those who will vote against this motion are not in favor of wasting the public money. On this point, however, gentlemen of the committee, let me ask, who knows of any public building that ought not to have been built? What Member here will name a place anywhere in his district where a building has been misplaced or even is too large? As a matter of fact there is less to this "pork barrel" criticism than is generally understood among the people. I do not know of a public building in my State that ought not to have been built at the time it was built.

But, Mr. Speaker, there is another side to this question that is more serious than appears upon its face. A policy once established in this Government is usually there to remain. I have never yet known of a bureau being created and afterwards abolished as long as there is any possible excuse for keeping it. We are to-day embarking upon the policy of turning over to one or two Cabinet officials the right to say where and when our public buildings shall be built. We are the representatives of the people, and that right should remain with us. We have no right to surrender it nor avoid the responsibilities that flow therefrom as we are doing to-day. Particularly is this true in passing this bill with so little consideration.

I believe that it is economy to build a number of office buildings in the city of Washington. Not only are immensely valuable documents in danger of being destroyed, but human life is in jeopardy constantly. I believe also that we should commence a public-building policy, but I believe Congress should have the determination of where these buildings should be built; at least, we should not surrender every vestige of right on this important subject.

If given the chance, I expect to offer an amendment providing for a nonpartisan commission consisting of two Members of the Senate, two of the House of Representatives, the Secretary of the Treasury, the Postmaster General, and an architect to be selected by the six other members of the commission. We would, at least, by this measure keep in touch with the work of the commission and could require a report from them whenever, in the judgment of Congress, it should be submitted.

Under the provisions of this act as it is now drawn it will be left to subordinate officials in the Treasury and Post Office Departments. In my judgment it will start a system of "wire pulling" and of the use of political influence that will be more pernicious than any so-called "pork-barrel" policy that Congress has ever pursued. Neither of them is necessary if we will take the proper time to work out a just, progressive public-buildings policy.

For these reasons, Mr. Speaker, and many other reasons I could mention if time would permit, I shall vote against this motion. [Applause.]

Mr. ELLIOTT. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. GALLIVAN]. [Applause.]

Mr. GALLIVAN. Mr. Speaker, I have come straight from a sick bed, five hundred and odd miles, to vote for this bill. [Applause.] About 10 years ago in this very Chamber I voted

for what was termed "a Democratic pork barrel omnibus public buildings bill." Ye gods, I almost wept as I voted for that Democratic measure. [Laughter.] On the following day I was flayed alive by certain Republican papers in the city of Boston for having voted for that bill. These same papers, I understand, are now in favor of an omnibus public buildings bill—this bill—and I wonder as I stand here what they will say about me to-morrow when they learn that I have voted with them and with the administration which backs this bill.

The gentleman from New York [Mr. OLIVER] has told the whole story. You will never get anywhere unless you authorize some one to outline a building program for the whole country. Of course every kind of a public buildings bill will be attacked in every Congress unless every Member's district is taken care of somehow and somewhere. It is my belief that the Government's building program as suggested in the measure now under consideration should not fail. Genuine economy requires that the buildings provided for in this bill should be erected without delay. Heavy rentals will be saved, the health and security of Government employees will be enhanced, and priceless records will be preserved against destruction. I have studied this bill carefully, and I have conferred with some of those who helped draw it. I am secure in the belief that the schedule has been most evenly prepared and that no unnecessary projects are included.

I realize that my words and the vote that I am about to cast do not meet with the approval of many of my Democratic colleagues before whom I stand at this very moment. But the Lord will forgive them as I now forgive them. May I repeat what I said in opening, that I do love to go back in memory about 10 years and remind my colleagues on the Democratic side that I stood shoulder to shoulder with them when we passed that belabored "pork barrel bill," and I must confess that there was "pork" in almost every page? Those who were in the House on January 19, 1917, when the bill I refer to was passed by this branch of the Congress, full well know the truth of my tale. I am looking right into the eyes of many of them. For instance, as I recall the record vote of that date some of the good, wholesome, economically inclined Members of my party of to-day who voted for that bill on January 19, 1917, included the following, all good Democrats then and all good Democrats now: ALMON, ASWELL, BELL, BLACK of Texas, CARTER of Oklahoma, CRISP, DICKINSON of Missouri, DOUGHTON, HARRISON, HASTINGS, LINTHICUM, MARTIN of Louisiana, OLDFIELD, OLIVER of Alabama, RAINES, SEARS of Florida, SHALLENBERGER, STEAGALL, VINSON of Georgia, and my excellent friend, Mr. WINGO, of Arkansas. There were a few Republicans also on that memorable day who voted for that bill who, I hear, are going to vote against this bill, just as I hear that most of all my Democratic brethren whom I have mentioned are going to vote "in the interest of the taxpayer." Wherein is there consistency? If I was wrong in that vote in January, 1917, so were they all wrong. I wonder if these gentlemen recall how they cast their votes upon that famous day. Good old Frank Clark, of Florida, led the charge in 1917, and we stood with him until the last armed foe expired!

At any rate, Mr. Speaker, it does no harm to remind them, as they sit in criticism of my words and my intended vote, that once upon a time they all voted for a bill which no living man can compare in fairness and decency to the bill now under consideration. I shall vote for it with pleasure and with pride and go back to my people in Boston and tell them all, men and women alike, that I helped pass this worthy measure which means so much for our common country. [Applause.]

Mr. LANHAM. Mr. Speaker, I yield one minute to the gentleman from Washington [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of Washington. Mr. Speaker, I am inclined to suspect that the trouble with the distinguished gentleman from Massachusetts [Mr. GALLIVAN] is that after having cast that vote he has not yet secured his building or his pork. [Laughter.] But, seriously, I have decided I can not support this bill. [Applause.] I believe, my friends, that to vote for a bill of this kind endangers the future standing of the House of Representatives of the United States. [Applause.] I believe it would be far better in the long run, even if some little money were wasted, to place public buildings in the various important places than to abdicate the authority and the power of this body. [Applause.] We have been, and are, doing that very thing. We shall be called on to give up more and more. I concede we have a good Director of the Budget, and a powerful Appropriations Committee, but the day will come, gentlemen, when, with a bill of this kind, the great Appropriations Committee will be found to have greater power than is safe; it will then deserve to fall, but will be too strong for the rest of the membership. That committee will designate the public buildings. That committee and the Budget. This

is a dangerous bill, a surrender, and a mistake, in my opinion. [Applause.]

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. ELLIOTT. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, notwithstanding this is an administration measure I am constrained to support it. It is a reform measure. It abolishes the old system of pork-barrel legislation, and in a country of 116,000,000 people, from the Atlantic to the Pacific, from Canada to Mexico, it is humanly impossible to select sites for public buildings as a legislative matter. It simply can not be done.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. LAGUARDIA. Sorry; I have not the time.

I can not see how anyone can take the floor and state that this bill will give political power to one man and give him enormous influence over the deliberations of this body. I do not believe there is a man in this House so unworthy as would sacrifice a principle or cast a vote on a measure contrary to his conviction for the sake of obtaining a public building in his district. Yet when gentlemen take the floor and say this would give the Secretary of the Treasury power over legislation in this body, it is a confession of just such a condition.

No man worthy of the name of a national legislator would permit himself to be influenced by a Secretary of the Treasury to curry his favor in order to obtain a building for his district. I admit I know the needs of my district as well as any other man. It is true that every Representative here knows the needs of his particular district as well, if not better, than anyone else. But we are not in a position to know the needs and the relative merits of the needs throughout the United States. What is the result? Under the old pork-barrel system no man who had an item in the bill or no delegation of a State that had a single item in the bill could possibly vote to strike out a useless and unnecessary appropriation for a building not needed. The very condition of the country to-day is the proof of the wasteful system of public buildings legislation of the past. All over the country in cities, and when I say cities I do not necessarily mean New York, Chicago, and Philadelphia, I mean cities of fair size, thriving, active centers, are in need of public buildings, while in towns, villages, and hamlets spread all over the country, public buildings out of all proportion to the size of the town and the needs of the people have been constructed. Why in a small town out in Wyoming, I believe a little more than a thousand inhabitants, there is a big public building there and it will take years, if ever, for the town to grow up to the size of the building. I suppose it was just a coincidence that this place happened to be the home town of a former and distinguished floor leader of the House. I do not mean to criticize him, it is only the regular thing in the old system. So throughout the country millions have been wasted for the construction of buildings really not needed, while pressing needs were left unprovided.

I am as jealous of my legislative powers and of my rights as a Representative as any man in this House. I do not consider that I am surrendering any of my rights when I vote to permit the Post Office Department and the Secretary of the Treasury to make a priority list of buildings, according to the needs of Government business, and to bring that list into this House where we have the power to appropriate or to deny appropriations. Much has been said about the many sites of land heretofore purchased, and on which no buildings have yet been constructed. If that is not a good argument in favor of the reformation carried in this bill, I do not know what is. Under the old system if you could not grab a building, take a site of land. After you had the land, use that as an argument for a building in the next pork barrel bill. A careful investigation of all the sites of land purchased throughout the country will show that land has been bought in places where it was not needed and simply bought to satisfy local wishes. I want to be a legislator and not a real-estate agent. If the gentlemen who now are crying against the delegation of legislative rights to executive departments would stand up and fight as hard when the executive departments are really usurping legislative functions and wielding undue influence over this House, it would be far better and would do a great deal toward conserving and maintaining our representative form of Government. When a Secretary of the Treasury sends down here a tax bill, when a Secretary of War or a General Staff dictates and writes legislation, when a Secretary of Navy says what should be enacted and what not, that is the time, gentlemen, to stand up and assert our rights and defend our legislative prerogatives.

The reformation in our public buildings system is a necessary corollary to our Budget system. No matter what plans

may be prepared or economy practiced it can be thrown all out of joint by the passage of a pork barrel public buildings bill. This is a progressive measure. Why let me say to my fellow Progressives: How often have we criticized log rolling; how often have we complained of the extravagance and waste in public buildings and rivers and harbors appropriations; how often have we lamented that so much time of Congress was taken by public buildings bills and not sufficient time for constructive and progressive legislation? Here is the chance now to stop a vicious system. Here is an opportunity to enact a bill carrying real reform in it. That is why I supported this bill in the committee, that is why I shall vote for its passage.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. LAGUARDIA. I can not yield to the gentleman in two minutes.

The fault seems to be with the amount of money appropriated. This may be remedied very easily this year or next year.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

Mr. BLANTON. Mr. Speaker, reserving the right to object, and I shall not object, I want to state to the gentleman that after the 35 members of the Committee on Appropriations get their hand-outs granted, there will not be anything left of this appropriation.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANHAM. Mr. Speaker, I yield five minutes to myself. [Applause.]

I wonder if you have noticed, gentlemen, as I have, that the men who have been standing before you as proponents of this measure hail from the great cities of this country that are to profit as the peculiar beneficiaries of this proposal. [Applause.] Six States of the American Union, according to the plans as outlined before the Committee on Public Buildings and Grounds, are to draw down \$72,000,000 of the \$100,000,000 here proposed. [Applause]. Approximately 20 States are unlisted for any of this preferred consideration, and the Territories are entirely without the boundaries of this beneficent contemplation.

Now, what is the situation with reference to the smaller cities and towns that most of us here have the honor to represent? In the first place, let me bring it to your notice that the hearings disclose that the \$50,000,000 provided for the District of Columbia will take ample care of the construction needs here at the Nation's capital. In addition to the many other appropriations authorized and made for projects in the District, no parsimony is displayed concerning it in this measure. But when we inspect the lists presented, the smaller cities and towns of the country are conveniently overlooked. In other words, we are told that out in the 48 States and in the Territories, those who wish public buildings must continue to carry on their program of economy and deny themselves the structures they so greatly need and deserve in order that their savings may be used to further and to make complete the scheme of centralization here in the District of Columbia. [Applause.] If you who come from the smaller cities and towns think that this will be a pleasant message to herald to your people, go right ahead and publish the glad tidings. I am apprehensive, however, that you will present them one of those situations they will view with alarm. And, if you think you can find any crumbs of comfort for them in this bill or that they will be awarded buildings under the terms of this measure, I bid you read the hearings and I can assure you that you will be conclusively disillusioned.

I wish to call your attention also to the fact that some are laboring under the misapprehension or delusion that where a Member now has a site in his district he will have some possibility of receiving favorable consideration and getting a building to adorn that site. That is another iridescent dream. Your castles of this character are the proverbial ones that are in the air or in Spain. The hearings established this most convincingly. These sites are dealt with, if at all, in that part of the bill authorizing a special appropriation of \$15,000,000. Let me read for your information in this regard a little excerpt from the record. The gentleman from Mississippi [Mr. BUSER] inquired of the representative of the Treasury Department, Mr. Wetmore, when he appeared before the Committee:

To make it entirely plain, the buildings authorized in the former legislation are the only ones to be included in this \$15,000,000?

Mr. WETMORE. Yes, sir.

Mr. BUSER. Not places where lots have been authorized or purchased?

Mr. WETMORE. It is for buildings authorized. It is very plain; buildings authorized and not yet under contract.

Mr. Wetmore says it is very plain, and, presumably, he ought to know. So a site that has been acquired is merely the ground for a vain hope. Therefore it is pure folly to labor under the hallucination that, if you have a lot, you are going to receive a building, and if you find yourself circumstanced in this way and still support this measure you are simply carrying faggots to your own martyrdom.

We are asked to-day to pass a bill—with only 50 minutes of debate, without any possibility of amendment, without even an opportunity to recommit, under a suspension of the rules—that will renounce and surrender an important legislative function and authorize appropriations for the expenditure of \$165,000,000. If we properly refuse to do this, the bill will retain its place on the calendar and may be brought up for consideration under a rule permitting deliberate discussion and extending, at least, the privilege of a motion to recommit. But this measure will not stand the strain of that character of analysis. As in the case of Macbeth, it is a thing that needs to be done quickly.

I say that the enactment of this bill will be a voluntary surrender of an important legislative function and a distinct contribution to the too progressive trend of bureaucracy. The history of the English-speaking race shows that the principles of popular representative government have been gained for the masses only after long and arduous struggles, with much pain and privation and travail and toil. Such representative government finds its expression in this country in the Congress of the United States, with 435 Members in the House of Representatives and 96 in another body. Of the hundreds of thousands in the service and employ of the Federal Government, these 531 alone are elected by the direct votes of the people. We are the custodians of those principles and privileges and prerogatives so dearly bought in the conflict of the ages. And now it is proposed that we be derelict in that sacred duty and obligation and that without a struggle, passively and acquiescingly, we return to bureaucratic autocracy this sovereign right of the people.

Does this bill make such a surrender? Listen again to Mr. Wetmore's statement concerning the effect of this measure:

Mr. WETMORE. Yes; it places in an executive department, or in two executive departments, the very authority that has heretofore been exercised by this committee.

The reference is to the Committee on Public Buildings and Grounds, this day announcing its intention to commit suicide. It may be that in its stead we might revive appropriately the old discarded Committee on Ventilation and Acoustics. If this bill passes the Committee on Public Buildings and Grounds will need a great deal of air hereafter or its voice will never again be heard.

And to whom is this authority to be delegated? Nominally, to the Secretary of the Treasury. I say nominally because it is frankly confessed in the hearings that those who will be charged with the administration of this fund in its practical details, under the authority herein granted, will be subordinates in the Treasury Department. [Applause.] Are you willing, gentlemen, to go back to the people and advise them that you have made this disposition of the power reposed in them through you as their Representatives in the Congress of the United States?

Let us look to the hearings once more, with Mr. Wetmore again speaking:

Mr. COX. In the department you are the one who has taken part in the preparation of the bill, and no one else. I understand you to say a few minutes ago that you are the only one representing the department that had anything to do with the drafting of this bill.

Mr. WETMORE. I do not say I am the only one in the department who has had anything to do with it. I mean to say I am the only one in the department that had anything to do with the drafting of this bill.

In other words, we are asked to accept even the phraseology given us by the department to which we are to transfer this authority. The complete terms of surrender are prepared and handed to us and abjectly and supinely we are to accept them.

Some reference is made in one section to the Postmaster General. A casual reading of it might lead one to suppose that he is to perform some function of administration when post-office buildings are involved, but this is far from the case. To prevent any interference on his part the provision is carefully inserted that his cooperation is to be extended only under such rules and regulations as the Secretary of the Treasury in his discretion may prescribe. Be not deceived; one man is to control the sites, the amounts, and the buildings under this

measure according to his own sweet will. Do you think the people of this country whom we are supposed to represent with a proper regard for their rights are going to look complacently upon this culminating act of bureaucracy that, in comparison with those that have gone before it, veritably out-Herods Herod? I have too much confidence in their intelligence and the jealousy with which they guard the principles of a free and representative government to believe it.

I say this seems to be a culminating act, and yet in this I am merely expressing a hope. In general debate on another measure a few days ago, a gentleman from New York stated that he thought we ought to surrender this prerogative to the Secretary of the Treasury because the construction of buildings by the Federal Government appealed to him as a national rather than as a local matter. Let us follow that logic for just a moment and see where it leads us. Surely war and the things that pertain to war are national matters. Shall we, therefore, say to the Secretary of War, "We shall permit you, Mr. Secretary, to determine the size of our Army, the number of officers, the extent and location of fortifications, the quantity of ammunition, and all other questions involving martial conflict and what you consider the proper preparation for possible hostilities? It is a national matter; you just see to it for us; thank you." And, correspondingly, shall we say to the Secretary of the Navy, "Mr. Secretary, won't you please oblige us by deciding how many warships we shall have and the kinds and the building of them? Won't you kindly determine the personnel and the equipment by land and sea and air, and look after such little incidental matters as entering into such contracts as you may deem necessary and such payments thereunder as you may think expedient? It's a national matter, Mr. Secretary, and, you see, we are—we are—"

Well, what are we, anyway, gentlemen, if we are to turn over to departments and bureaus the duties entrusted to us in our legislative capacity? With what are we supposed to deal if not with national matters? Oh, what a tangled web we shall weave if we seek to hoodwink the people with such sophistries as these! Carry them to their final analysis and the Congress will be an impotent, useless thing.

Let us, rather, measure up to the confidence reposed in us by the fathers and the people we are supposed to serve. Let us show by a proper performance of our functions that we do not deserve the unfriendly criticism so often and lightly leveled at this great fundamental institution of our country. If we shall preserve it, we shall preserve our liberties. It is the only forum wherein the people speak. May they find in us the mouthpieces they deserve, truly representative spokesmen in the high station to which by their sovereign votes they have thought it wise to call us. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. ELLIOTT. Mr. Speaker, I yield three minutes to the gentleman from Connecticut, Mr. TILSON. [Applause.]

Mr. TILSON. Mr. Speaker, what should be the standard to guide us in authorizing an appropriation of this sort? Should it be that the funds appropriated shall be equally distributed among the States or districts of this Union, or should we consider first the needs and the efficiency of the public service? Looking at it from the public standpoint, is it a matter of the first importance that we, as individuals, should secure reelection to office by reason of having secured a public building for our districts? I do not think so, however important it may seem to us as individuals.

Does this bill turn anything over to the Treasury Department or Post Office Department that will not be better done than we can possibly do it, or do we surrender any power that we ought to attempt to exercise? I contend that we do not. We make an authorization. The Secretary of the Treasury and the Postmaster General make a study as to what the needs of the public service are and then make their recommendations, which must be submitted first to the Bureau of the Budget. Then, as a part of the Budget, it must be submitted to the Committee on Appropriations. After scrutiny by that committee it must be submitted to the House and then run the gauntlet of both branches of the Congress.

Every appropriation made under this authorization must be thus passed upon by the House again. Therefore, I submit that we are not, in fact, turning over anything to anybody in the sense that we are placing it beyond our control. The gentleman from New York [Mr. OLIVER] has expressed this matter unusually well. He spoke truly when he said that if we go back to the old system, which has been well characterized as the pork-barrel system, we, in effect, destroy the Budget system in which both sides of the House take such pride and for which both claim so much credit. Would we think of going back to it in reference to the river and

harbor bill? No; and if we should attempt to go back to it in this bill we should thereby destroy all real chance of getting any public building bill.

Mr. Speaker, we ought to begin now to resume the public-building program. It should not be longer delayed. This is a fair bill. It makes a fair start, and we ought not, simply because each one can not have his own individual project in it, deny the rest of the country the benefits of this bill. We ought not to assume that our own individual projects are not going to have a fair chance with others of equal merit when the Postmaster General and the Secretary of the Treasury come to make their survey of the needs of the service before making their recommendations preliminary to the submission of the Budget to this House. [Applause.]

Mr. LANHAM. Mr. Speaker, I have only one speech more on this side.

Mr. ELLIOTT. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker and gentlemen of the House, I am sure I am actuated by the same motives that actuate the average Member on the floor of this House regardless of politics. I have been a Member of this House nearly 14 years. I have twice succeeded in having bills for a public building in my district included in an omnibus bill which has passed the House, but has never become a law, and so I have not succeeded in getting any building. If I was to stay here 14 years more, I would never get a building, under the old plan of omnibus bill, in my district; I do not know that I would get one under this bill; but I would like to say that I would like to see buildings go up in other parts of the country, even if I can not get any in my own district. [Applause.] I do not believe that the location of public buildings is a legislative function. [Applause.]

You talk about surrendering something on the part of Congress. And yet in the past Congress has been wrangling over mere pieces of "pork" either in the river and harbor bill or in the public buildings bill. It is well known that when we have brought in bills providing for construction of post offices every man has been cared for so that he would not protest because he did not get his share of the distribution.

You might as well say in the distribution of making appropriations for the rural-mail routes in the United States that it is the duty and function of Members of Congress to locate those routes before they authorized their establishment. We had to depend on a Postmaster General, whether a Democrat or Republican, to locate the rural-mail routes all over the United States, and I do not think, regardless of whether he was a Republican or Democratic Postmaster General, there has been any discrimination worthy of speaking of in either administration. I will take my chances and have the needs and requirements of my congressional district considered by both Postmaster General and the Secretary of the Treasury; and if we do not get as Members of Congress what I think we are entitled to, I will raise all sorts of sand when the appropriations come up to provide for others. [Applause.]

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that all Members have five legislative days to extend their remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent that all Members may have five legislative days to extend their remarks on this bill. Is there objection?

Mr. CHINDBLOM. With no newspaper articles or quotations, but only the Member's own remarks.

The SPEAKER. With the understanding that no newspaper articles or foreign remarks, only the remarks of the Member.

Mr. LANKFORD. If that is the restriction I shall be forced to object.

Mr. CHINDBLOM. I do not think the RECORD ought to be filled up with newspaper articles or other extraneous quotations.

Mr. MANLOVE. Quotations from the hearings ought to be excepted.

The SPEAKER. Is there objection to the request of the gentleman from Indiana that all Members may have five legislative days to extend their own remarks, without quotations from newspapers or other matter? Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, the gentleman from Illinois said that no quotations should be allowed, and I agree with him that newspaper articles or letters ought not to be printed; but suppose some Member wishes to quote the opinion of some great statesman on the principle involved.

Mr. CHINDBLOM. Of course there will be a reasonable latitude on quotations of that sort.

The SPEAKER. Is there objection?

Mr. LANKFORD. With that statement I have no objection. There was no objection.

Mr. LARSEN. Mr. Speaker and Members of the House, no wonder the public manifests so little confidence in Congress. The practice and procedure of the House may sometimes justify it. The proposed legislation not only bears the stamp of suspicion and corruption, but the method by which it is sought to enact it into law is no less vicious.

The bill provides for the expenditure of \$165,000,000, ostensibly by the Secretary of the Treasury, but in reality by the civil-service employees of the Government; still worse, it may be so administered that unscrupulous politicians not in Government service are permitted to so allocate the funds as to influence votes in doubtful districts and States.

There are 435 Members of the House, many of whom not only doubt the wisdom of such legislation but question its legality and constitutionality. Yet it is sought to pass the bill under a suspension rule which only allows 20 minutes for its discussion. Why such haste? No local or national emergency exists and no condition justifies it. The House is well up with its work—far ahead of the Senate—and no matter how soon we may pass it, everyone knows the Senate will necessarily delay action for weeks. Why pass any bill of such importance without opportunity for discussion? Can anyone explain why a bill of this character, which not only provides for the greatest expenditure of public money ever authorized at one time by the Government for the erection of public buildings, but, involving, as it does, a complete change of governmental policy in relation to such expenditures, should be passed in such haste and without discussion? Obviously, because those who favor its passage and realize that it is "rotten to the core" desire to avoid the stench and putrefaction which a free discussion would disclose.

Why embark upon such a legislative policy as the pending bill would permit? Is it because some Members believe legislation which offers an opportunity for graft and theft is popular in this Republic? We recently tried such a scheme in the Veterans' Bureau. Are memories so poor that we have forgotten how Director Forbes and his gang got a large portion of the funds intended for the care of disabled ex-service men? Are we so proud of that performance that we wish it repeated?

I have confidence in both Secretary Mellon and Postmaster General New—I assume others have—but we should remember that neither of these gentlemen will spend the money sought to be authorized. They will not even be in the Cabinet five years from now when a large portion of the fund is to be spent. They may be succeeded by a Doheny, a Denby, or a Fall. Such men may be in their employ at this time expecting to spend it.

Article 1, section 9, of the Constitution, which deals with legislation, and not with the executive functions of the Government, in part says:

No money shall be drawn from the Treasury, but in consequence of appropriations by law.

What is an appropriation? In legislative parlance it is the setting apart of money for a special use. For what special use is the expenditure to be authorized under this bill? No Member of the House can knowingly say. There is a fundamental difference between appropriating money and simply authorizing its expenditure, as this bill apparently does. All we know or can tell is that \$165,000,000 of public funds are to be expended by the Secretary of the Treasury; \$50,000,000 of the amount is to be used, "To provide suitable accommodations in the District of Columbia for executive departments, and independent establishments of the Government not under any executive department," and the balance, \$115,000,000, "For courthouses, post offices, immigration stations, customhouses, marine hospitals, quarantine stations, and other public buildings—in the States, Territories, and possessions of the United States." No Member of the House can tell what buildings are contemplated. Only the Secretary of the Treasury can determine. If they are not needed will the Secretary of the Treasury be authorized to build them? Yes; under provisions of this act, he will. They are only to be "suitable accommodations," mind you, not necessary ones. Members of Congress well know the influences in Washington and the local demand and desire not only of employees and heads of departments, but of others, for monumental buildings in Washington.

Of the sum expended to provide suitable accommodation for courthouses, post offices, immigration stations, customhouses, marine hospitals, and quarantine stations, can anyone tell what portion of the funds are to be spent for any specified purpose? Are the funds to be expended in Maine or California? If to be expended in these States, for what purpose and where? No one can tell. What amount will be spent in any State? No one can tell. In what part of any State is money to be expended? No one can tell. The spirit of the Constitution re-

quires Congress to know how many buildings of each class are to be built, where they are to be erected, and what they are to cost. Yet we leave this important question for determination of another in no way responsible to the people for the position which he holds.

You say the Postmaster General will aid in the determination. That is the joker in the bill. Section 1 provides that the Secretary of the Treasury, "under regulations to be prescribed by him, shall act jointly with the Postmaster General in the selection of towns and cities in which buildings are to be constructed and the selection of sites therein." The Postmaster General has nothing to do with the cost or character of the building to be erected. In so far as regulations prescribed by the Secretary of the Treasury may permit, the Postmaster General may aid in helping to select the town or city and the site for post-office buildings, but nothing more. I submit that the Postmaster General ought to know more than the Secretary of the Treasury regarding the necessity for and the construction of post-office buildings, but under this proposed abominable performance of Congress he is not supposed to even offer a suggestion along these lines. Not only this, but under the terms of the bill most extraordinary authority is given the Secretary of the Treasury in that he "is authorized to carry on the construction work herein authorized by contract or otherwise, as he deems most advantageous to the United States." Under such provisions he would be empowered to do the work by day labor if he saw fit, and no one, not even the Secretary, could say what any building erected under these conditions would cost.

The States delegated to Congress the powers which the pending bill would confer upon the Secretary of the Treasury and we have no right to transfer them to any bureau in the executive departments. If Members of Congress be not inclined, or are too impotent to exercise the power conferred upon them by the Constitution, they should resign, go home, and permit the election of Members, both willing and capable, to serve in their stead.

Under the system heretofore in vogue, all Members so inclined introduced bills providing for the purchase of sites or erection of buildings, the purpose for which to be used, and the maximum amount to be expended. The Committee on Public Buildings and Grounds, to which all such bills were referred, collected them together and held open hearings to determine the desirability, advisability, and necessity of making the proposed expenditures. Everyone interested was given an opportunity to be heard. The Secretary of the Treasury was invited before the committee and gave information as to the amount of funds which could be spared for the erection of public buildings; the military and naval officers were heard as to necessity for erection of quarters, hospitals, quarantine stations, and so forth; the Department of Justice was consulted as to the erection of courthouses, and the Postmaster General as to the purchase of sites for and erection of post-office buildings; each Member of Congress could present the views of constituents and taxpayers as to the desirability and necessity of erecting such buildings. Each application was considered upon its merits, and all authorizations provided for were grouped together by the committee in one omnibus bill.

Apparently the system which has so long provided an opportunity for everyone to be heard before a responsible and impartial tribunal, elected by the people and responsible to the taxpayers of the Nation for its conduct, has become unpopular. The system is to be changed and a partisan representative of the party in power, selected not by the people but by the President, is to be the umpire of all these questions which so vitally affect the public welfare. Of course, such scheme may, and doubtless will, meet with the hearty approval of Cabinet officers, heads of big departments, naval and military officers, who do not want to take chances before congressional committees to urge the erection of new buildings and the expenditure of large sums of money when by a little "hobnobbing" with the Secretary of the Treasury they may get what they want without anyone knowing what they have done.

As for one, I desire to voice my protest against these unwarranted executive encroachments and attempted usurpations of legislative authority which so vitally affects the interest of our taxpayers and the public welfare. I am opposed to centralizing the powers of this Nation in Washington and transferring the authority of Congress to bureau officials and heads of departments.

Mr. LANKFORD. Mr. Speaker and Members of the House, I had hoped that a bill would be passed at this session giving each congressional district some very muchly needed post-office buildings. I have not altogether lost that hope.

We may yet get a good bill.

While the lamp holds out to burn the vilest sinner may return.

The supporters of this nefarious bill to pass the power to select sites and build buildings onto already overworked Cabinet officers and their immediate subordinates, to be in turn by them, as they of sheer necessity must do, passed on to some mysterious, unknown individual, say those of us who oppose this sort of thing favor pork-barrel legislation.

Well, if we must have "pork," let it be decent pork on the table in the daytime, with all invited to participate and to be shared by the common folks and the smaller cities as well as by the larger cities. Appropriations for the big cities is termed "in behalf of efficiency and economy," while appropriations for smaller cities is derisively termed "pork."

This is worse than the most vicious form of a "pork barrel" bill.

Its advocates expect to secure enough help to pass it under suspension of the rules without giving its devotees even a smell of decent pork. They expect you to line up and do their bidding for only a passing sickening whiff of the "flesh pots" of corruption.

They are not willing for you to "stop, look, and listen" in order that you may determine how great is the sacrifice you are making and how great is the penalty you are inflicting on others in order for you to get less—much less—than a "mess of pottage."

Without giving you a chance to protect those you represent and yourselves, the champions of this bill expect you to help them drive the legislative car in front of the mighty onrushing juggernaut of centralized, all-powerful bureaucratic government.

Oh, if Lincoln was alive he would pray more earnestly than ever "that this Government of the people, for the people, and by the people might not perish from the earth."

Oh, they expect to stampede the Members of Congress like so many "dumb, driven cattle" into selling for a stench of corruption the birthright of a great and glorious people.

"Pass the bill without the chance for reasonable debate and with no chance for amendment" is the battle cry.

They are not willing for us to have a chance to examine their proposed "mammon of unrighteousness." They do not want it known just how tainted and flyblown is the concoction which their witches stir.

Fillet of a fenny snake,
In the cauldron boil and bake;
Eye of newt and toe of frog,
Wool of bat and tongue of dog,
Adder's fork and blind worm's sting,
Lizard's leg and howlet's wing.

Cool it with a baboon's blood,
Then the charm is firm and good.

MR. FREAR. Mr. Speaker, public building bill H. R. 6559 provides, in substance, that the Secretary of the Treasury and the Postmaster General shall act jointly under regulations prescribed by them in making selections of towns or cities wherein suitable public buildings shall be erected and to provide for the necessities of the Post Office Department. For that purpose the bill appropriates \$150,000,000 to be expended over a period of several years at not to exceed \$25,000,000 annually in the purchase of sites and construction of said buildings. The bill further provides that \$50,000,000, or one-third of the total, shall be expended for needed Government buildings in the District of Columbia, and \$15,000,000 more is appropriated to complete several projects named. This measure is presented to Congress as the nearest approach to a businesslike method of meeting pressing Government necessities of the Post Office Department in hundreds of cities throughout the country. It is not perfect and is subject to improvement, but it is far preferable to the old system.

The House is reminded that nearly 10 years ago, or to be specific in December, 1916, the last public building bill was opposed for several days by myself, aided by Representative JAMES, from Michigan. That bill passed the House after several days' debate, in which many objectionable projects were disclosed, but for the first time in several years a fair-sized vote of protest, as I now remember it, running over 80 Members in number, was then registered against the 1916 bill.

The preceding public building bill was passed by the Sixty-second Congress with only 20 minutes given the opponents in which to discuss a 50-page bill containing over 400 items. It went through the House with practically no protest beyond that registered by Mr. Fitzgerald, chairman of the Appropriations Committee, who said in debate:

I denounce as indefensible this method of passing public building bills. * * * It can not be defended from any standpoint of public necessity.

That was the last public building bill passed by Congress during the last decade. The 1916 bill, which was defeated by smothering in the Senate committee, carried an appropriation of \$35,000,000, and I quote a brief passage from my own remarks during the debate on that bill, wherein it was stated:

To the student of public-building expenditures, Senate Document 321, Sixty-fourth Congress, and Document 244, Sixty-third Congress, are instructive. From these documents it appears that in all 1,479 projects are for public buildings, several hundred are in towns under 5,000 population, and 216 in towns under 3,000 population. Sixty-six communities of 10,000 people or more are yet unprovided, while the number of corner cross-roads and jerk-water towns that are now being provided with buildings is rapidly increasing in order to get enough votes for the bill.

An analysis of distribution of the items of the 1916 proposed expenditures disclosed that in many cases the janitor's fee alone, apart from construction, interest, depreciation, and so forth, would cost more for the new building than existing rentals for old buildings. There is no question but that the 1916 public building bill which was defeated deserved that fate.

It may be interesting at this time, 10 years after such defeat, to know that a Cabinet officer in one department of Government and an assistant Cabinet officer in another department furnished much of the material used to expose the wastefulness of the 1916 bill, and that the opposition to and exposure of that bill came as a personal request from these high administrative officers, who gave assurance that the bill would probably be vetoed providing it reached a final stage in its legislative journey.

This statement is made only to emphasize the vigorous protest then made in official circles against the 1916 public building bill which passed the House but was held in the Senate committee, all under an administration that was Democratic.

The bill now before us appropriates a very large sum of money, and this money is to be expended by two Cabinet administrative officers. The charge is made by Democrats that they have not much to hope for under a Republican administration, and with equal force it might be suggested that those who refuse to be hidebound in their legislative course or follow regularly the dictates of party leaders may not receive consideration from officials authorized to make the selections of sites and construction of buildings. I do not believe either proposition is true, although I admit political sympathy may go with officials under other circumstances. However, I can not believe that the Post Office Department, when in need of a public building, will hesitate to consider the requirements of the community before any mere political favoritism, for if this is not the case we will sacrifice the needs of government to political favoritism.

A number of years have been set aside for construction of buildings under this appropriation, not over \$25,000,000 of the total to be spent annually, and as one of those who is equally interested in having building projects placed where most needed in my own State I am willing to put the whole matter on a high plane and submit to the proper officials at the proper time the needs of various communities. This will leave to the judgment of responsible officials under the law provision for such communities as rapidly as they may be able to be cared for with the appropriations carried by this bill and subsequent bills. In other words, I believe the new system is preferable to the old, although I would have preferred to have had a bureau of public works, removed from political influence, to work in conjunction with the Post Office Department and the Treasury Department and determine the needs of every community. This is not possible under the present bill, but there is urgent need for relief, and that is the reason I am supporting the bill at this time.

MR. THOMPSON. Mr. Speaker, since I have been in Congress—which has been four terms—there never has been a public buildings bill passed. President Wilson ceased building during the war. After the war each succeeding President of the United States told the chairmen of the Committee on Public Buildings and Grounds of the Congress that he would not approve a bill even if Congress did pass it. So the Congress presented none. The last omnibus bill for public buildings which Congress passed was approved by President Wilson March 4, 1913—13 years ago.

Heretofore the way public buildings have been selected was for a Member of Congress to put in a bill for what he needed. Hearings were then held before the committee on the case; and if meritorious, the Member was allowed a public building in his district.

In the fifth Ohio district there is a crying need for a public building at Napoleon, Ohio. The Government has recognized that for 11 years or more. On September 15, 1915, the Government itself purchased a site for a post-office building at Napoleon, costing \$7,500. The town has no suitable quarters to rent

for a post-office building, and the need is very urgent for a building upon the site purchased in 1915. This crying need of Napoleon should have been provided for long ago.

Under the new legislation which this bill proposes, it takes away from the Congressman the right to provide for a building in his district and places the matter jointly in the hands of the Secretary of the Treasury and the Postmaster General to decide. If my constituents at Napoleon will now come with their hats in their hands and bow and scrape to two more bureaucrats who are not elected by the people, but who are given vast sums to expend for public buildings by the passage of this bill, it may be barely possible that Napoleon might have a "look-in."

The tendency of Congress has been to abrogate its power and its influence, and this is an instance of where it has abdicated its sovereign right—a right that has existed since the foundation of the Government—to take care of the interests of its various districts. When I came to Congress I thought this was a representative body, but I find one can not secure a single piece of legislation unless it first be submitted to an executive department for approval. I can not support this bill, and I vote against it as a protest against change of procedure in the method of taking care of one's constituents.

In a very summary manner we dispose of \$156,000,000 of the taxpayer's money of this country for a building program and at the same time surrender all our right to say where the money is to be expended for public buildings. I object to this manner of doing business, especially as this so-called Elliott bill is passed under a rule that does not permit amendments or even a chance to recommit the bill. It is put through under "buck and gag." I vote against the bill, therefore, as a protest against the surrender of all responsibility of the Congress in this matter. To-day is a day when we are embarking upon a policy of turning over to one or two Cabinet officials the right to say when and where our public buildings shall be built. I am opposed to surrendering any rights of the people to any Federal bureau or department that exists.

It has been the custom of late here in Washington for each and every bill that is introduced to be first submitted to some bureaucrat for approval before the Congress of the United States can even pass upon the legislation. At the seat of the Government there are 531 elected officials, the President, Vice President, Senators, and Representatives. The remainder, which constitutes 61,509 Government employees, are all appointed and not elected, and these include the members of the Cabinet as well as the chiefs of divisions. I am opposed to being a party to putting more bureaucracy into a Government that is now teeming and insolent with it. My vote against the Elliott bill is a feeble way of expressing that opposition.

Mr. GORMAN. Mr. Speaker, I intend to vote for this bill because it proposes a sensible, economic, constructive, and businesslike method of caring for the needs of the Postal Service and other governmental departments.

It is in the interest of good business, even though it is a delegation of our power, to allow the Postmaster General and the Secretary of the Treasury to determine where Government buildings shall be erected, remodeled, and enlarged to meet with the requirements of the Government's business.

This bill is an extension and development of the budgetary system. It makes certain that public buildings will not be constructed merely because votes are necessary to pass the bill. We have had too much of the system of "pork" and "log rolling" in previous Congresses, with the result that in many small cities, towns, and villages, where the growth of population has been very slow and will continue to be so, there are scores of costly public buildings which stand as monuments to the folly of wasteful and extravagant Congresses of the past.

OAK PARK, ILL.

I have been trying for years to obtain a new post-office building for Oak Park, Ill., not because I want to see the village embellished with a beautiful public building but because the present post office is too small and congested for the proper and expeditious handling of the mails.

I have repeatedly called to the attention of the Congress, the Postmaster General, and the Secretary of the Treasury the cramped quarters in which the postal business of Oak Park, the largest village in the world, is being performed.

But Congress, in trying to alleviate the heavy war-tax burden of the people, has not passed a public buildings bill for any locality in the United States since the year 1913. Since then many towns and villages in my district, adjacent to Chicago, have grown tremendously in population. It is ludicrous to see the efforts of the postmasters and postal employees trying to give the public good service in the obsolete post offices of Oak Park, La Grange, Cicero, Maywood, Melrose Park, Forest Park,

Berwyn, and Riverside. To relieve the situation, on December 7, 1925, the first day of this Congress, I introduced bills for post-office buildings to be erected at those places, where the needs are urgent.

I want to see this bill enacted into law, so that Oak Park may obtain a much-needed post-office building at once, after which the needs of La Grange should be taken care of. Then favorable consideration should be given to these other towns and villages in my district, each in accordance with its needs, on the basis of merit and merit alone.

Mr. FULMER. Mr. Speaker, one more brick has been added to the pillar of centralization of the functions of the Congress into the hands of Cabinet officers by the passage of H. R. 6559.

Day by day, in every way, it seems to me that Members of Congress are surrendering their rights to represent the people which bespeaks their acknowledgment that they are inefficient and incapable of representing this great Republic or that there is some superpower overcoming the Congress whereby bureaucrats under the power of special interests are gradually stealing away the Government of the people, by the people, and for the people.

The passage of the Esch-Cummins bill has taken from the Congress all power as to regulations, rate making, and so forth, in connection with the great railroad interest. To-day while agriculture is suffering because of unfair rates on farm products, it is a known fact to three-fourths of the Members of Congress that we are absolutely hog tied and helpless. For an instance, freight on 1 bushel of corn, 56 pounds, for a certain distance is 35 cents, while the corn sells for only 85 cents. The freight on a pair of shoes for same distance is 15 cents, although the shoes sell for \$15. Cotton, which gives to the United States the balance of trade with Europe, is being shipped under the all-commodity rate, therefore, we can ship 10 bales as cheap per hundred as you can 1,000 bales per hundred. I have a bill now before the Congress to require the Interstate Commerce Commission to give preferential rates on high-density compressed cotton, taking into consideration the size of package, condition of package, as to tare, and so forth, but it is sleeping in the House committee because of a lack of a favorable report of this Interstate Commerce Commission. This bill would mean at least \$15,000,000 per year for cotton producers but we have delegated our powers to the Interstate Commerce Commission and the large compress people, which, although few in number, seem to have more power with the commission than 40,000,000 producers.

Just a day or two ago you passed the McFadden bill giving to New York bankers unlimited power to establish branch banks so as to be able to force out independent banking. Although this bill was heralded to the public as an antibranch banking bill, it is just the reverse and is but an opening wedge that will mean state-wide branch banking by national banks. The years are not distant when this country will be in the hands of a few mother banks in the large centers controlling branches all over the country that will be able to make or break any section or any industry over night. The finances of the country are now in the hands of the Federal Reserve Board controlled by seven men, who in turn will be controlled by this same great interest. Therefore, it will make little difference how many Congressmen stand and howl upon the floor of the House when operations as above stated begin.

Under the Fordney-McCumber Tariff Act we have created a commission and given all power to the President of the United States and the commission. What is happening to-day? The consumers are paying millions to a few manufacturers, while the agricultural interest is paying added millions for farm machinery protected under this unfair piece of legislation. In the meantime it is stifled with a surplus of farm products due to foreign markets now being shut off by this tariff wall surrounding the United States.

Not yet satisfied with these and many other pieces of legislation unfair to the great masses of the people which I could mention, to-day you propose to take away from the Congress the right to have any say-so as to when and where a public building should be built, leaving it to the discretion of Mr. Mellon, Secretary of the Treasury of the United States. You therefore vote a lump sum of \$165,000,000 out of the hands of 435 Members of Congress into the hands of two men, Mr. Mellon and the Secretary of the Post Office Department. According to plans submitted to the Public Buildings Committee (the committee reporting this bill), the District of Columbia will get \$50,000,000, and six States will get practically all of the remaining \$115,000,000 to be spent in the next five years. At least 20 States, including my State, South Carolina, will not get one penny for buildings. At Sumter, S. C., post-office employees are stepping on each others' toes for lack of additional floor space.

The public must continue to suffer because of inadequate quarters there, although the project was approved by the Post Office Department several years ago.

I have been consistent in voting against this trend of the centralizing of power and the functions of the Congress to bureaucrats where special interest has control, where red tape is running rampant, and where common-sense methods of procedure and the common people are unknown quantities. Although I may be registered in a hopeless minority, I am unafraid to go back to my constituency feeling that I am doing my duty in voting against this bill.

Mr. McSWAIN. Mr. Speaker, under permission to extend my remarks, I feel that a word of explanation to the public is necessary. When this rule was brought in, it provided for a debate of only 20 minutes on each side, but by special arrangement and unanimous consent the time was extended to 25 minutes on each side. All of this time was taken up by a very few speakers especially selected because of what was supposed to be their influence and power in obtaining votes for or against the measure. The result is that the rank and file of the Members are not permitted to say a single word on the floor of the House of Representatives in this free America about a bill that proposes to fix the policy of this Nation for the next five years and to appropriate from the Treasury \$165,000,000 collected from our people by taxation. Therefore I am compelled to avail myself of this, the only privilege, of letting my constituents and the country understand why I refuse with all the energy and emphasis of which I am capable to support such a rule.

BILL BAD, BUT RULE WORSE

Bad as the bill is, yet it could have been amended in a way to become acceptable to me. Naturally, I would desire to vote for such a bill. I have been urging the passage of a general public buildings bill ever since I have been in Congress. There is a situation of urgent need in my district that beggars the power of words to describe. In one thriving and growing city the public mails have been for some years handled out of doors and on the ground, and the clerical force is crowded and jammed beyond the minimum requirements of health and sanitation. If the bill had come up for consideration in the Committee of the Whole House on the state of the Union, just as appropriation bills come up, and just as ordinary legislation comes up, amendments could and would have been offered to remove the objectionable features of this bill. For illustration, the Hon. J. WILL TAYLOR, a Republican, and a member of the Committee on Public Buildings and Grounds, and representing a district in the State of Tennessee, would have proposed an amendment that would have required something like a fair and equitable distribution of this money among the several States according to their needs and requirements and the populations to be served. But the majority would not permit this bill to be brought up in the ordinary manner for discussion. The Republican powers that be that want this legislation passed in this particular form would not permit a record vote as between the bill as written and as it would stand after the adoption of the Taylor amendment. This manifests a deliberate and resolute purpose on the part of these powers to employ this \$100,000,000 that may be spent outside of the District of Columbia in just such way as the Secretary of the Treasury shall see fit, unhampered by any legal restraint whatsoever. Now, the Secretary of the Treasury is not only a very rich man and not only a very influential man but is also doubtless a very able man. But I deny that any one man, however able and wise he may be, can properly and wisely understand all the local needs in the 435 congressional districts in the United States. In fact, the hearings clearly manifest a purpose and intention on the part of the Secretary of the Treasury, by his authorized spokesman, to spend about 75 per cent of this \$100,000,000 in only 6 States out of the whole number of 48 States. It was admitted at the hearings, in effect, that South Carolina would not obtain any part of the \$100,000,000 and would obtain only such part of the \$15,000,000 as may be necessary to complete unfinished projects, such as the post-office building at Lancaster, S. C.

THE FALSE CRY OF "PORK BARREL"

It was certainly amusing to hear some of our friends from such States as New York and Massachusetts, which are among the six States that are to receive nearly all of this money, denounce in heated word and manner what they describe as the former practice of bringing in an omnibus public buildings bill as "pork barrel." By this they mean to say that if the House itself had to decide where this money would be spent there would be trades and exchanges of support and logrolling and swapping amongst Members, so that some places not represented by Members with sufficient trading genius or pawns, but needing greatly a public building, would suffer, whereas other

places represented by a skillful political trader, with his hands full of pawns, would obtain public buildings that the public service does not justify. Hence they rolled their eyes toward heaven in holy horror and lifted their hands in solemn detestation, and rolled out their mournful, lugubrious tones of denunciation at the "pork barrel." But the issue is, in fact, "pork barrel" versus "loaded dice." Let the old method of bringing in public buildings bills be denounced as "pork barrel." Yet who will rise to say that any mistake has ever been made? What Member of this House has ever testified that a public building was obtained for his district, whether by himself or by his predecessor, whether Republican or Democrat, that ought not to have been built and that the public service did not require? Members were challenged to this effect but failed to respond.

How about the loaded dice? Under the operations of this bill we already know that the Treasury Department will spend \$72,000,000 in six particular States, such as Massachusetts, New York, and Pennsylvania. Then that leaves only \$28,000,000 for the other States to have even a hope or expectation. One Member said that he would vote for this rule and bill and take his "chances." This Member ought to know that when you play dice with an adversary who is playing his own loaded dice you can not hope to win. At any rate, I am not that kind of an American, and I believe that the people of my part of the country are so full of the traditions and inspirations of the highest Americanism that they approve and indorse my stand.

Our Americanism teaches us to believe in doing whatever we may do out in the open, and if we make mistakes, let the records show it. Hence our people believe that the Members of this Congress should have sat in public session long enough to decide in what particular towns and in what amounts this money should be spent. If necessary we should have voted on each particular city as it came to it, section by section and line by line, in the reading of an omnibus bill under the five-minute rule. By playing the game in that open and public manner, the record would have shown who spoke and what he said, and stenographers would have taken down and the type would have set up and the press would have printed all that was said and done. But now when this \$165,000,000 goes behind the closed doors of the Treasury Department, who will know what is said and done when the consideration of its expenditure comes up? What stenographers will be there to take what is said? What record will be published and distributed of what is said? Mr. Speaker and gentlemen of the House, it is as plain and as open a question of representative Government versus unbridled bureaucracy as the history of the Nation affords. It is the most pronounced expression of the tendency to centralize and concentrate power, not only in the city of Washington but to concentrate that power in the hands of one administrative officer. History records the general tendency on the part of the Federal Government to absorb more and more of the power which was originally intended to be exercised only by the States, but in the last few years we who are here in Congress see the ever-increasing momentum of power from the Congress itself into the hands of mere administrative officers; into those few executives that constitute the official bureaucrats of the Federal Government.

DEMOCRATS TO THE HELP OF REPUBLICANS

Mr. Speaker, I can not properly complain of the attitude of the Republicans upon this tendency, not only to centralize all power but to place all power in the hands of a few bureaus. That is the traditional theory of the Republican Party. That was the ideal of Alexander Hamilton and all of his political heirs at law from that day to this.

Alexander Hamilton did not trust the people, and, consequently, he did not trust the Representatives of the people. He believed that the President should hold office for life, and that the President should appoint the governors of the States, and that the Members of the Senate should hold office for life, and that the Federal Government should have a veto power upon any law passed by a State legislature. That was the main outline of the plan proposed by Alexander Hamilton in the constitutional convention in Philadelphia. Hence, Republicans of this day can not be charged with inconsistency for having followed out, even in this public buildings bill, the fundamental conceptions of the Hamiltonian theory of government. But I do feel some justification for complaining that so many of our Democratic friends have rushed to the rescue of the Republicans to enable them to pass this rule and thus to shut off debate and to ram the bill itself down without a single word of argument. As already indicated, I would have voted for the bill if some such amendment as that proposed by the Hon. WILL TAYLOR could have been adopted by the House. But I could not vote for the rule, because it was not only undemo-

cratic and un-American but unfair and unjust. Democrats are supposed to draw their inspiration from those principles of government so fully elucidated by Thomas Jefferson. Thomas Jefferson trusted the people and trusted their Representatives, and believed that all the functions of government should be administered in the open, and that the people should have the right to make their own mistakes. Thomas Jefferson taught that a fair and just Government must rest upon the principle of equal rights to all and special privileges to none. Therefore, I feel that the principles of Jeffersonian Democracy have been violated by those who claim and profess to be his followers and yet voted for a rule that prevents debate and applies the gag to the throats of free Americans who wish to protest in the name of justice and fairness.

PROTESTS OF BOURKE COCKRAN

Members who were in the Sixty-seventh Congress surely can never forget the eloquence and learning and logic displayed by the late W. Bourke Cockran, of New York, in denouncing the method then being employed by the Republican Party to pass legislation by means of rules. In that Congress the Republicans had two-thirds within their own party ranks, and if they could muster them all by a caucus they could force anything down the throats of the Democratic minority. I can remember how under a rule the Fordney tariff bill was put through the House literally without a single amendment and, as they boasted, "without crossing of a 't' or the dotting of an 'i.'" I can hear to-day the thunderous tones of denunciation with which the rule to do this was assailed by the late Bourke Cockran. Surely his colleagues in the New York delegation can not so soon forget the statesmanship and political philosophy wrapped up in those magnificent arguments. Surely political principles, governmental principles, American principles, are something that do not rise and fall with the exigencies of each emergency. Surely our principles are to live and guide us through the mass and confusion and chaos and conflicts of daily duty.

Why could not Democrats, professing to be disciples of Thomas Jefferson, having confidence in their Representatives, say to the Republican leaders having this bill in charge something to this effect: "We are for the measure itself as written. We believe that the principle of permitting an executive department to pass upon the merits of the different cities and towns and upon the amounts to be spent in the different places, and we believe that this will make for efficiency and economy over the old omnibus public buildings bill. But we can not vote for a rule that will ram this bill down the throats of the House without permitting a word of protest from practically one-third of the Members of the House. We are for the bill but we are against the rule. Therefore, abandon the rule, bring the bill up for consideration on its merits, under the ordinary rules, and we will furnish you whatever votes you may lack on the Republican side to pass the bill."

But instead of this, Members professing to be followers of Thomas Jefferson, Members professing disagreement with the principles of Alexander Hamilton, Members representing constituencies that believe in the American principles of fairness and open discussion and full opportunity of amendment, have combined with the disciples of Alexander Hamilton to perpetrate an outrage upon the first principle of Americanism, to wit, free and full discussion.

Mr. Speaker, I am no keeper of the conscience of any man, and I am accountable only to my own conscience and to the constituents whose trust I am seeking to keep. It is a proud people that live in South Carolina. They are proud of the traditions of more than 150 years. They are proud that when principle was involved they have never taken council from expediency. They are proud never to have bent the knee before the god of Baal. They are a relatively poor people; they suffered the loss of their last dollar of property during the War between the States; they have labored and struggled and suffered since, and now the sunshine of prosperity begins to smile on every enterprise. But they would not respect me nor trust me if they found me throwing down every principle of Americanism to seek to curry favor with bureaucratic power in the distribution of public funds.

Mr. Speaker, this talk about "pork barrel" by those who are under this measure, not only seeking "pork," but see that by the way the dice are loaded they will get more than their proportionate share of "pork," is rather disgusting. Those of us who have seen tariff bills formulated realize that it is the lowest sort of "pork." It is a contest and a struggle between purely selfish interests. Every revenue or tax revision bill is indirect "pork." The fundamental proposition contained in the proposed amendment of the Hon. WILL TAYLOR of Tennessee to distribute this money amongst the States according to their

needs and population has ample justification in the precedents of the Federal Government.

The number of persons that may be engaged in the civil service is prorated amongst the States according to their populations. The funds for aiding in the construction of public roads are prorated on about the same basis. Public funds for the building and repair of roads in national parks are prorated in about the same manner. Federal funds to aid in the support of what are called the "land-grant colleges" are divided amongst the States in the same way. Funds appropriated for the encouragement and development of agriculture are to be distributed against the States, and it would be unthinkable that the Secretary of Agriculture could allocate all the funds at his disposal to promote agriculture among the six States of New England. We do not believe that any Secretary of Agriculture would do such a thing. But to make the law fair upon its face we provide for an equitable and just distribution amongst the States.

Mr. Speaker, Alexander Hamilton was right when he said that if you will give to the Federal Government enough money, enough financial influence, all other power will gravitate to it. Alexander Hamilton advocated the redemption of the continental bonds at par, though many speculators had bought them at less than 10 per cent of par, in order to impress upon the people the financial power of the Federal Government. In like manner, Alexander Hamilton advocated the assumption by the Federal Government of all the State bonds issued to carry on the Revolution, and their payment by Congress at par, though speculators had bought most of these bonds at less than 10 per cent, in order to impress upon the States the financial power of the Federal Government. And so in the wake of this financial power all other power has followed. Constitutional power has been found by implication to follow financial power.

It may still be debatable whether the flag follows the Constitution or the Constitution follows the flag, but there seems no doubt that the Constitution follows and covers and protects the dollar wherever the dollar goes. So it seems Alexander Hamilton wins in this year of grace 1926, and he wins not by argument, and he wins not after debate, and he wins with the assistance of some of the professed followers of Thomas Jefferson, and he takes these Jeffersonians, blindfolds them, and leads them dumb and speechless and has them sacrificed upon the altar of American representative government, the first and simplest principle of the Jeffersonian philosophy of government.

So, Mr. Speaker, I conclude by reminding my colleagues and constituents that in view of the great urgency for public buildings I might have supported the bill if amended so as to provide for some fair and reasonable distribution of these funds among the States. But I would not support a rule to ram this bill without debate down the throats of the Members of this House. I would not support such a rule if the Democrats were in power. I would not support such a rule for any purpose and under any circumstances except in the event of war or of a dire national emergency. Because more important than public buildings just now, and more important than any particular legislation, in these days of shifting and shuffling and compromising, is the preservation of the pure unalloyed principles of the American representative government.

Mr. SWING. Mr. Speaker and Members of the House, I find it impossible to give my approval to the proposed bill, because I consider it wrong in principle and also fear that it will work out badly in practice.

The bill is wrong in principle because it constitutes an abdication of the powers and prerogatives conferred by the Constitution upon Congress and vests them in an executive branch of the Government. It is no answer to say that Congress retains a veto power through its Appropriation Committee. Congress is bound, under this bill, to appropriate \$25,000,000 each year without knowing where it is going to be spent. This bill strips the Representatives elected by the people of their authority and vests it in a few bureau officials who are responsible only to some appointing power. Those of us who have been here any length of time realize the danger of the growth of bureaucracy in our Government.

Furthermore, it seems to me that the proposed plan is bound to work out badly in practice. Granting that the two or three officials who will have the actual working out of the details of this plan are honest and above influence and will be actuated solely by what they consider to be the best interests of the Government, still I fear that the Treasury Department's point of view will be governed almost entirely by the dollars and cents point of view, and that practically all of the money we are proposing to appropriate will go to the big cities where the highest rents are being charged, and that the smaller cities will get nothing. In other words, I fear

that in the administration of this law the important factor of service to the public will be ignored. The people in cities of from fifteen to twenty-five thousand population are entitled to the same quality of service as the people who happen to live in cities of from 150,000 to 250,000 population.

Out West, where I came from, there are cities which have furnished the Government splendid post-office quarters for a dollar a year. Will the public and patriotic spirit of these communities be rewarded? Not if the dollar policy prevails. On the contrary, the communities which are gouging the Government the hardest will be the first to be rewarded with new Federal buildings.

Why should we adopt the innovation proposed in this bill? Congress will not consent that the Navy Department shall determine the situation of the cost of the naval bases it will establish, nor will it consent that the Navy Department shall build ships of such kind, character, and number as it thinks necessary. Nor will Congress permit the War Department to establish permanent posts and camps where it sees fit. It has never been the policy of Congress to permit the Reclamation Service to establish projects when and where it pleased, and so, too, with the improvement of rivers and harbors. In all of these matters, Congress, while seeking the advice and recommendations of the proper Government experts, reserves to itself the right to finally determine whether any money shall be expended; and if so, how much, where, and for what purpose.

The argument is made that in the matter of public buildings Congress has abused the power in the past, and therefore the authority must be transferred to the Executive. This is the fallacy in the logic of the proponents of this bill, that we have only two choices; first, to continue the past abuses, or, second, to abdicate the exercise of the power.

But to me the remedy for an abuse of power is to cease the abuse by the exercise of greater care and judgment. This not only can be done, but it has been done. Congress created the Budget to correct an abuse which existed in the past. This was not an abdication of power. We retain the power of appropriation, but now seek, receive, and, in the main, follow the recommendations of the Budget as to the annual expenses of the Government. This has worked well.

For public buildings I could create a similar agency—a commission of experts who know the Government's building needs, and have this commission, like the Budget, recommend to each succeeding Congress the Federal needs for public buildings, and to this commission should be referred all building bills for report. I am sure it would be a very difficult matter, if not an impossibility, to thereafter get through Congress a proposal for building which had no merit. The recommendations of this commission would carry great weight, and would in the main be followed by this House, yet we would preserve to ourselves the prerogatives which the framers of the Constitution intended we should exercise, only we would exercise those prerogatives with discretion and sound judgment.

I am as much against the "pork barrel" system of building public buildings as anyone, but I deny that because this authority has been abused in the past we to-day should write ourselves down as incompetent and not trustworthy to exercise it. I shall, therefore, vote against the bill.

Mr. DICKINSON of Missouri. Mr. Speaker, a year ago I spoke and voted against the public buildings bill, practically the same as the one now up for passage. That bill in the Sixty-eighth Congress carried an authorization for \$150,000,000. It passed the House, but failed of consideration in the Senate. This pending bill calls for the expenditure of \$165,000,000, of which \$50,000,000 is to be expended in the District of Columbia, \$15,000,000 for bills heretofore authorized, as provided in section 3 of the bill, and \$100,000,000 in the different States of the Union, not more than \$25,000,000 to be expended annually—\$10,000,000 in the District of Columbia and \$15,000,000 in all the rest of the United States; of the \$100,000,000, over the sum of \$72,000,000 to be expended on new projects in six States—namely, New York, \$21,170,000; Illinois, \$15,530,000; California, \$10,365,000; Massachusetts, \$9,565,000; Pennsylvania, \$9,260,000, and Connecticut, \$6,530,000; total, \$72,420,000—favored States, mainly in the large cities; and none of the \$100,000,000 in the estimates in 20 States, to wit: Colorado, Delaware, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, South Carolina, Oklahoma, South Dakota, Vermont, Washington, and Wyoming, all left out.

The bill seeks to take care of the large cities and let the small cities wait. Why should I not vote against this selfish, centralized, rank, bureaucratic bill sought to be passed under gag-rule methods, with only 25 minutes' debate permitted in opposition without right of amendment.

The needs of the District of Columbia are well cared for; the building projects authorized by former legislation long ago are looked after, but no assurance for building sites in small cities, while the big cities are liberally provided for and the smaller cities and towns are shut out. By the passage of this bill under pressure of the administration, Congress surrenders the power it has exercised since the adoption of our Federal Constitution, and this power with a lump-sum appropriation is turned over to subordinate officers in the Treasury Department. Debate on this bill, providing for expenditure of \$165,000,000, limited by gag-rule methods to 50 minutes without power to amend or to recommit the bill. The administration says through its spokesman here, this or nothing. Surrender your power of control, so long exercised in the past by the representative branch of the Government, or a veto. The bill passed in 1913 carried \$40,000,000. A failure to pass any general bill since that date, due in part to the war, and later to the surrender demand, has caused the needs of the Government to multiply, while millions of dollars are paid in rents.

This bill seeks to continue the policy of centralization. No further selection by Congress of the cities where Federal buildings should be built, no further limitation of the amount to be expended for such buildings and sites, but lump-sum appropriations to be made without the safeguards heretofore exercised. The net revenues gathered in the smaller cities go to the large cities and sections favored in the bill. It means an abject surrender by Congress to the executive department and a long delay, an increasing centralization of power and control of the purse of the Nation in order that bureaus of the departments may exercise a power not contemplated in the Constitution.

I owe it to my district and the cities therein needing these public buildings, to my State, to my country and representative Government, and to my oath of office to oppose this unjust bill called the Elliott public buildings bill, but written at the demand of the administrative department.

When this wrong act becomes a law the Public Buildings Committee should be abolished, having been robbed of all power except to register the orders of departments, no longer taking its orders from Congress but from the bureaus of the executive department. Clause 7 of section 8 of Article I of the Constitution provides that—

The Congress shall have power to establish post offices and post roads.

This power, exercised from the beginning, Congress now surrenders under executive pressure, and representative government surrenders to increasing centralized authority—given lump-sum appropriations to use without the safeguards heretofore thrown around such expenditures.

Twenty-five million dollars annual rents, annual expenditures for building construction in the United States at large restricted to \$15,000,000, and that in favored sections, nearly eight-year program—five-year program for the District of Columbia. It is estimated that the building construction in the entire United States for 1925 amounted to \$6,600,000,000. The Government is collecting from the people annually over \$4,000,000,000 in taxes and expending over 80 per cent for war purposes, past and to come, and, with the mails having increased 700 per cent in volume and weight, is unwilling to permit construction for reasonable accommodations for moderate buildings in the smaller cities, whose excess revenues are sent elsewhere, preferring to continue payment of millions in rents.

I must keep faith with those who have honored and trusted me. I refuse to support this bill so unjust—that refuses to meet the needs of 20 States and is to spend over 70 per cent in 6 States. If this bill becomes a law, I shall continue to press, with others, a demand for other legislation to care for these neglected smaller cities.

Since the passage of the last public buildings bill in 1913 the growth of the country in population, in wealth, and in business, has largely increased; also the demand for enlarged and better facilities of public business. The earnings of the Post Office Department in the last 10 years have more than doubled. The estimated aggregate wealth of the entire United States is \$360,000,000,000, centered largely in great cities. Favored classes, sections, and cities, where the wealth of the country is so largely centered, seem willing that the will of the Secretary of the Treasury shall be substituted for the will of Congress.

The responsibility for this surrender rests largely with the majority party now in control. These public buildings bills are introduced by Members of Congress to meet the demands

and needs of the communities where public buildings should be erected, and the attempt to cast odium upon them is a reflection upon the citizenship to whom the Government owes a duty and whose wishes Congressmen seek to carry out.

The last general or omnibus bill passed Congress in 1913. No Member of Congress has been able to secure the enactment of any law providing for a public building in his district since that date. All individual bills of necessity must go into a general or omnibus bill. Prior to 1913, Congress every two years passed a general bill of about the same amount as in 1913. Just before the war, in January, 1917, the House passed an omnibus or general bill carrying \$62,000,000. It died in the Senate. In February, 1919, just after the war ended, the Committee on Public Buildings and Grounds reported a similar bill, opposed by the executive department; it died on the calendar. These bills made provisions for buildings in all sections of the country, including my own State of Missouri, and the several districts therein. A bill similar to the pending bill passed the House in 1925 but failed of passage in the Senate. The fate of this pending bill will be finally determined in the Senate. The necessity for Federal buildings in all sections of the country has grown immensely by reason of a failure to pass a general bill for 13 years.

The pending bill is generous to the District of Columbia, but negligent of the rights of the United States outside of the District. A reasonable apportionment of the \$100,000,000 among all the States should have been made in this bill. This pending bill is not the honest judgment of the House nor of the country, but the result of the pressure from Executive power that has been paying about 25 per cent of that amount each year for rents or in the aggregate in 13 years over \$300,000,000 in rents to house the activities of the Government.

Private and corporate business own their own buildings. Why not the Government? Twenty million dollars annually expended for public buildings would have taken care of the demand and stopped the enormous rental expenditures. It is like perpetuating the public debt and paying far more in interest than the principal debt amounts to. Besides, you are breaking down representative government, saying to the people of the several States, "You shall not demand your rights through your representatives in Congress, but you must appeal with hat in hand to departmental officials for favors that you have a right to demand of Congress." They pay the taxes and they should have some say through their representatives as to the expenditure of public moneys.

I refuse to support any bill or measure so partisan in its nature and so antagonistic to the principles upon which our Government was founded and that invites support from favored sections and locations, failing to do justice to all sections, and that is so abject a surrender to the executive of a right wrung from reluctant royalty 300 years ago in old England, and reasserted time and again in our Republic of the United States. "Coming events cast their shadows before." Representative government is threatened by the ever-increasing executive power. The contest will go on between the followers of Jefferson, who believed in the right of the people to control the Government through a representative democracy, and those who follow the teachings of Hamilton, who did not believe that the people were capable of self-government and believed in a strong centralized Government.

Mr. WARREN. Mr. Speaker, this bill carries an appropriation of \$165,000,000. Of that amount \$50,000,000 is for the erection of public buildings in the District of Columbia and \$15,000,000 is for unfinished projects. The remaining \$100,000,000 is to be spent in the country at large, yet there are at least 20 States that will not receive any of it. A radical departure is made in the method of locating the cities where new buildings are to be erected. Under this bill the power of location is placed solely in the hands of the Secretary of the Treasury and the Postmaster General.

I would be opposed to this bill were it sponsored by a Democratic administration. It is an abject surrender on the part of Congress of a plain duty vested in it, and it is one of the last steps we can take in making centralization complete. We have become a Government of commissions and bureaus; and if Congress is as unpopular in the country as the press would have us believe, are we not responsible for that condition when we are continually abdicating every legislative function that we should jealously guard?

I know, Mr. Speaker, that it is not considered fashionable in this day and time to speak out against the trend that has almost engulfed us, but the Democratic Party loses its greatest opportunity when it fails to contest vigorously, inch by inch, this encroachment, and to smite it wherever it sticks up its head. And yet this bill is going to be possible to-day because of votes from my party, and because it contains a little sop

for uncompleted projects that would have to be included in any bill that we might pass on the subject. Oh, they say the old method of letting Congress itself locate the cities in which buildings should be erected is "pork." That is the age-old cry when a bureaucrat desires more power. "Pork" they call it, and yet there has not been a public building bill passed in the last 13 years. As was so pointedly stated by the minority leader, is there a Member here with temerity enough to arise and say that any building located in his district under the old system ought not to have been placed there?

Like many other districts, there are towns in mine that are needing and demanding public buildings. I claim that I know more about their needs and conditions than either the Secretary of the Treasury or the Postmaster General. At Edenton, a growing and thriving little city, the Government purchased a site in 1916. Congress committed itself to erect a public building there, and its citizens are both demanding and expecting it. In any omnibus bill passed by this Congress, so strong are the claims of Edenton that a building would have been assured. And yet, if the pending bill becomes a law, then we must supplicate ourselves before another bureau and beg it to do something that we passed the buck on. Of course, Mr. Speaker, I am one of those who will swallow my pride and go down there with hat in hand and beg for something that, as a matter of right, I am entitled to.

I do not know of any measure it gives me greater pleasure to vote against than this bill. It is repugnant to my ideas of government; and if I know myself, I shall not be found voting to surrender the rights that the American people expect us to exercise.

Mr. GREENWOOD. Mr. Speaker, while we have under consideration the expenditure of millions of dollars for the construction of public buildings in the District of Columbia and throughout the United States it seemed to me most appropriate to call my colleagues' attention to the building qualities of Indiana limestone. This natural stone has been used quite extensively, and because of its great merit for durability, artistic elegance, and economy will be used more in the erection of public buildings. Oolitic of finest quality is one of the great natural resources of Indiana, located in Lawrence, Monroe, and Owen Counties, and is known as Indiana limestone, and sometimes called "Bedford stone." It takes its name, oolitic, from two Greek words meaning egg and stone; the little shells of which it is composed resemble fish eggs. It is the product of an age when Indiana was a great inland sea and these tiny oysters or clams died by the millions and their shells were deposited in stratas from 40 to 75 feet in depth, and from which the great blocks of stone are now sawed and then taken to the mills, where it is sawed, sized, and dressed by diamond-toothed saws.

Limestone from Indiana is 97 per cent pure in carbonate of lime and has but a small proportion of silica, magnesia, and oxide of iron, and this gives it almost perfect resistance of corrosive gases and acids contained in city smoke-laden air. This is a most valuable quality for permanence in buildings. It is because of the workability, the permanence and pleasing appearance of this stone, that it has held the leadership among building stone wherever it is available at all.

Since we are now entering upon a much-needed program of public building, why not utilize the experience of the past, and use a material that will stand the test of the centuries? Builders of all time have discovered that oolitic limestone meets the requirements for durability. Beginning with the Pyramids of Egypt, the Temples of Karnak, Greek, Roman, and modern structures have been erected from this stone. St. Paul's Cathedral of London, built of English limestone is historic, beautiful, and venerated, and a great creation of architecture, yet this English limestone is but a poor second in quality to the deposits found in Indiana.

Here in our Capital City we have several public buildings and many beautiful residences that are testimonials of the value and beauty of this stone. The interior walls of our office buildings, the chamber of commerce, Veterans' Bureau, and many bank buildings, along with many residences are monuments of the perfection of Indiana limestone. Among the many residences of this city, on Massachusetts Avenue is the Wilkins residence now occupied by Mr. Mellon, Secretary of the Treasury; also the beautiful residence on Sixteenth Street offered by Mrs. Henderson for the use of the Vice President. There are many more.

On Mount St. Albans there is under construction the great cathedral, one of the dreams of George Washington, a national religious shrine. This is a proper memorial to the religious spirit of our country and is built for the ages. According to the booklet describing its plan and purposes, it is said to be built to stand 10,000 years. It is being built of Indiana lime-

stone, a material upon which the climate, weather, or the elements have a very little appreciable deteriorating effect.

I am much interested in this building program to know that our country shall obtain value received in the material and construction of these public buildings. Also that these structures shall have beauty and qualities of permanence. On North Sixteenth Street, in this city, stands the elegant Scottish Rite Temple, also erected of Indiana limestone. This is an attractive edifice, being outstanding in magnificence, and in the words of Wordsworth may be described—

Dull would be he of soul who could pass by
A sight so touching in its majesty.

In the business world are many specimens of buildings erected for commercial purposes that have put Indiana limestone at the top of the list as a permanent and economical material for construction. The Grand Central Terminal Station of New York City is one of the greatest building projects of modern times. It was George W. Vanderbilt, a director, who became so interested in Indiana limestone as a building material in connection with this station, that he also erected his New York residence, named Biltmore, out of the same material. I can not recount all, but a few commercial buildings are the Cunard Building, Standard Oil Building, New York Cotton Exchange, and in Chicago is the Tribune Building, the Strauss Building, and the University Club. Of the 12 reserve banks 7 are housed in buildings constructed of Indiana limestone, and in one other it is used in connection with other material.

There are five State capitols constructed of Indiana limestone, including the one at Indianapolis, in the State where mother nature bestowed the blessing and material resource of this deposit of stone.

The capitol of Indiana was erected about the year 1880 at an approximate cost of 80 cents a cubic foot, and it is an outstanding circumstance that the same kind and quality of stone would cost no more to-day, and this in face of the facts that labor costs, freight, machinery, and all overhead charges have increased many times. The increased charges have been offset by the improvements in machinery and facilities to quarry, handle, saw, and dress this stone with an increased output that has taken care of these increases of cost. Thus the employees and the public get the benefit of these improvements of discovery, invention, and efficient management.

The aggregate output of these Indiana quarries is approximately 11,000,000 cubic feet, at an average cost of 65 cents per cubic foot, making a total annual value at the quarries of \$7,000,000, and to which should be added for milling and shaping a cost of from \$2 to \$6 per cubic foot. There is much fine carving of stone that can not be calculated by the cubic foot. Indiana furnishes about 40 per cent of all exterior building stone in the United States. And this is another good and sufficient reason why the Representatives from Indiana believe that we should have a building program for the construction of Government buildings. We desire the public buildings to be erected of a material that will stand with good appearances. In the centuries that are to come they will be the monuments of this age. Of course, granite is as permanent and marble is as beautiful, and we admire these materials, but bear in mind they are much more expensive. With Indiana oolitic stone a century is more like a year to the softer stones and imitations that are being mistakenly used.

Think of a building stone that is thirty-five times as strong as is necessary to bear the load. Indiana Limestone has a strength of 7,000 pounds per square inch on 2-inch cubes, and more on larger stone, and this is twice the strength of the best quality of concrete. Washington's Monument has a pressure of but 313 pounds per square inch on its foundation, and Indiana limestone is possessed of twenty-three times the strength required in this monument, which is conceded to be the highest and greatest piece of solid masonry in the world.

Indiana limestone has great fire-resisting qualities. It can be heated to 1,000° F. and then drenched with water without any appreciable bad effect, and when stained by smoke or by smoke and water, can easily be restored to its original color by scouring and rubbing.

Oolitic limestone comes in three colors. The buff is of fine texture and used extensively. After standing a while it assumes a beautiful yellowish gray and continues to mellow with the years. This color comes from the upper strata of the ledge. At the lower portion of the ledge the gray limestone with depth of tone in the silvery hazy gray shade, which is also pleasing to the eye. Between these two extremes, and mixed with both, is the variegated limestone, which is also now being used extensively, depending upon the tastes of the builder and the nature of the building.

It seems a great pity that substitutes and imitations should be used when the Creator has given to man building material of rare beauty and permanence that has been under the tempering processes of the forces of nature for untold ages, and which can not be approached by man's mechanical processes.

Let the age in which we live be wise enough to avoid the mistakes of our fathers in building public buildings out of softer and inferior material, that will not stand. When we examine the original portions of the Capitol and the White House, and with remorse know they are but a trifle over a century in age, and see their deterioration, we appreciate what a disappointment it is that they were not constructed of granite, marble, or limestone. To oolitic limestone and the harder stones in comparison a century is more like a year to the softer stones. Indiana limestone was intended for the ages; it is the Nation's building stone.

Solomon in all his glory, when he built the temple, had no material superior, and most of it not so good, as what we have available to-day. Egyptian limestone contained chemical elements that reduced its resistive quality to moisture and acid-laden atmospheres. Yet the Great Sphinx, the Pyramids of Gizeh, the Sun Temple of Abusir, and the Temples of Karnak have been standing for thousands of years and are built out of limestone. The tomb of the Pharaoh Tut-an-kh-amen is cut in the solid ledge of limestone; though inferior to Indiana limestone, it has preserved the buried treasure for 3,500 years. The purity of Indiana limestone makes it practically immune to the action of the frost, moisture, and other climatic and destructive elements.

I am for this public buildings bill because I see the Government departments here in the Capital and elsewhere scattered through houses that are unsightly, unhealthy, void of convenience and beauty, and which subject the life of employees and the public records to the hazard of fire. We are reputed to be the richest nation in the world and are engaged in constantly reducing taxes on the incomes in the higher brackets.

It strikes me that in this golden age of commercial supremacy, when gigantic fortunes are being accumulated, that the government which furnishes the protection, stability, and opportunity to this material progress should not be neglected and abandoned until its activities are more poorly housed than those of the private beneficiaries of America's material blessings. Furthermore, our Government is paying out immense sums for rent and getting poor returns for the money. We are sadly in arrears on our Government housing, and I approve the proposed program continued through the years. These buildings should be built where they are most needed and where the income, return, and service will justify. I believe that this is an administrative function rather than a legislative one.

In this connection we might emphasize that this money spent will not only secure these necessary housing facilities, but the money spent will not be lost if American materials are used and American labor is employed. It will furnish employment in the quarries, the mills, the railroads, and on the construction, and will thereby be a clear accumulation of productive wealth. The spending of money for buildings that are needed to conduct the activities of our Government is a production of permanent value and wealth. The Government, like the people, should be well housed.

Indiana hopes to share in this great building project and wants to contribute of her natural resources to help enrich the Nation and also increase the comfort and happiness of her own people thereby. We can not believe that this is an unholy desire.

If these public buildings are constructed by virtue of the so-called Elliott bill, which I supported, then they should be built of a material of strength, durability, and beauty. To have all the elements of successful construction, to meet the requirements of not only this age but the future generations, to obtain the satisfaction of having buildings of which we can always be proud as to looks and permanence, and to do this at a reasonable cost, in which value is received for the expenditure, I would recommend that these Government buildings be constructed of Indiana limestone, the Nation's building stone.

Like the Constitution of the United States, we want to erect our buildings for the ages, and we can build the Nation securely and permanently with Indiana limestone in the Government's buildings. Indiana limestone is "The aristocrat of the building materials," and in the short space of one-half a century has become the Nation's building stone.

Mr. THATCHER. Mr. Speaker and gentlemen of the House, I earnestly favor the passage of the bill now under consideration, entitled "A bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes."

I desire to indicate a few of the reasons why I am supporting this measure.

First. There have been no new public buildings erected for the past 10 years or more, and the great increase and extension of governmental activities—especially in postal operations—render imperative the need for the immediate enactment of a measure which will inaugurate a public-buildings program. This bill meets this situation.

Second. The methods provided for in this bill are similar to those now in effect as to river and harbor improvement. Certainly the present procedure as to river and harbor improvement is vastly superior to the old so-called "pork-barrel" plan, where Congress alone dealt with the subject. Of course, as no human device can be altogether ideal, the present measure, if enacted into law, may not prove ideal; yet I believe that it will constitute a great improvement over the old system. The determination of the relative needs concerning the construction of new Treasury and Post Office buildings should be largely an administrative matter; and the Secretary of the Treasury and the Postmaster General, in the very nature of the case, are in better position to determine which are the more emergent needs than are any other officials of the Government. This for the reason that their supervision and contact with Treasury and postal operations give them the intimate and constant touch so necessary to a wise decision in such matters.

Third. By the provisions of this bill Congress does not surrender its power or jurisdiction over the subject involved. By these provisions Congress only delegates a certain portion of its power to these Cabinet officials, and makes this delegation for the reasons just indicated, as well as for other related reasons. In the last analysis Congress must make the appropriations necessary to carry out the provisions of this act, and thus retains the power of approval and supervision which has always been inherent in Congress in dealing with this subject.

Fourth. Judging by the experience of the past 10 years, it is practically impossible to secure any public buildings bill of any adequate character under the old system. The plan embraced in the pending measure is certainly worthy of a trial. If the authority delegated by this act to the administrative officials involved should be abused, Congress can repeal or modify the act. The determination of where a public building is most needed is an administrative rather than a legislative function, though under this bill, in its practical effect, it is made a joint legislative and administrative function.

Fifth. The bill authorizes an expenditure of \$165,000,000 for a public-buildings program to extend through the ensuing five years, \$50,000,000 of which shall be available for projects in the District of Columbia, not more than \$10,000,000 thereof to be expended annually. The remaining sum of \$150,000,000 thus authorized is for construction of buildings in the country outside of the District of Columbia, and will be expendable at the rate of not exceeding \$25,000,000 per year. Section 1, which outlines the general scope of the bill, is as follows:

That, to enable the Secretary of the Treasury to provide suitable accommodations in the District of Columbia for the executive departments, and independent establishments of the Government not under any executive department and for courthouses, post offices, immigration stations, customhouses, marine hospitals, quarantine stations, and other public buildings of the classes under the control of the Treasury Department in the States, Territories, and possessions of the United States, he is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, such sites and additions to sites as he may deem necessary, and to cause to be constructed thereon, and upon lands belonging to the Government conveniently located and available for the purpose (but exclusive of military or naval reservations), adequate and suitable buildings for any of the foregoing purposes, and to enlarge, remodel, and extend existing public buildings under the control of the Treasury Department, and to purchase buildings, if found to be adequate, adaptable, and suitable for the purposes of this act, together with the sites thereof, and to remodel, enlarge, or extend such buildings and provide proper approaches and other necessary improvements to the sites thereof. When a building is about to be constructed on a site heretofore acquired and such site is found by the Secretary of the Treasury to be unsuitable for its intended purpose, he is hereby further authorized and empowered to acquire a new site in lieu thereof by purchase, condemnation, exchange, or otherwise, and to dispose of the present site by public sale and to execute the necessary quitclaim deed of conveyance: *Provided*, That in carrying into effect the provisions of this act, in so far as relates to buildings to be used in whole or in part for post-office purposes, the Secretary of the Treasury, under regulations to be prescribed by him, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed and the selection of sites therein.

The Secretary of the Treasury is authorized to carry on the construction work herein authorized by contract, or otherwise, as he deems most advantageous to the United States, and in case appropriations for projects are made in part only, to enter into contracts for the completion in full of each of said projects.

In all cases where the construction of buildings in the District of Columbia, under the provisions of this act, requires the utilization, in the opinion of the Secretary of the Treasury, of contiguous squares as sites thereof, authority is hereby given for closing and vacating such portions of streets as lie between such squares and such alleys as intersect such squares, and the portions of such streets and alleys so closed and vacated shall thereupon become parts of such sites.

Sixth. The bill fully conforms to the Federal Budget system now in force. Section 4 provides as follows:

The Secretary of the Treasury shall submit annually and from time to time, as may be required, estimates to the Bureau of the Budget, in accordance with the provisions of the Budget and Accounting Act, 1921, showing in complete detail the various amounts it is proposed to expend under the authority of this act during the fiscal year for which said estimates are submitted.

In turn, the Bureau of the Budget will submit to Congress these estimates in the usual way; and in the usual way they will go to the Appropriation Committees for consideration and for action thereon.

Seventh. Under the existing order of things there must be a special bill authorizing the appropriation of funds for the construction of any new Federal building, or a bill of omnibus character embodying in detail the authorizations for new Federal buildings. The pending bill obviates this necessity and permits the Secretary of the Treasury to initiate the work of providing for new construction as set forth in section 1, just quoted. Thereupon, Congress, agreeably to the provisions of this act, may provide, in the accustomed manner, for the necessary appropriations for such work. Thus is provided a quick and salutary method of handling a public building program.

Eighth. A commendable feature of the act is carried in the last paragraph of section 5. This paragraph reads as follows:

In carrying into effect the provisions of this act, if the Secretary of the Treasury deems it to be to the best interests of the Government to construct Federal buildings to take the place of existing Federal buildings, he is hereby authorized to cause the present buildings to be demolished, in order that the sites may be utilized in whole or in part for such buildings, or where in his judgment it is more advantageous to construct a Federal building on a different site in the same city, to sell any such building or buildings and the site or sites thereof, at such time and on such terms as he deems proper, and to convey the same to the respective purchasers thereof by the usual quitclaim deed, and to deposit the proceeds of the sales thereof in the Treasury as miscellaneous receipts.

By the provisions of this paragraph the Secretary of the Treasury will be enabled to make sale of present post-office and other Federal structures where, for reasons of greatly increased real-estate values and inadequacy of accommodations for Federal activities, such sales are desirable, and the purchase of new sites and the construction of new and adequate buildings thereon shall become necessary.

There are a number of places in the country at large where public buildings have become grossly inadequate because of greatly increased Federal activities; and where the present sites and structures, because of greatly increased real-estate values, may be sold at much more than the original cost thereof, and new sites and new and adequate structures erected at substantially the same amounts as will be thus derived from such sales. One of these places is Louisville, Ky., and this is cited as an instance in point.

The post-office building at Louisville is situated on Fourth Street, which is the principal retail street of the city. Real-estate values on this street have rapidly increased during the past several years, and this structure and the land on which it stands can be sold at a very high price—much more than the original cost to the Government. The present building is antiquated and wholly inadequate to meet the greatly increased demands imposed by present-day Federal activities at Louisville. Thus, the Federal Government is paying out more than \$60,000 a year in rentals there for the housing of the Veterans' Bureau regional office, the parcel-post station, and other activities. This rental sum capitalized at 4 per cent would result in a capital of one and one-half million dollars.

All of the Federal activities at Louisville, with the exception of the outlying postal stations—whose locations are determined by geographical and service considerations—should be housed in a single building. Thereby overhead or administrative costs will be saved, not to speak of the heavy rental costs involved by

separated activities. The present Federal building at Louisville, and the site on which it stands, will bring upon sale something between two and three millions of dollars. I recently filed with the Secretary of the Treasury a written upset offer for this property made by the Fidelity & Columbia Trust Co., of Louisville, one of the leading financial institutions of the South, of \$2,000,000. This offer binds the trust company to purchase this property at this sum any time during the period of six months from the recent date of its filing, if the Government elects to accept it. On the other hand, the Government is not bound by the offer. It was made because the retail and shopping interests of Louisville would like to have this site utilized for strictly business purposes. In all probability the property will, if sold, yield a figure of more than \$2,500,000. All near-by property on this street indicates that this valuation of the Federal property is not too high.

The Treasury Department, after a careful investigation of the situation, estimates that a new site can be purchased and a new Federal building can be erected at Louisville for the total cost of \$2,600,000. Such new building would be conveniently located—though on a cheaper site—and would be sufficiently commodious to house all of the Federal activities there, including the Federal courts, and thoroughly sanitary in all respects. I recently introduced at this session a bill entitled "A bill for the purchase of a site and erection thereon of a public building at Louisville," known as H. R. 6517.

This bill authorizes the Secretary of the Treasury to sell the present post-office building and site, and to acquire a new site, and to erect thereon an adequate structure to provide therein for all of the necessary Federal activities in Louisville, at a limit of cost not to exceed \$2,600,000. This bill is now pending before the House Committee on Public Buildings and Grounds. If the general public buildings bill, now under consideration by Congress, becomes a law, the Secretary of the Treasury will have the authority to act administratively as regards the Louisville situation; and will have the power to sell the present post-office property and to acquire a new site and build thereon a new and adequate structure. It is believed that the sale of the present property will fully pay the cost of a new site and structure. What is said of the Louisville situation is also true of situations of like character in other cities of the country. The Secretary of the Treasury, of course, will have to be governed by what these situations seem to require; but he can deal with them in a direct way, because by the terms of the bill they become administrative matters. Thus, will be simplified questions of this character, and thus will be obviated the necessity for consideration by Congress and its committees of special bills dealing with such situations where there is practically no net outlay to the Government involved.

These are some of the reasons why I am supporting the bill under consideration. I believe that it is possible to enact this measure into law at this session; and I do not believe that it will be possible to enact any different kind of measure providing for a public-buildings program at this session. The work of constructing new public buildings should begin at the earliest possible moment. The enormous total of rentals which the Government is now paying because present Federal buildings are wholly inadequate to house governmental activities renders the immediate inauguration of a comprehensive building program a matter of the strictest economy.

I trust and believe that this measure will soon be enacted into law.

Mr. LOZIER. Mr. Speaker, I regret that I can not consistently support the pending measure, known as the Elliott or administration public buildings bill. It is being forced through the House under a suspension of the rules, which only permits 50 minutes' debate, 25 minutes on each side, which, as everyone knows, is practically no debate at all, considering the fact that the bill authorizes an expenditure of \$165,000,000 for public buildings within the next six years. As the 25 minutes for debate allotted to the opponents of this measure was consumed or controlled by members of the Public Buildings Committee, I will avail myself of the right given Members to extend their remarks and to state therein their views on this legislation.

The present bill is the worst "pork barrel" measure ever passed by the Federal Congress, because it makes no provision for any public buildings in Missouri and 19 other States, mostly in the Middle West.

It authorizes the expenditure of \$165,000,000 in the next six years, but \$50,000,000 of this amount must be expended in the District of Columbia, and the remaining \$115,000,000 is to be spent in the big cities in 28 States. Of this last amount, \$72,000,000 will be expended in six States. So this is not a nation-wide public buildings bill, but in the last analysis is a

project to enable a few big cities and a half dozen States to "hog" all the building funds of the Government for the next six years.

I can scarcely find words to express my contempt for this obnoxious and discriminatory measure. It takes public funds, collected by taxation in 48 States, and spends the major portion of these funds in 6 States, and denies 20 sovereign States any participation in the public-buildings program for the next six years. As a result of this bill a few great cities in a few States will monopolize the \$115,000,000 to be expended outside the District of Columbia. This bill is not fair to my district. It is not fair to any district in the State of Missouri. It is not fair to my State. It is not fair to 20 great sovereign States, in each of which the need for public buildings is as great as in the six States where this enormous fund is to be expended.

As a business proposition, and from the standpoint of economy, the Government should adopt a public-buildings program. According to the testimony of First Assistant Postmaster General John H. Bartlett, at the present time we are occupying 1,171 Government buildings and 4,720 leased buildings. The total rentals paid by the Government on these leased buildings amounts to about \$25,000,000 annually. This rental represents more than 4 per cent interest on \$600,000,000, while with about \$200,000,000, the Government could own public buildings and get rid of a rental of \$25,000,000 each year, and which rental is rapidly increasing from year to year.

The rent the Government is now paying on leased buildings will in eight years amount to a sum sufficient to construct Government buildings in practically every city in the United States where the postal receipts equal or exceed \$10,000 annually.

I do not favor expensive, monumental buildings, but advocate practical commercial or utilitarian structures sufficient to supply the needs of a community. Instead of spending \$100,000 for a monumental building in one city it would be better business to divide this sum among four cities, giving to each a building with sufficient space, light, and equipment to serve the public needs without wasting public money in extravagant ornamentation. Those engaged in industry and commerce erect structures for service and not for display. I think the Government should pursue this policy, and by so doing the Federal activities throughout the Nation can be comfortably housed and millions of dollars rental saved each year.

This bill is not based on a sound and wholesome policy. It represents a radical departure from the fundamental principles of our Government. It affords convincing evidence that we are drifting rapidly toward a bureaucratic form of government. It confers on Cabinet officers powers that our constitutional fathers would never have consented to vest in administrative officers. It stretches our organic law far beyond the breaking point. It rashly ignores and rudely defies the wise and wholesome checks and balances in our Federal Constitution which equalize and adjust with wonderful precision the respective powers of our legislative and executive departments.

George Washington, James Madison, and Alexander Hamilton would have been astounded and shocked beyond expression had such a proposition been suggested to them when they were formulating our Federal Constitution. The policy reflected in this bill is contrary to the spirit and genius of our institutions. It goes far beyond any of the implied constitutional powers on which Chief Justice Marshall bottomed his decisions which transformed a confederation of States into a strong National Government.

By this bill, Congress, one of the three coordinate branches of our Government, basely abdicates its constitutional functions and with unprecedented servility transfers to a Cabinet officer powers which the Constitution expressly conferred on the legislative branch of our Government.

Under our Constitution, we have three distinct and entirely separate departments of Government, the executive, the legislative, and the judicial. The Constitution confers certain specific powers on each department and protects each department in the exercise of its powers and from encroachment by either of the other departments. It is unthinkable that the executive powers should be usurped by either the legislative or judicial departments; or that the powers of the judiciary should be exercised by the executive of the legislative departments; or that the constitutional powers of the legislative department should be usurped by either the executive or judicial branches of our Government; and no man is a good citizen who justifies or advocates the encroachment by either one of these departments on the constitutional prerogatives of either of the other departments.

This bill drops into the hands of the Secretary of the Treasury \$150,000,000 to spend in a few favored cities and States with practically no limitations or restraints. The principle embodied in this bill is that Congress shall levy and collect taxes and turn the proceeds over to a Cabinet officer to spend when and where he may deem proper. If this becomes a national policy, Congress will soon be called upon to turn over to the Cabinet officers funds sufficient to defray the governmental expenses for a year, to be expended by the Cabinet officers when, where, and how they may determine, without restraint or limitation.

Not one-fourth of the Members of this House favor this bill deep down in the secret recesses of their souls, but are privately opposed to this bill because it embodies a vicious principle.

Those who have this bill in charge tell us that we must take this bill or nothing, and that the President has announced that he will veto any other bill Congress may, in its judgment, enact. Since when, under our form of government, has the President been clothed with such autocratic and arbitrary powers? This bill gives my district nothing, although the project in Trenton, a city of 8,000 population, has been long approved, and where the Government has owned a lot for 16 years.

This bill gives nothing to any city in my district and nothing to any of the other districts in Missouri. It gives nothing to the States of Arizona, Colorado, Delaware, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Vermont, Washington, or Wyoming—20 States in each of which there is great need for post-office buildings and in many of which there are numerous approved projects.

In the last analysis this is a bill to enable a few large cities to "hog" the funds appropriated for the erection of public buildings for the next six years. You Members from the rural communities, from the rapidly developing South, from the great Middle West, and from the Pacific coast, lay not the flatteringunction to your souls that your district will get any part of the \$115,000,000 to be expended outside of the District of Columbia under the provisions of this bill within the next six years, because the so-called approved projects in a few favored States will more than consume the funds carried by this bill.

If the constitutional powers of Congress are to be transferred to and exercised by Cabinet officers, then tear our Constitution to tatters, abolish Congress, and establish a bureaucratic form of government. If the Cabinet officers are to be given full power to spend the revenues raised by taxation, why not give these same Cabinet officers power to levy and collect the taxes which they are permitted to expend in their discretion? If Congress is to be shorn of all of its powers, there is no longer any excuse for its existence, and it should be abolished and the American people should pass under the rule of a benevolent despot. Why retain Congress after the Executive branch of our Government has usurped the substance and left only the shadow of its legislative power?

If the emasculation of our Federal Constitution continues; if the executive department continues to encroach on the prerogatives of the legislative branch of our Government, in no distant day some President of the United States will follow the example of Louis XIV, who in hunting costume, booted and spurred for the chase, with riding whip, entered the French Parliament and arrogantly informed the members that he sent his decrees to Parliament to be registered and not to be discussed or debated.

I appeal to the Members of this House to vote against this pernicious bill that strikes at the orderly administration of constitutional powers, renders impotent one of the coordinate branches of our Government, and violates the letter and spirit of our organic law.

Mr. MORROW. Mr. Speaker, public building bill H. R. 6559 places the selection of locations where public buildings shall be built in the hands of two members of the Cabinet; the Secretary of the Treasury and the Postmaster General.

At the first glance it would appear that this was in the interest of the economical policy of the Government by placing this power in the hands of officials who had to do with the expenditures on the one hand and the necessities for public buildings for the convenience and accommodation of the citizens on the other hand. Could this principle be carried forward successfully under this bill, to meet the two above-mentioned conditions, then this bill would be directly in the interest of the public. However, under political conditions and manipulations in use to-day, such results can not be expected.

In the humble opinion of the Representative whose State will not receive one penny from this measure, it demonstrates again the growing power of bureaucracy in government. That is, that Congress no longer controls the expenditure of public money or the policy of the Government, but the functions of government are becoming more and more concentrated in the heads of the departments, and instead of being carried out as a function of government, and in the interest of all the people, the policy of the Government is now being exercised for some of the people, and those that the Government through its bureau heads shall select.

There could be no criticism of a public building bill that presented upon its face that the \$100,000,000 to be expended would be expended in the proportion that each State should be entitled to. All the States must bear the burden necessary to repay the expenditures; then the question arises, Why impose this burden upon all in what is called a public building bill when, in fact, it is a bill to take care of the Government buildings in the District of Columbia and those centers where the congressional delegation has the votes to carry the program through Congress.

Of the bills introduced for post-office buildings in New Mexico, the receipts of each were as follows for the calendar year 1925: Clovis, \$29,332.82; Silver City, \$20,311.52; Deming, \$16,756.18; Gallup, \$28,180.90; Tucumcari, \$15,154.83; Las Vegas, \$26,564.64; and Raton, \$30,884.34. New Mexico has had erected Federal buildings at Las Cruces, Albuquerque, Raton, Roswell, and Santa Fe. Three of these buildings are now inadequate and are demanding increase in size to meet the public necessities.

Indeed, it is enlightening to observe that the question of politics, whether it violated the question of necessity or not, is injected into this proposition to the extent that six States draw down \$72,000,000 of the \$100,000,000 to be appropriated under this act. The six States that I refer to are New York, which will receive \$21,170,000; Illinois, which will receive \$15,530,000; California, which will receive \$10,365,000; Massachusetts, which will receive \$9,565,000; Pennsylvania, which will receive \$9,260,000; and Connecticut, which will receive \$6,530,000. Now, mind you, six States are to get \$72,420,000 of the proposed \$100,000,000.

The talk of pork barrel upon the floor of the House has peculiar significance when it is seen that these six States furnished most of the votes necessary to pass the legislation and they get the pork in return. There can be little argument used against the building of public buildings in the congested centers of the country to relieve a bad situation, but to say that the bill should be confined to what is termed a general public building bill, and to have all the money spent in a few selected localities, the bill upon its face belies the title under which it is presented.

I want to quote a paragraph from the remarks of the chairman of the committee in his discussion of the bill on the floor of the House:

Here is the situation with which we are confronted in the matter. It is either this bill or an old-fashioned pork barrel bill of \$250,000,000, if you put enough pork in it to pass it, or nothing at all. That is the proposition. If you read the President's Budget message, you must know what he would do with an old-fashioned pork barrel bill. Consequently you will know what will be the end of that.

If \$250,000,000 would have taken care of the needs of the Government throughout the United States, would it not have been much fairer, and in the end just as economical, to have brought in a measure with that figure and say this will be spent under proper supervision of the Government, and all present needs of public buildings will be met by such appropriation, and that each State will receive its proportionate share of same as the necessity is determined.

Mr. Speaker, this legislation, in my humble judgment, speaks special interest, and is in the interest of a certain class and certain localities of the country at the expense of all of its citizens; clearly class legislation and with the purpose of giving the dominant party the right to grant special privileges upon some of the citizens in the manner that it desires, and to use the same for political purposes at its dictation.

This Nation is not a nation for New York, Pennsylvania, and Connecticut, but it is a nation of 48 States of equal rights and equal privileges in proportion to their contribution to government, and should be so treated in legislation. Legislation of this class is what tends to cause a feeling of distrust between certain parts of the country. It should not be the East against the West, nor the East against the South and the West, as this bill apparently savors of that flavor.

The time is not far distant when the South and West might easily combine and put over a building bill which would care

for the needs of the public. If great necessity exists for public buildings in Washington and some of those heretofore carelessly built and poorly arranged are to be junked and discarded may be true, but the same necessity also exists in some of the States entirely forgotten in this public building bill just passed by this body, and I predict that this bill will be rebuilt in the other body of this Congress.

Mr. LANHAM. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, if I may, I wish to respond first to the remarks of my friend from Connecticut [Mr. TILSON] and say that his is one of those States mentioned by the gentleman from Texas that will obtain something out of this bill. [Applause.] The same thing is true as regards Massachusetts and as regards New York.

Now, Mr. Speaker, let us have clearly in mind what the exact parliamentary situation is. We are asked to vote to suspend the rules and pass this bill. That means that there is to be no opportunity for amendment, not even the poor opportunity of a motion to recommit the bill. Some Members may lack confidence in the wisdom of the Congress; some may feel that they are not able properly to select the places in their districts at which buildings should be constructed. But I do not think they ought to bind us who do feel able to do it by preventing at least an opportunity to amend or certainly one poor little motion to recommit. [Applause.]

The truth is, notwithstanding all of the sophistry that has been indulged here, this is an abdication of power by the Congress. [Applause.] It is an extension of bureaucracy. [Applause.] Why, this Committee on Public Buildings and Grounds is cutting its own throat to-day. What use will there ever be for a Committee on Public Buildings and Grounds hereafter? [Applause.] Gentlemen say that the bills of the past have been pork-barrel measures. What mistake has been made in the past? What gentleman is ready to rise here and say that there has been a building constructed in his district that ought not to have been constructed there? [Laughter and applause.] Where has the error been committed? Ah, gentlemen, you know, of course, that the passage of this bill means that in the future, no matter what the political complexion of the Secretary of the Treasury or of the Postmaster General may be, under such limited powers as are given to the Postmaster General, the individual Member must go hat in hand and appeal for that as a favor which he can have now as a right if he choose to exercise that right. [Applause.] It does seem to me—and I address this particularly to Members on my own side of the Chamber—that you ought to be willing to vote down this motion to suspend the rules and at least let this bill be further considered by the committee, to the end that there may be an opportunity to amend either by amendment on the floor or at least by a motion to recommit. [Applause.]

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, this debate upon the part of some of the Members of this House has reminded me a great deal of a moon-eyed horse we used to have that was eternally shying at things under the fence that were not there. [Laughter.] One of the propositions they seem to be worrying about in this bill is that we have allocated all of this \$100,000,000 to a few States in the United States. We have allocated nothing to anything, except the whole United States. [Applause.] The fact is that this \$100,000,000 will be allocated from time to time to the different parts of the United States over a period of seven and a half years. We may have another Secretary of the Treasury or two Secretaries of the Treasury, or, God forbid, we might even have a Democratic administration in that time. Which all goes to show that this story that this money is already allocated is simply poppycock. It can not be done under the terms of this bill at this time.

Mr. Speaker, I have been a member of this Public Buildings and Grounds Committee for almost nine years. When I went on the committee I went to the foot of the table, and now I am at the head of it; and I am the only man on that committee who was here at that time. I have seen two chairmen of that committee come and go who were absolutely wedded, boots, body, and breeches, to the old pork-barrel system, and yet during all of that time how many bills have they brought out, brought before this body, and gotten passed by the Congress? Not one.

Here is the situation with which we are confronted in the matter. It is either this bill, an old-fashioned pork-barrel bill of \$250,000,000, if you put enough pork in it to pass it, or nothing at all. That is the proposition. If you read the President's Budget message, you must know what he would do with an old-fashioned pork-barrel bill. Consequently you will know what will be the end of that. [Applause.]

The SPEAKER. The gentleman's time has expired. All time has expired. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill as amended.

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

Mr. LANHAM. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 263, nays 120, answered "present" 1, not voting 47, as follows:

[Roll No. 35]

YEAS—263

Abernethy	Elliott	Kincheloe	Rubey
Ackerman	Ellis	Kindred	Sabath
Adkins	Esterly	King	Sanders, N. Y.
Aldrich	Evans	Kopp	Sandlin
Allen	Fairchild	Kunz	Scott
Anthony	Faust	Kurtz	Seger
Appleby	Fenn	LaGuardia	Shreve
Arentz	Fish	Lampert	Sinnott
Arnold	Fisher	Lea, Calif.	Smith
Ayres	Fitzgerald, Roy G.	Leatherwood	Smithwick
Bacharach	Fitzgerald, W. T.	Leavitt	Snell
Bachmann	Fort	Lehbach	Somers, N. Y.
Bacon	Foss	Letts	Sosnowski
Bailey	Frear	Lindsay	Sproul, Ill.
Barbour	Free	Little	Sproul, Kans.
Barkley	Freeman	Lyon	Stedman
Beedy	French	McFadden	Stephens
Beers	Frothingham	McLaughlin, Mich.	Stevenson
Begg	Fuller	McLeod	Stobbs
Bixler	Funk	McSweeney	Strong, Pa.
Black, N. Y.	Gallivan	MacGregor	Strother
Bland	Gardner, Ind.	Magee, N. Y.	Sullivan
Bowman	Garrett, Tex.	Magee, Pa.	Swartz
Boylan	Gifford	Magrady	Sweet
Brand, Ohio	Glynn	Major	Taber
Briham	Golder	Mapes	Taylor, Colo.
Browne	Goodwin	Martin, Mass.	Taylor, N. J.
Brumm	Gorman	Mead	Taylor, W. Va.
Buchanan	Graham	Menges	Temple
Burdick	Green, Iowa	Merritt	Thatcher
Burtiness	Greenwood	Michaelson	Thayer
Burton	Griest	Michener	Tilson
Butler	Griffin	Miller	Timberlake
Campbell	Hadley	Mills	Tinkham
Canfield	Hale	Montague	Tolley
Carpenter	Hall, Ind.	Mooney	Treadway
Cars	Hall, N. Dak.	Moore, Ohio	Underhill
Celler	Hardy	Moore, Va.	Updike
Chalmers	Haugen	Morgan	Vaile
Chindblom	Hawes	Morin	Vestal
Christopherson	Hawley	Murphy	Vincent, Mich.
Clague	Hayden	Nelson, Me.	Voigt
Cleary	Hersey	Nelson, Wis.	Wainwright
Cole	Hickey	Newton, Minn.	Walters
Collier	Hill, Md.	Newton, Mo.	Wason
Connery	Hogg	O'Connell, R. I.	Watres
Cooper, Ohio	Holaday	O'Connor, La.	Watson
Corning	Hooper	Oliver, N. Y.	Weaver
Coyle	Houston	Parker	Wefald
Crosser	Howard	Parks	Welsh
Cullen	Hudson	Perkins	Wheeler
Curry	Hudspeth	Phillips	White, Me.
Darrow	Hull, Morton D.	Porter	Whitehead
Davenport	Irwin	Jenkins	Whittington
Dempsey	Jenkins	Pratt	Williams, Ill.
Denison	Johnson, Ill.	Purnell	Williamson
Dickinson, Iowa	Johnson, Ind.	Quayle	Wilson, La.
Dickstein	Johnson, S. Dak.	Ragon	Winter
Douglass	Kahn	Ramseyer	Wolverton
Dowell	Kearns	Ransley	Wood
Doyle	Keller	Rathbone	Woodruff
Drane	Kelly	Reece	Woodrum
Drewry	Kerr	Reid, Ill.	Wurzbach
Driver	Ketcham	Robson, Ky.	Wyant
Dyer	Kiefer	Rogers	Zihlman
Eaton	Kiess	Rowbottom	

NAYS—120

Allgood	Davis	Johnson, Tex.	Oldfield
Almon	Deal	Johnson, Wash.	Oliver, Ala.
Andresen	Dickinson, Mo.	Jones	Peery
Aswell	Dominick	Kemp	Pou
Auf der Heide	Doughton	Kvale	Quin
Bankhead	Edwards	Lanham	Rainey
Beck	Eslick	Lankford	Rankin
Bell	Fletcher	Larsen	Rayburn
Berger	Fulmer	Linthicum	Reed, Ark.
Black, Tex.	Furlow	Lowrey	Romjue
Blanton	Gambrill	Lozier	Rutherford
Boles	Garber	McClintic	Sanders, Tex.
Bowling	Garner, Tex.	McDufle	Schafer
Brand, Ga.	Garrett, Tenn.	McKeown	Schnieder
Briggs	Gasque	McLaughlin, Nebr.	Sears, Fla.
Browning	Gilbert	McMillan	Sears, Nebr.
Bulwinkle	Green, Fla.	McReynolds	Shallenberger
Busby	Hammer	McSwain	Speaks
Byrns	Hare	Manlove	Steagall
Cannon	Harrison	Mansfield	Strong, Kans.
Carter, Okla.	Hastings	Martin, La.	Summers, Wash.
Chapman	Hill, Ala.	Milligan	Swank
Collins	Hill, Wash.	Montgomery	Swing
Colton	Huddleston	Moore, Ky.	Taylor, Tenn.
Connally, Tex.	Hull, Tenn.	Morehead	Thomas
Cooper, Wis.	Jeffers	Morrow	Thompson
Crisp	Johnson, Ky.	Nelson, Mo.	Thurston

Tillman	Underwood	Vinson, Ky.	Williams, Tex.
Tucker	Upshaw	Warren	Wingo
Tydings	Vinson, Ga.	White, Kans.	Wright

ANSWERED "PRESENT"—1

Simmons

NOT VOTING—47

Andrew	Davey	Lee, Ga.	Rouse
Bloom	Flaherty	Lineberger	Sinclair
Bowles	Fredericks	Luce	Spearling
Box	Gibson	Madden	Stalker
Britten	Goldsborough	Norton	Summers, Tex.
Carew	Hoch	O'Connell, N. Y.	Swoope
Carter, Calif.	Hull, William E.	O'Connor, N. Y.	Tincher
Connolly, Pa.	Jacobstein	Peavey	Vare
Cox	James	Perlman	Weller
Cramton	Kendall	Prall	Wilson, Miss.
Crowther	Knutson	Reed, N. Y.	Yates
Crumpacker	Lazaro	Robinson, Iowa	

So, two-thirds having voted in favor thereof, the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Madden and Mr. Vare (for) with Mr. Simmons (against).
 Mr. Crumpacker and Mr. Connolly of Pennsylvania (for) with Mr. Peavey (against).
 Mr. Reed of New York and Mrs. Norton (for) with Mr. Goldsborough (against).
 Mr. Bloom and Mr. Jacobstein (for) with Mr. Cox (against).
 Mr. Cramton and Mr. O'Connell of New York (for) with Mr. Wilson of Mississippi (against).
 Mr. Bowles and Mr. Kendall (for) with Mr. Box (against).
 Mr. Lazaro and Mr. Spearling (for) with Mr. Lee of Georgia (against).

General pairs:

Mr. Fredericks with Mr. Carew.
 Mr. Knutson with Mr. Davey.
 Mr. Swoope with Mr. O'Connor of New York.
 Mr. Gibson with Mr. Weller.
 Mr. Perlman with Mr. Summers of Texas.
 Mr. Crowther with Mr. Prall.
 Mr. Robinson of Iowa with Mr. Sinclair.
 Mr. Luce with Mr. Stalker.

Mr. CULLEN. Mr. Speaker, if Mr. O'CONNELL of New York, who is absent on account of serious illness in his family, were present, he would vote "aye."

Mr. TREADWAY. Mr. Speaker, if Mr. Bowles of Massachusetts were present, he would vote "aye." He is absent on account of illness.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry affecting the roll call.

The SPEAKER. The gentleman will state it.

Mr. WINGO. I would like to inquire if Mr. CAREW is recorded as voting?

The SPEAKER. He is recorded as voting "aye."

Mr. WINGO. I would like to ask if he is present?

The SPEAKER. The Chair is not aware if he were present on the roll call or not.

Mr. WINGO. I will state frankly, Mr. Speaker, the reason why I made the inquiry is that several gentlemen were aware of his absence and looked to see if he was here on the call, so I felt that probably some one answered in the confusion to his name, and, of course, if he is not here he ought not to be recorded.

Mr. OLIVER of New York. Mr. Speaker, I can certify that Mr. CAREW is not here.

Mr. LOZIER. Can the gentleman certify as to who answered to his name?

Mr. OLIVER of New York. No; I can not certify as to who answered to his name, but I know that his name was answered to as explained by the gentleman from Arkansas.

The SPEAKER. Under the statement of the gentleman from New York and the gentleman from Arkansas, without objection, the name of Mr. CAREW will not be recorded as voting.

There was no objection.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. Bowles (at the request of Mr. TREADWAY), for three days, on account of illness;

To Mr. STRONG of Pennsylvania, for several days, on account of the very serious illness of his business partner;

To Mr. CROWTHER (at the request of Mr. SNELL), for one week, on account of illness;

To Mr. Box (at the request of Mr. BLACK of Texas), for the day, on account of illness;

To Mr. YATES, indefinitely, on account of sickness in his family; and

To Mr. HOCH (at the request of Mr. WHITE of Kansas), for two days, on account of illness.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 16, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for February 16, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

District of Columbia (subcommittee).

COMMITTEE ON FOREIGN AFFAIRS

(10.15 a. m.)

To provide for the expenditure of certain funds received from the Persian Government for the education in the United States of Persian students (H. J. Res. 111).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To permit the admission, as nonquota immigrants, of certain alien wives and children of United States citizens (H. R. 6544).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

The national-defense department.

COMMITTEE ON PENSIONS

(10 a. m.)

Consideration of individual special acts.

COMMITTEE ON ROADS

(10 a. m.)

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes (H. R. 3823), and other bills on road legislation.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To tender the thanks and appreciation of the Congress of the United States for heroic service rendered by the officers and crews of the steamships *President Roosevelt*, *President Harding*, *American Trader*, *Republic*, and *Cameronia* (H. R. 9272).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

Granting the consent of Congress to O. Emmerson Smith, F. F. Priest, W. P. Jordan, H. W. West, C. M. Jordan, and G. Hubbard Massey to construct, maintain, and operate a bridge across the southern branch of the Elizabeth River, at or near the cities of Norfolk and Portsmouth, in the county of Norfolk, in the State of Virginia (H. R. 7093) (subcommittee).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

355. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Honga River and Tar Bay (Barren Island Gaps), Md.; to the Committee on Rivers and Harbors.

356. A letter from the chairman of the United States Shipping Board, transmitting a report of arbitration awards or settlements of claims agreed to since the previous session of Congress by the United States Shipping Board Emergency Fleet Corporation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOOD: Committee on Appropriations. H. R. 9341. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes; without amendment (Rept. No. 285). Referred to the Committee of the Whole House on the state of the Union.

Mr. GARBER: Committee on Interstate and Foreign Commerce. H. R. 5691. A bill granting the consent of Congress

to Charles L. Moss, A. E. Harris, and T. C. Shattuck, of Duncan, Okla., to construct a bridge across Red River at a point between the States of Texas and Oklahoma where the ninety-eighth meridian crosses said Red River; with an amendment (Rept. No. 298). Referred to the House Calendar.

Mr. GARBER: Committee on Interstate and Foreign Commerce. H. R. 7190. A bill granting the consent of Congress to the Grandfield Bridge Co., a corporation, to construct, maintain, and operate a bridge across Red River and the surrounding and adjoining public lands, and for other purposes; with an amendment (Rept. No. 299). Referred to the House Calendar.

Mr. HILL of Washington: Committee on Irrigation and Reclamation. H. R. 8129. A bill authorizing the Secretary of the Interior to cooperate with the States of Idaho, Montana, Oregon, and Washington in allocation of the waters of the Columbia River and its tributaries, and for other purposes, and authorizing an appropriation therefor; without amendment (Rept. No. 300). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. UNDERHILL: Committee on Claims. H. R. 831. A bill for the relief of Levin P. Kelly; with an amendment (Rept. No. 286). Referred to the Committee of the Whole House.

Mr. MORROW: Committee on Claims. H. R. 965. A bill for the relief of C. B. Wells; with amendments (Rept. No. 287). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 1464. A bill for the relief of Charles C. Hughes; with an amendment (Rept. No. 288). Referred to the Committee of the Whole House.

Mr. SABATH: Committee on Claims. H. R. 1540. A bill for the relief of Luther H. Phipps; without amendment (Rept. No. 289). Referred to the Committee of the Whole House.

Mr. KELLER: Committee on Claims. H. R. 1669. A bill for the relief of Neffs' Bank, of McBride, Mich.; with an amendment (Rept. No. 290). Referred to the Committee of the Whole House.

Mr. THOMAS: Committee on Claims. H. R. 2209. A bill for the relief of C. T. Kitchen; with an amendment (Rept. No. 291). Referred to the Committee of the Whole House.

Mr. THOMAS: Committee on Claims. H. R. 2210. A bill for the relief of R. E. Neumann and wife; with an amendment (Rept. No. 292). Referred to the Committee of the Whole House.

Mr. KELLER: Committee on Claims. H. R. 2680. A bill for the relief of the estate of Charles M. Underwood; with an amendment (Rept. No. 293). Referred to the Committee of the Whole House.

Mr. CARPENTER: Committee on Claims. H. R. 2993. A bill for the relief of Harry McNeil; without amendment (Rept. No. 294). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 3432. A bill for the relief of Joel C. Clore; with amendments (Rept. No. 295). Referred to the Committee of the Whole House.

Mr. KELLER: Committee on Claims. H. R. 6227. A bill for the relief of the estate of William P. Nisbett, sr., deceased; without amendment (Rept. No. 296). Referred to the Committee of the Whole House.

Mr. SEARS of Nebraska: Committee on Claims. H. R. 6696. A bill for the relief of Edward J. O'Rourke, as guardian of Katie I. O'Rourke; without amendment (Rept. No. 297). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 3625. A bill for the relief of John Doyle, alias John Geary; with an amendment (Rept. No. 301). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOOD: A bill (H. R. 9341) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. BLACK of New York: A bill (H. R. 9342) requiring the President of the United States to attach the names of the indorsers of the candidates he submits to the Senate of the United States to his message of nomination; to the Committee on the Judiciary.

By Mr. BOYLAN: A bill (H. R. 9343) to provide for the acquisition of certain property in the District of Columbia for the park system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: A bill (H. R. 9344) to provide for the seizure and forfeiture of vehicles used in violation of the immigration laws; to the Committee on Immigration and Naturalization.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 9345) authorizing an appropriation of \$5,000 for the erection of a monument, tablet, marker, or other suitable form of memorial at Providence, R. I., to commemorate the landing of Roger Williams in the State of Rhode Island; to the Committee on the Library.

By Mr. HUDSPETH: A bill (H. R. 9346) granting the consent of Congress to the construction of a bridge across the Rio Grande; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER: A bill (H. R. 9347) to provide for the acquisition by the city of Alva, Okla., of lot 19, block 41, the original town site of Alva, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. MURPHY: A bill (H. R. 9348) authorizing the construction of a bridge across the Ohio River near Steubenville, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: A bill (H. R. 9349) to authorize the President of the United States to name the members of a national farm commission which will act for the interests of the farmers and livestock raisers; to the Committee on Agriculture.

By Mr. KUNZ: A bill (H. R. 9350) to amend section 28 of the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. HILL of Washington: A bill (H. R. 9351) extending the period of time for homestead entries on the south half of the diminished Colville Indian Reservation; to the Committee on Indian Affairs.

By Mr. WOODRUFF: Joint resolution (H. J. Res. 170) requesting the President of the United States to invite foreign governments to participate in the Seventh International Dental Congress to be held at Philadelphia, Pa., August 23 to 28, 1926, in conjunction with the sesquicentennial celebration of American independence; to the Committee on Foreign Affairs.

By Mr. FRENCH: Joint resolution (H. J. Res. 171) authorizing the Secretary of the Interior to approve the application of the State of Idaho to certain lands under an act entitled, "An act to authorize the State of Idaho to exchange certain lands heretofore granted to public-school purposes for other Government lands," approved September 22, 1922; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 9352) granting a pension to Katie Smith; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 9353) granting an increase of pension to Ann J. Snow; to the Committee on Invalid Pensions.

By Mr. BECK: A bill (H. R. 9354) granting an increase of pension to Sarah E. McQueen; to the Committee on Invalid Pensions.

By Mr. BIXLER: A bill (H. R. 9355) granting an increase of pension to Edwin A. Smith; to the Committee on Pensions.

By Mr. BLOOM: A bill (H. R. 9356) for the relief of Mrs. Moore L. Henry; to the Committee on Claims.

By Mr. DOUGHTON: A bill (H. R. 9357) for the relief of W. L. Bryan; to the Committee on Claims.

By Mr. FENN: A bill (H. R. 9358) granting a pension to Mary Key McBlair; to the Committee on Pensions.

Also, a bill (H. R. 9359) granting an increase of pension to Delia J. McKeon; to the Committee on Invalid Pensions.

By Mr. FROTHINGHAM: A bill (H. R. 9360) granting a pension to Edith L. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9361) granting an increase of pension to Susan L. Dean; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 9362) granting an increase of pension to Martha Baker; to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 9363) granting an increase of pension to Thresa Walsh; to the Committee on Invalid Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 9364) to provide for examination and survey of the Brazos River with a view

to improvement for purposes of navigation from its mouth to Rosenberg, Tex.; to the Committee on Rivers and Harbors.

By Mr. GREENWOOD: A bill (H. R. 9365) granting a pension to Florence C. Woods; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 9366) for the relief of James A. Davidson; to the Committee on Claims.

By Mr. LITTLE: A bill (H. R. 9367) granting a pension to Ben F. Whitney; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 9368) granting a pension to Ada A. Bryant; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 9369) for the relief of James F. Williams; to the Committee on the Civil Service.

By Mr. MOORE of Kentucky: A bill (H. R. 9370) granting an increase of pension to Martha E. Watson; to the Committee on Invalid Pensions.

By Mr. MORROW: A bill (H. R. 9371) for the relief of Merritt W. Blair; to the Committee on the Public Lands.

By Mr. OLDFIELD: A bill (H. R. 9372) granting an increase of pension to Lucy Davidson; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 9373) granting an increase of pension to Ellen J. Fuller; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 9374) granting an increase of pension to Isabella M. Ingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9375) granting an increase of pension to Dell V. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9376) granting an increase of pension to Forrest E. Andrews; to the Committee on Pensions.

Also, a bill (H. R. 9377) granting an increase of pension to Susan Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9378) granting an increase of pension to Mary E. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9379) granting an increase of pension to Fannie J. Shappee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9380) granting an increase of pension to Mary Cisco; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9381) granting an increase of pension to Sarah Kilpatrick; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 9382) granting an increase of pension to Adaline Neff; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9383) granting a pension to Lucy Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9384) granting an increase of pension to Mary J. Rader; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 9385) granting an increase of pension to Anna Kress; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 9386) granting a pension to James L. McChan; to the Committee on Pensions.

By Mr. BERGER: Joint resolution (H. J. Res. 172) readmitting Eugene V. Debs to the rights and privileges of citizenship; to the Committee on Immigration and Naturalization.

By Mr. MACGREGOR: Resolution (H. Res. 136) authorizing payment of six months' salary and funeral expenses to Daisy Rubelle Blanton on account of the death of William Walker Blanton, late employee of the House of Representatives; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

689. By Mr. ALLGOOD: Petition of eight members of the Senate of the State of Alabama, indorsing the action of the Senate in striking out the inheritance or estate-tax provision of the revenue bill; to the Committee on Ways and Means.

690. By Mr. BIXLER: Petition of residents of West Salem Township, Greenville, Mercer County, Pa., J. M. Hittle, et al., favoring House bill 71 regulating interstate shipment of black bass; to the Committee on Interstate and Foreign Commerce.

691. By Mr. CELLER: Petition of New York State Association of United Master Butchers of America (Inc.), favoring such amendments to the immigration laws that will permit unrestrained influx of female domestic help; to the Committee on Immigration and Naturalization.

692. By Mr. CURRY: Petition of certain residents of Byron, Calif., favoring reflooding of Lower Klamath Lake, Calif.; to the Committee on the Public Lands.

693. Also, petition of certain residents of Stockton, Calif., favoring reflooding of Lower Klamath Lake, Calif.; to the Committee on the Public Lands.

694. Also, petition of the Elk Grove National Farm Loan Association of Florin, Calif., opposing any legislation to broaden

the powers of the Federal land-bank presidents; to the Committee on Banking and Currency.

695. By Mr. GALLIVAN: Petition of Maj. George F. H. Murray, 29 G Street, South Boston, Mass., recommending early and favorable consideration of legislation to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

696. By Mr. JEFFERS: Petition of eight members of the Senate of the State of Alabama, indorsing the action of the Senate in striking out the inheritance or estate-tax provision of the revenue bill; to the Committee on Ways and Means.

697. By Mr. O'CONNELL of New York: Petition of New York State Fish, Game, and Forest League, favoring the passage of the Anthony bill (H. R. 7479), the migratory bird refuge and marsh land conservation act; to the Committee on Agriculture.

698. Also, petition of the Hawaii Education Association of the Territory of Hawaii, favoring the passage of House bill 5000 and Senate bill 291; to the Committee on Education.

699. Also, petition of H. H. Rice, of the General Motors Corporation, of Detroit, Mich., favoring the passage of the bill to provide more adequate accommodations for the United States embassies abroad; to the Committee on Foreign Affairs.

700. By Mr. PATTERSON: Resolution of the Haddon Fortnightly State Federation of Woman's Clubs, Haddonfield, N. J., for an appropriation of \$10,000,000 for erection of a national gallery of art at Washington, D. C.; to the Committee on Public Buildings and Grounds.

701. By Mr. THOMPSON: Petition of the Men's Bible Class of Leipsic (Ohio) M. E. Church, protesting against any amendment that would weaken the provisions of the Federal prohibition law; to the Committee on the Judiciary.

702. By Mr. YATES: Petition of the H. C. Cole Manufacturing Co., of Chester, Ill., urging the repeal of the capital-stock and inheritance taxes, and also of the tax on stock transfers, and that the corporation tax be not increased; to the Committee on Ways and Means.

703. Also, petition of the W. D. Allen Manufacturing Co., of Chicago, Ill., urging that the corporation tax be left at 12½ per cent, and that the capital-stock tax, the inheritance tax, and the tax on stock transfers be repealed; to the Committee on Ways and Means.

704. By Mr. GRIEST: Petition of members of Post 84, Grand Army of the Republic, Department of Pennsylvania, of Lancaster, Pa., proposing amendments to Senate bill 61, granting pensions and increase of pensions to veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

SENATE

TUESDAY, February 16, 1928

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

O Lord, our God, we draw near unto Thee this morning in the name of Jesus our Savior and Lord and humbly beseech Thee that our approach to the throne of grace may not be of the perfunctory order, but the breathings of our souls after Thee. Help us, we beseech Thee, to understand our dependence upon Thee and to realize continually that we are the children of the most high God. And in all our services may we recognize dependence upon Him from whom we derive life and in whom we find hope and confidence. We ask every blessing in Christ Jesus' name. Amen.

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

MESSAGE FROM THE HOUSE

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

S. 1493. An act to provide for the inspection of the battle fields and surrender grounds in and around old Appomattox Court House, Va.; and

S. 2464. An act to amend section 95 of the Judicial Code, as amended.

The message also announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 186. An act authorizing the payment of tuition of Crow Indian children attending Montana State public schools;

H. R. 3833. An act to amend section 204 of an act entitled "An act to establish a code of law for the District of Columbia,"