

the bill for the increase of Civil War veterans and widows pensions; to the Committee on Invalid Pensions.

2039. Also, petition of Walter Scott Perry, director of Pratt Institute, Brooklyn, N. Y., favoring the passage of House bill 10, the metric system; to the Committee on Coinage, Weights, and Measures.

2040. Also, petition of National Customs Association, of Chicago, Ill., favoring the passage of House bill 7, the retirement bill; to the Committee on the Civil Service.

2041. Also, petition of R. J. Hickson, of New York City, favoring the passage of the Mills bill, providing for the return of former alien property; to the Committee on Ways and Means.

2042. By Mr. PHILLIPS: Petition of 74 citizens of Beaver County, Pa., asking for the acknowledgement of the authority of Christ and the law of God in the Constitution of the United States; to the Committee on the Judiciary.

2043. By Mr. SINCLAIR: Petition of 41 residents of Reeder, N. Dak., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

2044. Mr. STRONG of Pennsylvania: Petition of Indiana Woman's Relief Corps, No. 70, Indiana, Pa., in favor of legislation to increase the rates of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

2045. By Mr. SWING: Petition of certain residents of San Diego, Calif., protesting against the passage of House bills 7179, 10123, 7822, and 10311, for compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

2046. Also, petition of certain residents of Ontario, Calif., protesting against the passage of House bill 7179, for the compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

SENATE

TUESDAY, May 4, 1926

(Legislative day of Monday, May 3, 1926)

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

Mr. FERRIS obtained the floor.

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

Mr. FERRIS. I yield.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fess	Lenroot	Shipstead
Bayard	Fletcher	McKellar	Shortridge
Bingham	Frazier	McMaster	Simmons
Blease	George	McNary	Smith
Borah	Gillett	Mayfield	Smoot
Bratton	Glass	Means	Stanfield
Broussard	Goff	Metcalf	Steck
Bruce	Gooding	Moses	Stephens
Butler	Greene	Neely	Swanson
Cameron	Hale	Norbeck	Trammell
Caraway	Harrell	Norris	Tyson
Copeland	Harris	Nye	Underwood
Couzens	Harrison	Oddie	Walsh
Cummins	Heflin	Overman	Warren
Curtis	Howell	Phipps	Watson
Deneen	Johnson	Ransdell	Weller
Dill	Jones, N. Mex.	Reed, Mo.	Wheeler
Edwards	Jones, Wash.	Reed, Pa.	Williams
Ernst	Keyes	Sackett	Willis
Fernald	King	Schall	
Ferris	La Follette	Sheppard	

Mr. EDWARDS. I desire to announce that my colleague, the senior Senator from New Jersey [Mr. EDGE], is detained from the Senate by illness.

Mr. CURTIS. I wish to announce that my colleague [Mr. CAPPER] is absent owing to illness in his family. I will let this announcement stand for the day.

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

PUBLIC BUILDINGS

Mr. FERNALD. Mr. President, will the Senator from Michigan yield to me to present a request for unanimous consent?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Maine?

Mr. FERRIS. I yield.

Mr. FERNALD. I ask unanimous consent that when the vote is taken on the passage of House bill 6559, the public buildings bill, it be taken by yeas and nays.

The VICE PRESIDENT. Is there objection?

Mr. MOSES. What is the request?

The VICE PRESIDENT. The unanimous-consent request is that when the vote is taken on the passage of the public buildings bill, it shall be by yeas and nays. Is there objection?

Mr. ASHURST. Mr. President, I never heard such a request before. I should like to understand it.

The VICE PRESIDENT. It is a demand for the yeas and nays.

Mr. REED of Missouri. The way to settle that question is not by unanimous consent, but, under the rule, to ask now for the yeas and nays and let them be ordered.

Mr. FERNALD. I do make that request now, but when the vote is taken I want to have it taken by yeas and nays.

Mr. ASHURST. I am obliged to object to that, because it might set a precedent that would be very questionable. When the time comes the yeas and nays will be ordered.

The VICE PRESIDENT. It is not in order to demand the yeas and nays at this time, but it is in order to enter into a unanimous-consent agreement that when the vote is taken it shall be taken by yeas and nays. Is there objection?

Mr. ASHURST. I object.

Mr. FERNALD. Will the Senator from Michigan allow me one moment?

Mr. HEFLIN. Mr. President, as the Senator from Michigan [Mr. FERRIS] desires to address the Senate and has already yielded to several Senators, I suggest that he ought to be permitted to proceed with his speech.

Mr. FERNALD. Very well.

PAN PACIFIC CONFERENCE ON EDUCATION, ETC.

Mr. BINGHAM. Mr. President, will the Senator from Michigan yield to me to present a joint resolution?

Mr. FERRIS. I yield for that purpose.

Mr. BINGHAM. If it leads to any debate, I shall not press it. From the Committee on Territories and Insular Possessions I report back favorably without amendment the joint resolution (S. J. Res. 104) authorizing the Secretary of the Interior to call a Pan Pacific conference on education, rehabilitation, reclamation, and recreation at Honolulu, Hawaii, and I submit a report (No. 747) thereon. I ask unanimous consent for the present consideration of the joint resolution.

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

Mr. CURTIS. I would like to understand what it provides. Does it provide for a commission?

Mr. BINGHAM. It does not provide for a commission. It authorizes the holding of a conference to be called by the Secretary of the Interior and to enable him to invite representatives from other governments on the Pacific. It also authorizes the appropriation of \$20,000 toward the expenses of the conference.

Mr. CURTIS. I ask that the joint resolution go over for the present.

The VICE PRESIDENT. Objection is made, and the joint resolution goes to the calendar.

PETITIONS AND MEMORIALS

Mr. WARREN presented the memorial of Reliance (Wyo.) Lodge, Slovene National Benefit Society, remonstrating against the enactment of proposed legislation providing for the registration of aliens, which was referred to the Committee on Immigration.

Mr. WILLIS presented papers in the nature of petitions signed by approximately 600 citizens of Granville, Ohio, "demanding the removal from public office of every man who in any manner fails in his duty of securing strict enforcement of every measure looking to giving full force and effect to the eighteenth amendment, and likewise demanding the strengthening of our laws in every manner calculated to secure the benefits of said eighteenth amendment for every citizen," which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. FESS, from the Committee on the Library, to which was referred the bill (S. 4153) to provide for enlarging and relocating the United States Botanic Garden, and for other purposes, reported it without amendment and submitted a report (No. 748) thereon.

Mr. McNARY, from the Committee on Irrigation and Reclamation, to which was referred the bill (H. R. 7819) to cancel water-right charges and release liens on the Buford-Trenton and Williston irrigation projects, North Dakota, and for other purposes, reported it without amendment.

Mr. WILLIS, from the Committee on Territories and Insular Possessions, to which was referred the joint resolution (H. J. Res. 139) authorizing the construction of a Government dock or wharf at Juneau, Alaska, reported it without amendment and submitted a report (No. 749) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that to-day that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 99. An act for the relief of the owner of the lighter *Eastman No. 14*;

S. 113. An act for the relief of the owner of the American barge *Tevaco No. 153*;

S. 530. An act for the relief of the owners of the steamship *Basse Indre* and all owners of cargo laden aboard said vessel at the time of her collision with the steamship *Housatonic*;

S. 547. An act for the relief of James W. Laxson;

S. 957. An act for the purchase of the Oldroyd collection of Lincoln relics;

S. 1131. An act for the relief of James Doherty;

S. 1226. An act to amend the trading with the enemy act;

S. 2124. An act for the relief of Philip Hertz (Philip Herz);

S. 2338. An act authorizing the President to reappoint Chester A. Rothwell, formerly a captain of Engineers, United States Army, an officer of Engineers, United States Army;

S. 2848. An act to extend the time for institution of proceedings authorized under Private Law No. 81, Sixty-eighth Congress, being an act for the relief of Henry A. Kessel Co. (Inc.);

S. 2907. An act to authorize the general accounting officers of the United States to allow credit to Galen L. Tait, collector and disbursing agent, district of Maryland, for payments of travel and subsistence expenses made on properly certified and approved vouchers; and

S. J. Res. 55. Joint resolution to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, in Washington, D. C.

BILLS INTRODUCED

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

By Mr. LENROOT:

A bill (S. 4160) granting a pension to Catherine Lansworth; to the Committee on Pensions.

By Mr. ERNST:

A bill (S. 4161) to authorize the erection of a Veterans' Bureau hospital in the State of Kentucky and to authorize the appropriation therefor; to the Committee on Public Buildings and Grounds.

A bill (S. 4162) to amend section 83 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. DILL:

A bill (S. 4163) granting an increase of pension to Frank Johnson; to the Committee on Pensions.

By Mr. REED of Missouri:

A bill (S. 4164) granting a pension to Laura Mitchell; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 4165) granting an increase of pension to George W. Crawford; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 4166) for the relief of the surviving daughters of James W. Scully; to the Committee on Claims.

A bill (S. 4167) to enforce conformity to State laws on Sunday observance at Government military reservations; to the Committee on Military Affairs.

By Mr. BRUCE:

A bill (S. 4168) for the relief of the United States Fidelity & Guaranty Co. (with an accompanying paper); to the Committee on Claims.

THE PROHIBITION LAW

Mr. FERRIS. Mr. President, 60 or more years ago I was a boy on a hill farm of 100 acres in Tioga County, N. Y. During haying and harvesting father was obliged to employ several helpers. I can recall, without any special effort, hearing these prospective helpers ask my father this question: "Do you furnish good whisky to your helpers regularly?" By the way, all whisky in those days was good. There was not the slightest temptation to adulterate it. This question was a prevailing question. Here and there a farmer would not agree to furnish whisky, and he always found it more or less difficult to secure helpers. My father always answered in the affirmative, and fulfilled his promises.

His instructions to me were very specific. He said: "Bring the jug into the hay field at 10 o'clock and give to every man whatever he sees fit to drink. Then hide the jug. At 3 o'clock bring forth the jug and furnish the men with more whisky." No drinks were given to the helpers in the morning, or at noon, or at the close of the day.

In order that the picture may be complete, permit me to say that all the grass was cut with a hand scythe, spread with an ordinary fork, raked with a hand rake, and drawn to the barn on a long sled.

The whisky was bought at the grocery store for 25 cents a gallon. This was before the Civil War was well under way, before the Government put a tax upon liquors. There were no saloons because there was no opportunity for making a profit on whisky that could be purchased at the grocery store for 25 cents a gallon. Even the dry goods stores kept a barrel of whisky for those customers who felt that they needed that kind of refreshment. When the preacher called, father never failed to extend to him the courtesy involved in offering him a drink. Not all of the preachers indulged; not all of the members of the community indulged. At barn raisings and at logging bees whisky was an essential to the success of the undertaking.

Mr. REED of Missouri. Mr. President, I do not want to interrupt the Senator, but what date in history was this golden age which he has just described?

Mr. FERRIS. I will say that this golden age was about the Civil War time. I am sure the Senator from Missouri is well informed along that line.

No doubt some of the listening Senators will ask, "Was there a large amount of drunkenness at that time?" This is an exceedingly difficult question to answer with any degree of accuracy. My observations aroused in me—a boy—a whole-some fear of the consequences of using whisky as it was then used. I soon learned that among the neighbors were those who indulged to excess, and that among the young people at dances and celebrations drunkenness was frequent. My father for 20 or 30 years was an advocate of moderate drinking. He said that any man who could not take a drink of whisky and then let it alone was a fool. To use a modern term, he was an anti-prohibitionist. Notwithstanding his positive declaration, I concluded to let the stuff alone. Even my boyhood observations taught me that there was no particular benefit to be derived from the use of intoxicating liquors. Its use, as I saw it, was fraught with danger. With me this was not a mere Sunday-school sentiment; my attitude grew out of my actual observations.

Mr. President, I do not need to go into details as to the origin of the American saloon. The story is familiar to every Senator. The saloon yielded large profits, like bootlegging. It was a money-making scheme, and so long as human nature remains what it is, money making will be indulged in, whether it is in conformity to law or in violation of law. The liquor traffic grew to such magnitude that it commanded not only the attention of the common people but aroused the attention of men engaged in our great industries. So far as I know there is not a man living in the United States to-day who would deliberately advocate a return to the American saloon.

It is worth while to very briefly consider some of the reasons for banishing the American saloon. For half a century the preachers, church workers, and teachers fought the American saloon. I wish to call the attention of the Senate to their chief objective. There was no question as to the increase in crime; there was no question as to the hardships that were imposed upon mothers and children. Again and again the picture was painted in vivid colors of how homes were devastated; of how women and children were deprived of the necessities of life because of the dissolute habits of the head of the family.

In this great battle there was another question raised that was of supreme importance, namely, the effects of alcohol upon the human system. The medical profession made valuable contributions. It was maintained by some advocates of the moderate use of alcohol that alcohol had a food value. To-day many physicians believe that it has a food value, but it is of comparatively little importance except in the treatment of certain diseases. These same physicians do not recommend alcohol as a factor in the daily food consumption. I am also quite safe in asserting that alcohol is classed with the poisons.

Out of this controversy grew the educational movement for the nonuse of alcohol in any form, except possibly as a medicine. It is true that physicians use poisons as constituting one group of their remedies. This educational program was inaugurated in all of the States of the Union. The laws of the different States required that textbooks on physiology and hygiene should contain a certain amount of information concerning the effects on the human body of the use of alcohol and other narcotics. Year in and year out, in connection with the antisaloon movement and other movements against John Barleycorn, the educational movement was tremendously important.

Mr. President, there is not any question about the wonderful influence that this educational movement had upon the minds

of American citizens. It is safe to say that the majority of them were convinced that there could be no valid argument for the use of alcohol in any form, except for medicinal use, and I maintain that at this particular time the question of the effects of alcohol upon the human system should be revived. I have yet to find any change in the attitude of scientists and conservers of health on the effects of alcohol on the human system.

I do not maintain that this educational crusade was the only factor in eliminating the American saloon. Heads of industry were not slow to discover that the American saloon was the arch enemy of their enterprises, and thousands of employers who used alcoholic liquor, either moderately or immoderately, voted dry in the antisaloon movement because they believed that the prosperity of their enterprises would be conserved by banishing the saloon. They preferred to have employees who were sober five or six days in the week; in fact, they insisted upon it. It would be exceedingly difficult to estimate the tremendous power exerted by this influence in making the United States dry. There is not a Senator present who has not made observations along this line and been forced to recognize the power of industrial influence. Even the railroad managers of this country and of Canada were obliged during the reign of the saloon to make certain rules and regulations with reference to their employees. They recognized the fact that if the protection of life and property was to be maintained they must have sober engineers, sober conductors, and sober brakemen. The industrial world recognized the vital importance of employing men who could exercise sufficient self-control as practically to let liquor alone. Mr. President, these are not idle speculations; they all come within the experience of the majority of our citizenry.

For several decades prior to the enactment of the eighteenth amendment the question of "Why narcotics?" occupied the consideration of the best men and women in America. Some of the so-called wets have, consciously or unconsciously, declined to give this question any consideration, because narcotics have been in use for centuries by almost every nation on the face of the earth. They assumed, as did John Fiske, the historian, that there is a natural demand for narcotics. They unhesitatingly assumed that human nature can not be changed. This is an exceedingly dangerous assumption. If we accept the scientists' account of man's rise from savagery to barbarism and from barbarism to civilization, we must admit that human nature has changed. If human nature can not be changed, the function of the school, the college, and the university is seriously limited. The American citizen is the last man on earth to admit that the story of his own country does not prove conclusively that human nature can be changed.

In this wonderful age, when there is practically no limit to man's inventive power, no limit to his manipulation of things, that he should be helpless in the matter of self-organization, self-control, and individual progress is not a logical assumption.

For two or three decades prior to the enactment of the eighteenth amendment scientists, sociologists, and educators have made a careful study of the effects of alcohol on the human system. It was demonstrated to their satisfaction that the best interests of the individual were not conserved by the use of alcohol, even in small doses. Eugene Lyman Fisk, in 1917, in his book entitled "Alcohol: Its Relation to Human Efficiency," says:

In a strictly scientific sense, of course, no drinking is moderate that causes any injury to the body, however slight, or that in any way impairs the efficiency of the mind or body. If alcohol in the smallest doses usually taken produces injurious effects and in any way lessens the efficiency of the body, then there is no such thing as moderate drinking. The question, Does moderate drinking shorten life? is a contradiction in terms. The logical form of the question is, Does alcohol in the smallest quantities customarily used as a beverage shorten life, impair the efficiency of the human body, or in any way adversely affect the mind, character, or career of the user?

Eugene Lyman Fisk appealed to the information that life-insurance companies have to offer. Just how the wets can disregard the overwhelming testimony of the life-insurance companies is a mystery to me.

THE EFFECT OF ALCOHOL UPON LONGEVITY

Mr. President, in 1922 the New York Life Insurance Co. issued a study of life-insurance statistics prepared by Oscar H. Rogers, medical director. Life-insurance companies are cold-blooded in their choice of risks. Sentiment is never a factor in their considerations. I quote the following:

Besides this valuable information, we have another group of facts brought out in the so-called medico-actuarial mortality investigation, 1909-1914, which was participated in by the principal life companies

of the United States and Canada. These companies, 43 in number, carried on their books during the period under investigation, 1885-1908, inclusive, more than 90 per cent of the total old-line insurance in force in these countries. There were not far from 6,000,000 lives subjected to analysis in this investigation, and the results obtained probably give a quite accurate picture of the facts as they apply to various categories of insured lives. In addition to these sources of information, several important contributions on the subject have appeared, notably those of Doctor McMahon, of the Manufacturers' Life, and Doctor Dwight, of the New England Mutual, in 1911, of Doctor Lounsbury, of the Security Mutual, in 1913, of Doctor Porter, of the Mutual Life, in 1915, of Doctor Weiss, of the Mutual Life, in 1921. To all of these we shall have occasion to refer.

I am not going to worry Senators with a detailed report of the different insurance companies, but, in order that Senators may understand clearly that these studies are not superficial and uncertain, I do wish to state that the experience of the United Kingdom Temperance and General Provident Institution covers a period of 45 years; the Sceptre Life Assurance Co., 27 years; the Scottish Temperance Life, 25 years; the Manufacturers' Life, 9 years; and the New England Mutual Life, 60 years. The study of these statistics shows clearly what it costs to insure free drinkers. I quote further from this report:

WHAT IT COSTS TO INSURE FREE DRINKERS

With regard to the group of free, daily users in the medico-actuarial, it will be noticed that the members of the class, 11,323 in number, showed in the period under observation 698 deaths where 374 deaths were expected, an excess of 324 deaths and a probable loss to the life companies of about \$650,000. These risks were, no doubt, presented to the companies in such favorable terms as to overcome in the minds of the selectors the well-founded prejudice against risks of this sort. As to the conservative or quite moderate daily users, there were about 30,700 of these with 1,460 expected deaths and 1,725 actual deaths, an excess of 265 deaths and a probable financial loss of about \$530,000.

Mr. President, I also quote the cost of insuring excessive users:

We have still to determine from our statistics whether the occasional excessive use of alcohol has any effect on longevity. Classes 17, 19, and 20 of the mortality investigation are of the utmost value here. A glance at the tables is sufficient. Here are 13,500 lives of persons who used alcohol to excess occasionally. The excesses were neither frequent nor prolonged. In some cases a number of years had elapsed since the last excess and yet, as a rule, the mortality was as high in one group as in another, among those who had been reformed for a number of years as among those who had only recently discontinued the use of alcohol. It is as if the drug had permanently damaged those lives. It is noteworthy that the attempt of the companies to insure these 13,500 lives was financially not very successful. There were 535 expected deaths and 745 actual deaths, an excess of 210 deaths, a loss of about \$420,000. The discussion of the effects of alcohol upon longevity would hardly be complete without some reference to the mortality experience among persons engaged in the manufacture or sale of alcoholic beverages. The medico-actuarial mortality investigation in its study of occupations included some of those engaged in the trade in alcoholics. There were rather more than 60,000 of these lives investigated with expected deaths 3,179, actual 4,495, an excess of 1,316 deaths, a mortality of 141 per cent. The probable financial loss from insuring those 60,000 lives must have been somewhere in the neighborhood of \$2,500,000. This loss occurred in spite of every effort on the part of the companies to prevent it. It was well known when these persons were insured that the occupations were unhealthful and accordingly, the risks must have been selected with the utmost care. Fortunately, all of the losses referred to above were borne by many companies and spread over a good many years. If this were not so, the financial results would have been a very serious matter. As it is, they are only mentioned to give a clearer idea of the extent to which attempts to insure risks have proven a financial burden to the business of life insurance.

Mr. President, I also quote from a conclusion arrived at through these investigations:

The evidence before us is conclusive that the so-called Anstie's limit of 1½ ounces or three tablespoonfuls of alcohol a day is far too liberal. Indeed, there appears to be no limit within which alcohol may be entirely harmless. It is as if there were a direct relation between the amount of alcohol used and the amount of damage done to the body. The evidence is strong also, that the damage done persists a long time after it has been discontinued. Anyone who uses alcohol now, or has used it in the past, is a less desirable risk, all other things being equal, than a total abstainer and his undesirability is in proportion to the freedom with which he used the drug.

Mr. President, the statement of Doctor McMahon, of the Manufacturers' Life, is unequivocal:

Doctor McMahon concludes his paper in this way: "What is more significant than anything else is the fact that a critical examination of the experience of every company, separately classifying its risks, reveals the fact that in every year and at all ages, wherever a considerable number of lives are under observation, the mortality is much lower among abstainers than it is among nonabstainers."

So far as I know there is not a reputable old-line insurance company that does not discriminate against excessive users. No man, young or of middle age, ever contemplated becoming a drunkard. The moderate drinker when he begins the moderate use of alcoholic beverages has a righteous contempt for the drunkard. The truth of the matter is thousands of moderate drinkers are playing with hell fire. There is no escape from this conclusion.

To my mind this settles the question conclusively as to whether light wines, beer, or alcohol in any form can, under normal circumstances, improve the health and vigor of the user. Many of the so-called wets advocate the moderate use of alcoholic beverages. If the insurance companies are correct in their conclusions—and they are, beyond a shadow of a doubt—then any program for permitting even the moderate use of these beverages is detrimental to the public welfare.

I wish to be absolutely fair in my use of life-insurance statistics. On April 20, 1926, I received a letter from Louis I. Dublin, statistician for the Metropolitan Life Insurance Co., together with bulletin No. 1, bearing date of January, 1926. Instead of quoting from the bulletin, I quote from Mr. Dublin's dictated statement:

During the first quarter of this year 168 deaths from alcoholism were recorded among 17,000,000 industrial policyholders of the Metropolitan Life Insurance Co. This is equivalent to a death rate of 3.9 per 100,000, which is the highest registered for this disease during any three months' period since 1917. These figures may be compared with 121 deaths and a death rate of 3 during the same quarter of last year. This represents a rise of 30 per cent. For the first three months of 1924 the rate was 2.9.

Deaths from cirrhosis of the liver, which is closely associated with alcoholism, numbered 314, with a rate of 7.3 per 100,000. This may be compared with 278 deaths and a rate of 6.9 for the corresponding quarter of 1925. For the same three months of 1924 deaths numbered 241, and the rate was 6.4.

Since January 1, 1922, a period of 4 years and 3 months, 1,825 deaths were charged to alcoholism among Metropolitan industrial policyholders. Of these, 1,804 occurred among approximately 16,000,000 persons residing in the United States, and only 21 among approximately 1,000,000 Canadians insured in the company's industrial department.

There were five deaths from wood and denatured alcohol poisoning, which is the same number recorded during the first quarter of last year.

Mr. President, while this enforces the contention that our prohibition laws are not enforced, it only confirms our conclusion as to the disastrous effects of the excessive use of alcoholic beverages.

Millions are spent annually in the attempt to improve sanitary conditions. We boast of having conquered yellow fever; we boast of having conquered the ravages of smallpox; we boast of having increased the longevity of the American people. It is conceded, however, that the mortality rate for disease in middle life has not been lessened to any large extent, but millions of babies have been saved, and thus the general average has been radically changed. Just because the prohibition laws are violated, as loyal American citizens we can not afford to disregard the future welfare of American youth. The advocates of moderate drinking, consciously or unconsciously, make a ruthless attack upon the physical welfare of American youth.

Mr. President, why do the wets invariably deplore the former existence of the American saloon? No doubt they are willing to recognize that the destruction of the physical man was one of the dire consequences of the American saloon. The nationwide educational movement for temperance had to do primarily with the welfare of youth.

One serious delusion that the wets cling to is the delusion that we are in dire straits in the matter of law enforcement and that we are justified in tearing down the walls that have been erected for the purpose of protecting American youth. Their claims are wide of the mark; they have attributed the tremendous increase in crime, if there is such an increase, to the eighteenth amendment and the Volstead Act. Any careful study of crime will reveal the fact that the attempt to enforce the Volstead Act is only one of the crime-producing factors. I could listen with some patience to the advocates of light wines and beer if their policy were not involved with the making of better citizens and, in my judgment, with the question of whether alcohol in any form is beneficial to the human system, or even harmless, and when I say this I am not condemn-

ing the use of alcohol by physicians in the treatment of disease. Alcohol is a narcotic, and physicians use several narcotics in the treatment of disease; but even the medical profession is free to acknowledge that even before the eighteenth amendment was adopted physicians were using much less alcohol in the treatment of disease than in former years. The best physicians realize that most narcotics when used have a tendency to arouse a morbid appetite, having a tendency to carry the user into the maelstrom of destruction.

Mr. President, I wish it were possible to force into the open the real backers of the wet movement. There are many conscientious citizens who are advocating light wines and beer. They are so disappointed over the results of the Volstead Act that they are angry and ready to beat a retreat. Question. Can the American people knowingly adopt any policy that has a distinct tendency to lower the health and vigor of the American people? It seems to me that the position of the "wets" is that "I want what I want, and it is not my business to worry over the welfare of my neighbor." That has been the policy of many men and women all the way down the line of the development of civilization.

The wets would have us believe that home brewing is to be prevented by permitting the use of light wines and beer. What real evidence can they offer to verify this prediction? Home brewing has been carried on all along down through the history of the American people and no doubt will continue, to a greater or less extent, to the very end of this Republic.

Mr. President, I will be recognized as a schoolmaster, and consequently the plea I make for education will not command the attention it should command. During the last 50 years and prior to the enactment of the eighteenth amendment the American people had carried on a campaign of education that produced results. The dries are to be censured severely for having lain down on their job. When the eighteenth amendment and the Volstead Act were passed, it was thought by many of the dries that their work was done. They trusted too much to law, which without enforcement is of little or no value. If there was occasion for a campaign of education in 1900, 1905, 1910, 1915, there is even greater occasion for it now, because in our crime problem we have the cry that light wines and beer is one factor involved in the solution of it. If anything will save the American Republic or any other nation on the globe, it is education, and I refer to the kind of education which begins in the American home and then is wedded to the public school.

The kind of education that is now going on through the propaganda of the wets is pernicious and destructive in the extreme. In education personal contact has a magnetic value. If men who claim to be law-abiding citizens are ever ready to ridicule sane living and total abstinence from alcoholic liquors and to violate the law themselves, then the force of sane education is nullified. Possibly the wets are bent on illustrating by their own conduct that the moderate use of alcoholic liquors is beneficial to the health of mankind. In my judgment, the majority of the wets know better. The truth of the matter is that the wets are angry and are practicing a selfish and destructive philosophy.

ATTITUDE OF THE MEDICAL PROFESSION TOWARD ALCOHOL

I quote from a Manual of Pharmacology and its Applications to Therapeutics and Toxicology, by Torald Solimann, M. D., professor of pharmacology and materia medica in the school of medicine of Western Reserve University, Cleveland, second edition, 1922, as follows:

A still more potent objection to considering alcohol as a generally useful food lies in its toxic action, especially its psychical effects. Alcohol should, therefore, be employed as a food only when a sufficient supply of energy can not be obtained from an ordinary diet; as, for instance, in digestive disturbances, or when the demands on the organisms are unusually large, as in fever.

Concerning the habitual or moderate user of alcohol, the same author says:

It may be considered as probable that a certain amount of alcohol (variable in individual cases) may be taken daily without any demonstrable permanently injurious effect. But it stands equally certain that it is as indispensable to the organism as nicotine or caffeine, and that it must be looked upon purely as a luxury. The injury done by such use of alcohol lies chiefly in the fact that it is so apt to lead to the use of immoderate amounts.

Mr. President, I further quote from A Textbook of Pharmacology and Therapeutics or the Action of Drugs in Health and Disease, by Arthur R. Cushny, M. A., M. D., LL. D., F. R. S., professor materia medica and pharmacology in the University of Edinburgh; formerly professor of materia medica and therapeutics in the University of Michigan, and later in the University of London, eighth edition, 1924.

I am confident that the medical profession holds Arthur R. Cushny in high esteem; in fact, if there is an authority in materia medica and pharmacology Cushny is that authority. He states with reference to the influence of infection:

Persons addicted to the use of alcohol are known to show less resistance to acute disease and in operations accompanied by shock than more temperate individuals, and in very intemperate cases the prognosis must be guarded in an attack which would ordinarily be accompanied with little danger. This has been confirmed by a large number of experiments on animals which were subjected to large doses of alcohol and then inoculated with pathogenic germs.

Under "Therapeutic uses" I quote the following:

The action which lends alcohol its value in therapeutics is not its stimulant but its narcotic action, which allays the anxiety and distress of the patient, promotes rest and sleep, and thus aids toward healing, or at the worst renders illness more tolerable. Small quantities of other narcotics might be substituted for alcohol, but none of them perhaps excel it in producing that spirit of hopefulness and restful confidence which contributes so much to recovery.

Mr. President, I could quote from many other authorities. My primary object is to make it clear to United States Senators and others that alcohol in any form is a dangerous narcotic; and in discussing the merits of prohibition we can not, as rational Senators, disregard the evidence furnished by the medical profession. I am sure that I can state, without fear of contradiction, that these quotations are fairly representative of the views of the medical profession. I am aware that physicians still differ widely in the matter of prescribing alcohol in disease. After all, the medical profession is not unmindful of the tremendous danger involved in even the moderate use of alcohol in any form.

REPUDIATION OF THE CONSTITUTION

Mr. President, the several wet bills now pending are an attempt to repudiate the Constitution of the United States. I do not maintain that this is the intention of the framers of these bills. I do maintain, however, that the passing of these bills would be in effect a repudiation. In my judgment, nothing more dangerous could be undertaken by the United States Congress. The framers of these bills have a perfect right to ask that the eighteenth amendment be nullified, and it can only be nullified in the way it was enacted. Why not be frank about the matter and meet the real demand squarely? I can do no better than to quote from the recent speech of the senior Senator from Idaho [Mr. BORAH]:

Mr. President, it is no part of the duty of a citizen to ferret out means by which to escape from the terms of the Constitution. It is no part of good citizenship, in my judgment, when citizens find in the Constitution a provision which they do not like, to see how far they can possibly go toward evading it or nullifying it without getting within the inhibition which the courts might lay upon them. So long as the provision is there, instead of seeking means to evade it, it is the duty of the citizens of the United States to find means to enforce it. If the means do not exist at this time, if the law is not sufficient and efficient, and if the power behind the law is not sufficient to enforce it, then, instead of finding means by which to evade it, it is our duty, and the obligation rests upon us, to find more effective means by which to make the Constitution effective. Change it if you will; rewrite it again if you may; but so long as it is there it is the duty of every loyal citizen to see to its enforcement.

Of course, the constituency for which they were politically speaking understands that "light wines and beer" mean intoxicating liquor. All this disturbance and all this debate are not for the purpose of securing nonintoxicating liquor. The people who are insisting upon this change are not insisting upon the change for the purpose of getting more nonintoxicating liquor. What they understand is that they are to secure intoxicating liquor; that wines and beer such as will give them their intoxicating drinks are to be allowed. We have a great political party, one of the dominant parties in the country, actually passing resolutions petitioning the Congress of the United States to violate or connive at the violation of the Constitution of the United States and doing it for sheer political expediency.

What we are seeking to do, as I understand it, is to readjust the situation so as to satisfy, if possible, the country against persistent insistence upon a change of the prohibition law. If we fix it at a percentage which does not give intoxicating liquor, it will solve nothing. On the other hand, if we do fix it at a percentage which will give intoxicating drinks, we will have violated the Constitution.

Mr. President, in my judgment there are two classes who are eager to have the eighteenth amendment repealed and the Volstead Act nullified. Prior to the enactment of the eighteenth amendment the manufacturers of beer and distilled liquors were

a power in politics. They constantly violated the laws that were then enacted. Again and again, as the antisaloon sentiment made progress, the saloonkeepers and brewers were warned that they were on the road to self-destruction. The best citizens of this country condemned their disregard for law and their utter lack of civic morality. There was hardly any mentionable crime that they would not indulge in in order to increase the traffic. The same class of men are now untiring in their efforts to destroy the Volstead law. They do not constitute any considerable portion of the citizens of America. They entertain the same motives, the same purposes, that the bootlegger practices. Nothing can be said in their favor. They contribute to immorality and crime day in and day out; they also influence our legislation and corrupt the political forces in our cities and States. They have not been converted; they are the same vultures in 1926 that they were in 1910.

Mr. President, to my amazement we now have this group of vultures supported, consciously or unconsciously, by a class of men that occupy prominent positions and who see nothing but the violations of the Volstead Act. They utterly ignore the fundamentals of health and the human tendencies that are as old as civilization. It is a deplorable fact that so-called good men have joined this dangerous army of antiprohibitionists, who speak of alcohol and other narcotics as necessities of life and promoters of happiness. In my judgment the man who advocates a surrender to one's instincts is on dangerous ground; yes, on perilous ground. Every fair-minded man knows that every human being possesses instincts, or the remnants of instincts, which, if allowed to run wild, would destroy the individual and human civilization. The truth of the matter is, nearly all narcotics are indulged in for the purpose of shunting mental and physical irritations. It is the lazy man's way of trying to rid himself of the disagreeable. The advocates of light wines and beer recognize the fact that they are to be used for the purpose of producing a fictitious peace of mind—a fictitious escape from legitimate life responsibilities. There is no more harmful philosophy expounded to-day than the philosophy of self-gratification.

The antiprohibitionists have gone crazy over what is called personal liberty, personal freedom. None of these antiprohibitionists want to see the return of the American saloon. Why not? If the light wines and beer had the virtues that they so strenuously advocate, why not give the utmost freedom to their use? The truth of the matter is the very fact that they oppose the saloon is the conclusive argument that they recognize the dangers of this particular narcotic called alcohol. They know very well that a beer or wine that is not intoxicating will not satisfy the craving that they maintain exists for securing ease and peace of mind. They seem to forget that even when they had the American saloon there was a certain amount of bootlegging. They forget that the saloon that tried to obey the laws of the State could not secure its share of the spoils. In my judgment the so-called group of wets, some of whom are doubtless conscientious in their attempt to destroy the Volstead Act, unhesitatingly violate the Volstead Act and rejoice in it.

American youth is influenced quite as much by public opinion and example as by the laws of the State. I charge them with aiding and abetting lawbreaking in this country. I can not come to any other conclusion. I think I was not unlike other boys. For the outstanding citizens I had the profoundest respect and, consciously or unconsciously, imitated them. How any American citizen who has pledged himself to support the Constitution can violate and rejoice in its violation is more than I am capable of understanding. Furthermore, it must be clearly understood that the wets are not presenting a program that will benefit the morals of youth, that will elevate citizenship, that will work for higher regard for law enforcement. The truth of the matter is the whole philosophy of the wets is contained in the statement, "I want what I want."

Mr. President, the dries are not free from criticism. In my judgment at the time of the enactment of the eighteenth amendment temperance had reached its maximum point. For 50 years an educational campaign had been carried on, and the youth had some appreciation of the dangers involved in the use of alcohol in any form. They could look about them and see neighbors and friends who entertained the same regard. When the eighteenth amendment was adopted the dry forces lessened their enthusiasm. They thought that their problem was solved. But the problem of self-control, of regulating one's instincts and impulses, can never be solved entirely by law. The educational process in the home, in the school, in the church, and in the State must ever be kept in mind.

The wets seem to forget that there exist other influences than the eighteenth amendment and the Volstead Act in the matter of law violations. This is a prosperous age; this is the

age of money making. This is the age in which the impulses of man are driving toward ease and comfort and moral laxness. Some statesman or philosopher will yet make an analysis of crime and its causes in America. Even Great Britain, with her free use of alcoholic liquors, is floundering in the same ditch that we are in. Other countries might be cited. The consequences of the World War have not yet passed. The destruction of life and property was not the only disaster that the world suffered. We had four years of emotional debauch, and as a consequence the attitude of men and women toward life has been changed. It will take centuries to overcome the emotional convulsions that the nations have gone through.

Therefore, it is no time for advocates of law and order to lie down and surrender their only program of hope. Education is the world's beacon light. If the dries will awaken from their Rip Van Winkle sleep and return to their former methods of educating American youth, we shall have a larger respect for law enforcement. It is to be regretted that they can not have the united support of the wets in securing the enforcement of the prohibition laws now on our statute books. This is, indeed, a pathetic situation. The so-called progressive wets should unite with the dries in an attempt to enforce the Volstead Act. We do not expect them to do this.

Mr. President, the investigation that has been carried on by the Committee on the Judiciary is, in my judgment, fortunate. I do not deplore the investigation. Let us have more light, but let us try to be rational beings; let us try to consider the welfare of all concerned instead of a class. I believe in the sanity of the American people. I believe that this investigation will awaken the American people to a realization of the critical condition we are now in. The toil of more than a half century must not be snuffed out. The work of educating American youth in habits of right living is an imperative aim for the home, the school, the church, the State, and the Nation.

Mr. President, in summarizing I wish to state that I am in agreement with the wet Senators who have declared the prohibition issue to be the greatest issue that ever came before the United States Congress. I have alluded to the half-century battle in America against the liquor traffic. There can be no difference of opinion as to the terrible destruction wrought by the liquor traffic in the United States. I have attempted to show that the eighteenth amendment and the Volstead Act became a part of our law through a long educational crusade, and I wish to repeat that this crusade was against alcohol as a narcotic, as being injurious to human welfare. No one denies that if alcohol could be used in light wines and beer and other beverages in moderation, of course, the results would be much less injurious. But the medical profession and the life insurance companies, and the industries of this country recognize that the moderate use of alcohol leads, in thousands and tens of thousands of instances, to its immoderate use.

I have pointed out that it is a libel on human nature to contend that there is any natural demand for alcoholic beverages. No form of psychology could be more unscientific and pernicious and more disastrous in its teachings than this doctrine. I have also maintained that human nature does change, and it is the province of civilization to make changes in human nature for the better in every way possible. I have also hinted that the liquor traffic is in absolute violation of sound economics. The question of personal freedom is subordinated to the interests of all of the people all of the time.

I hardly think that a wet would give any other answer than the answer a dry would give to the questions: When and under what circumstances does the moderate use of alcohol increase the personal efficiency of the user? When and under what circumstances does the moderate use of alcoholic beverages make the user keener in his moral discernment? When and under what circumstances does the moderate use of alcohol make a man a safer railroad engineer, or a safer automobile driver, a better expert in any line of manual effort? When and under what circumstances does the moderate use of alcohol as a beverage increase the proficiency of any professional man? When and under what circumstances does the moderate use of alcoholic beverages make for law and order?

You will observe that I have used the expression "moderate use." Every American citizen knows that there is tremendous danger of passing from the moderate use of alcoholic beverages to the excessive use of those beverages. The wets propose a plan for turning the United States Government into one great saloon-keeper. If we are to have light wines and beer somebody must dispense them, and if this is left to the Government we open the way for a final return to the American saloon. Many members of the old-time liquor-traffic gang are enthusiastically assisting the so-called respectable wets in making prohibition a political issue. Why not frankly admit that their efforts are for legaliz-

ing the liquor traffic? In this connection I quote the last paragraph of an editorial from the Washington Evening Star of Sunday, April 25, as follows:

The indictment against the law as the cause of its own defiance and violation is the shrewd device of interests that seek the restoration of the liquor traffic in all its villainess and strength of political influence.

No country, no State has found a method of distributing light wines and beer so that the dangers of the return of the old-time saloon would not face us constantly. Furthermore, I wonder that the wets do not occasionally give a little more attention to the great organizations of women, the great organizations of American youth, the great organizations of the churches in handling this matter. These different organizations are exerting themselves heroically to help American youth, and why should the so-called patriotic wets hesitate to practice a little self-denial and join the dries in the battle for the enforcement of law?

I believe that with an enlightened public sentiment the Volstead Act can be enforced. America is potentially and practically the greatest country in the world. America occupies a unique position in the affairs of the whole world. Her position is one of conceded leadership. Will she at this critical hour surrender her power and obligation to make America safe for American youth?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that, pursuant to the joint resolution (S. J. Res. 30) authorizing the establishment of a commission to be known as the Sesquicentennial of American Independence and the Thomas Jefferson Centennial Commission of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence, etc., the Speaker of the House had appointed Mr. TILSON, Mr. GARRETT of Tennessee, Mr. BACON, and Mr. MOORE of Virginia members of the commission on the part of the House.

The message also announced that the House had passed without amendment the following bills of the Senate:

S. 1989. An act to authorize the Secretary of the Interior to purchase certain land in Nevada to be added to the present site of the Reno Indian colony, and authorizing the appropriation of funds therefor;

S. 2658. An act to authorize the Secretary of War to fix all allowances for enlisted men of the Philippine Scouts, to validate certain payments for travel pay, commutation of quarters, heat, light, etc., and for other purposes;

S. 2706. An act to provide for the reservation of certain land in California for the Indians of the Mesa Grande Reservation, known also as Santa Ysabel Reservation No. 1;

S. 2853. An act to authorize the transfer to the jurisdiction of the Commissioners of the District of Columbia of a certain portion of the Anacostia Park for use as a tree nursery;

S. 3595. An act to authorize the exchange of certain patented lands in the Grand Canyon National Park for certain Government lands in said park; and

S. 3953. An act to provide for the condemnation of lands of the Pueblo Indians in New Mexico for public purposes, and making the laws of the State of New Mexico applicable in such proceedings.

The message further announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2702. An act to provide for the setting apart of certain lands in the State of California as an addition to the Morongo Indian Reservation; and

S. 2717. An act to reserve the merchantable timber on all tribal lands within the Klamath Indian Reservation in Oregon hereafter allotted, and for other purposes.

The message also announced that the House had passed the joint resolution (S. J. Res. 60) authorizing expenditures from the Fort Peck 4 per cent fund for visits of tribal delegates to Washington, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 178) authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims.

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

H. R. 3842. An act authorizing the Postmaster General to make monthly payment of rental for terminal railway post-office premises under lease;

H. R. 9875. An act to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service, and for other purposes," approved June 7, 1924;

H. R. 9916. An act to revise the boundary of the Grand Canyon National Park in the State of Arizona, and for other purposes;

H. R. 10055. An act to amend section 77 of the Judicial Code to create a middle district in the State of Georgia, and for other purposes;

H. R. 10131. An act granting the consent of Congress to the Wakefield National Memorial Association to build, upon Government-owned land at Wakefield, Westmoreland County, Va., a replica of the house in which George Washington was born, and for other purposes;

H. R. 10733. An act to make additions to the Absaroka and Gallatin National Forests and the Yellowstone National Park, and to improve and extend the winter feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes; and

H. R. 11202. An act to provide for the preparation, printing, and distribution of pamphlets containing the Declaration of Independence, with certain biographical sketches and explanatory matter.

PROHIBITION

Mr. SHEPPARD. Mr. President, I have made brief selections from the statements of leading business and professional men and educators of the United States in behalf of national prohibition in this country after they had observed its operation for more than half a decade. These statements are from men who, according to their own published assertions, are dry in personal habit as well as theory, and constitute a wonderful tribute to prohibition.

J. E. Edgerton, Memphis, Tenn., president of the National Association of Manufacturers, said that the abnormal lawlessness of the time could not be attributed to prohibition; that except for prohibition the situation would be infinitely worse.

Eugene N. Foss, Boston, Mass., former Governor of Massachusetts, said that as a manufacturer and large employer of labor he saw daily the great benefits accruing to the workingman and his family from prohibition.

J. J. Phoenix, Delavan, Wis., president of the Bradley Knitting Co., with plants at Milwaukee, New York, Chicago, Atlanta, Detroit, San Francisco, and Honolulu, said that the benefits of prohibition had so far exceeded the expectation of its friends that there seemed to be no question as to its economic value.

Dr. Eugene Lyman Fisk, New York, N. Y., medical instructor, Life Extension Institute, said that prohibition had brought about an extraordinarily low death rate, a lowered sickness rate, and increased savings accounts.

William A. Vawter, 2d, Benton Harbor, Mich., Baker-Vawter Co., said that prohibition was a splendid thing for both moral and economic reasons.

H. L. Paddock, Fulton, N. Y., president Oswego Falls Corporation, a consolidation of the Oswego Falls Pulp & Paper Co., the Skeneatles Paper Co., and the Sealight Co., said that the men employed by this corporation were much steadier and more reliable and had more money to supply their families with their various needs as a result of prohibition.

R. H. Scott, Lansing, Mich., president Reo Motor Car Co., said that the employees of that organization were steadier and were better and more dependable in every way since the advent of prohibition.

Dr. Haven Emerson, New York, N. Y., of the department of health administration, College of Physicians and Surgeons, Columbia University, said that with the exception of the benefits from the application of sanitary science nothing in this country had so directly improved health and contributed to the reduction of preventable deaths as had prohibition; that economic and health returns in terms of lives and self-support appeared to justify fully the great social experiment to which the country had by unmistakable majorities committed itself.

Lewis Jerome Johnson, Cambridge, Mass., professor civil engineering, Harvard University, said that his conviction for prohibition was strengthened by the tactics of such of the defeated opposition as were countenancing the principle that one is at liberty to break the law and ridicule law enforcement if the law does not happen to meet one's approval; that such tactics should encourage the law-abiding to increased vigor in the demand for law enforcement not only for the sake of completing the suppression of the liquor traffic but for the still deeper purpose of effectively rebuking a most sinister kind of lawless-

ness; that more emphasis should be placed on the fact that prohibition rests in the last analysis on the necessity for it as a means of saving the sober from the many evil consequences to them of other people's alcoholism; that among the consequences were personal dangers from drunken husbands and fathers, from drunken operators of automobiles and other machinery, and also the political dangers from larger masses of more or less alcoholized voters; that the nondrinker has a personal liberty to life and the pursuit of happiness which takes precedence over the desire of individuals to drink alcoholic liquors.

William T. Foster, Newton, Mass., director Pollak Foundation for Economic Research, said that prohibition was a boon to women and children.

Carl R. Gray, Omaha, Nebr., president Union Pacific Railway system, said that national prohibition laws had been a great aid to his company in enforcing rule against drinking among employees.

B. R. Hieronymus, Springfield, Ill., chairman of the board, Illinois National Bank, said that he had been a close observer of the effects of our prohibition laws in city, State, and Nation; that in Springfield, a manufacturing city of 60,000, there had been a remarkable increase in the number of savings accounts from among the working people; that mothers by the hundreds, with children, now had the satisfaction of watching a savings account grow to provide for a rainy day instead of knowing that it had been spent in a saloon; that in his judgment the country would never return to the licensed selling of liquor in any form.

J. P. Reeves, Chicago, Ill., treasurer Chicago & Eastern Illinois Railway Co., said that the eighteenth amendment was an epochal step for American welfare.

W. T. Thompson, Lincoln, Nebr., former attorney general of Nebraska and former Solicitor of the United States Treasury, said that there was less poverty, crime, and lawlessness and more thrift, domestic happiness, and right living among our people under prohibition than under high license and the saloon; that prohibitory laws had been and are being enforced as surely and effectively as any of the penal statutes of Nebraska or of the United States.

M. M. McCall, Opelika, Ala., president National Bank of Opelika, for 22 years treasurer and manager of Opelika Cotton Mills, said that improvement along moral and economic lines had been very marked, so far as his observation went; that he could not see how anyone favoring better living conditions could possibly favor any slackening of our prohibition laws.

F. E. Swift, Auburn, N. Y., president National Bank of Auburn, said that in his locality great benefits had been derived from the prohibition law; that bank deposits had steadily increased, especially savings deposits; that property in his city, especially business property, had advanced rapidly in value, and rents had advanced very materially; that this had happened although about 125 saloons were closed by prohibition, and although it was predicted that as a result grass would soon be growing in the streets; that it was true that a crime wave was sweeping over the country, and he often wondered what conditions would have been if liquor had been sold as freely as in the past; that he thought it would have been Hades personified.

Judge Arthur J. Dunton, Bath, Me., attorney at law, said that he was more than ever convinced that absolute prohibition was the only sensible and satisfactory way to deal with the liquor traffic; that while in his locality there had been a very good enforcement of the State prohibitory law before the advent of national prohibition, it had made the enforcement of the State law a little less difficult and more effective to have no legalized sale of liquor in neighboring States, although there were still many miles of Canadian border which had to be looked after; that world-wide prohibition must be our aim now as well as the strengthening and retention of the present law.

Rockwell D. Hunt, Los Angeles, Calif., dean of graduate school and professor of economics, University of Southern California, said that the beneficial results of prohibition were being felt on all sides; that millions had actually foresworn drink, and, best of all, a generation would rise that knew not the saloon and whose children will not know the taint of alcohol; that sobriety would add both strength and virtue to the Nation.

Otis N. Pierce, New Bedford, Mass., president Grinnell Manufacturing Corporation, said that as an employer he knew prohibition was a great benefit to the laboring class.

William S. U'Ren, Portland, Oreg., attorney, said that he was more convinced than ever that prohibition was altogether practicable, morally right, and economically profitable for the whole people; that in Oregon the prohibition laws were more popular

and more effectively enforced than the license liquor regulation laws ever were.

W. H. Cowdery, Cleveland, Ohio, president American Fork & Hoe Co., said that he was confirmed in his expectations of good results to be derived by both employers and employees from prohibition laws; that no more visits to homes of employees had to be made on Monday mornings to hasten attendance at the shop; that employees who formerly wasted a portion of their wages in drink were better workmen, not liable to be agitators, and better husbands, fathers, and citizens.

W. E. Mack, Niagara Falls, N. Y., superintendent of service, the Carborundum Co., said that prohibition in the United States was right, that it was out of the question to expect a law making as great a change as prohibition contemplated to produce all the desired results in a few years.

James Schermerhorn, Detroit, Mich., editor Detroit Times, said that prohibition was a war-time picture of Uncle Sam at his best; that his features reflected the exaltation of spirit springing from the country's critical hour; that he looked the real patriot that he was ready to renounce and conserve for democracy's sake; that he was willing to remain sober, to save and to surrender self at home, while millions of young countrymen stood to lose all on the firing line; that other likenesses for which the Nation sat from 1917 to 1919 had been taken down in the gallery of glory or had developed flaws; that critics who had always held the portraiture to be "too good to be true" insisted Uncle Sam should sit again, declaring he would look more like himself if he were less abstemious; that the prohibition colors, however, had been put on to stay and would take on greater glory as the years went by; that we should all rejoice that this prideful Nation posed when it did, upborne by the consciousness that it was doing the best thing for victory and for humanity; that those who were never for this sublime study of Uncle Sam sober were not for it now; that they were poor losers, punk sports, as poor and punk as they ever accused the "narrow, fanatical, puritanical teetotalers" of being; that they did not want the majority to rule unless it ruled their way; that prohibition was more than a benefaction to home and family and labor and industry and production; that it was a test as to whether we had a pulpit and press consecrated to the collective will of the people, whether we had public officials and courts so "unawed by influence," so "unbribed by gain" that they would be unalterably true to their pledged honor. Mr. Schermerhorn next asked if fealty to the Constitution was to go deeper than our cellars or higher than our highballs, if patriotism was above thirst, Old Glory above the gullet, "E Pluribus Unum" above the esophagus. He added that the answer was forewritten in the sacrifices this Nation had already made to preserve the instrument of government declared to be "the greatest piece of work ever struck off by the brain and purpose of man"; that if England liked the spectacle of mothers reeling from her "pubs," or if France was complacent over a state sipping while it was slipping, that was their business; that America, sober, could face all the rest of the world sodden, and press forward magnificently, sanguine, and unashamed.

L. P. Hollis, Greenville, S. C., superintendent Parker school district, said his work for the past 20 years had been altogether with the cotton-mill operatives of the South, and he could testify that prohibition had been a great thing for them.

David D. Lupton, Philadelphia, Pa., vice president David Lupton's Sons Co., said that he had followed the cause of prohibition since its adoption, and could state frankly and positively that it was the best piece of legislation that possibly could have been accomplished for the moral and physical welfare of our people; that he was more strongly than ever in favor of prohibition and the Volstead Act; that being in close touch with the working people he knew the blessings that had come to them through prohibition.

James K. Risk, treasurer and general manager Daily Cream Separator Co., Lebanon, Ind., said that he believed more strongly in prohibition than ever before; that in his opinion statistics would show that there were more workingmen buying, building, and owning homes than at any time in the history of the Government; that the great masses of the American people were sober and law-abiding; that the lawless class and the idle rich were responsible for the crime going on, due to the bootleg traffic; that national prohibition was the greatest economic advance in the history of our Nation.

John W. Sibley, general sales manager Birmingham Clay Products Co., Birmingham, Ala., said that financial reports of the banks throughout the South showed the economic value of prohibition.

R. B. Benjamin, Chicago, Ill., of the Benjamin Electric Manufacturing Co., of Chicago, New York, San Francisco, Toronto, London, said that he was of the firm belief that on the whole our country was far better off under prohibition.

Walter A. Rogers, Chicago, Ill., president Bates & Rogers Construction Co., said that prohibition was a great economic and moral benefit to the country.

H. A. Moses, Mittineague, Mass., president Strathmore Paper Co., said that prohibition was of greater economic and moral value than could be estimated; that it was gaining increased support in most sections despite propaganda to the contrary.

D. Seltzer, Bellevue, Ohio, vice president and general manager Ohio Cultivator Co., said that prohibition was best for the country and the workingman, that if the question were tested the United States would adopt prohibition by a greater majority than ever.

J. D. Eggleston, Hampden-Sidney, Va., president Hampden-Sidney College, said that there had been a steady lessening of the drink evil under prohibition, that he did not favor State and National prohibition, preferring the slower process of education, but when prohibition laws were passed he obeyed and had continued to obey them, that he was perfectly willing to practice any self-denial in refraining from wine, beer, or juleps for the general good.

Courtenay Guild, Boston, Mass., of Curtis, Guild & Co., publishers of the Commercial Bulletin, said that prohibition had brought far better conditions than he had supposed possible in so short a time.

Simon Casady, Des Moines, Iowa, president Central State Bank, said that he was more strongly for prohibition than ever.

Bird W. Spencer, Passaic, N. J., president Peoples Bank & Trust Co., said that he was strengthened in the belief that laboring men had for the most part given up drinking liquor and were better for it.

John M. Young, Williamsport, Pa., president Sweet's Steel Co., said that it was hardly to be expected that a change so radical in our social relations as was prohibition, and affecting so much invested capital, could be effected without the hardest kind of a fight; that this we were experiencing; that the widest publicity was being given to every violation of prohibition laws; that naturally the relative good would come up at times for analysis; that infractions came in large part from an older portion of the community who resented the enforced deprivation and felt the denial involved; that the younger element, however, was growing up without the saloons, fully impressed with the unlawfulness in getting drink and the fearful consequences attaching to the use of vile substitutes so much in evidence; that we were not a nation of lawbreakers; that gradually but steadily law observance was gaining and temptations were diminishing; that as to loss of personal liberty this did not apply any more properly to the Volstead law than to the narcotic law; that the good in prohibition so far predominated that he was still firm in the faith.

B. F. Nelson, of Minneapolis, Minn., treasurer B. F. Nelson Manufacturing Co., said that the rapid progress of our country was due to the eighteenth amendment to a large extent.

J. B. Johnson, of Minneapolis, Minn., dean college of science, literature, and the arts, University of Minnesota, said that the absence of the saloon was an inestimable boon to the younger generation.

W. H. Thomas, Los Angeles, Calif., attorney and judge, said that national prohibition in the United States was the greatest single piece of reform ever undertaken by any nation.

Newton Doremus, Red Bank, N. J., president Land & Loan Co., said that he was for prohibition and wanted more efficient enforcement, so that women and children might have still better living conditions.

Fernando Sanford, Palo Alto, Calif., professor emeritus, Stanford University, said that he doubted national prohibition at first, but these doubts had been long since removed.

John Fahnline, Sharon, Pa., former manager Driggs-Seabury Ordnance Co., said that he favored prohibition; quoted Stonewall Jackson as saying that liquor was more dangerous than the guns of the enemy; and said further that in accidents in steel works chances were 99 per cent against recovery by men using liquor.

Clarence H. Kelsey, New York, N. Y., chairman Title Guarantee & Trust Co., said that the so-called respectable people who violate the prohibition law were not going to pull down society with them, but would be replaced by men and women of vigor and character, who would come up from the people, creating a better society, sober and obedient to law.

Max F. Meyer, Columbia, Mo., professor of psychology, University of Missouri, said that prohibition would gradually cover the world.

B. B. Comer, Birmingham, Ala., president Avondale Cotton Mills, former governor of, and United States Senator from, Alabama, said that the accomplishments of prohibition were wonderful; that among them were home building, savings-bank

increases, use of automobile, the passing of squalor, poverty, and mendicancy.

A. J. Wurts, Pittsburgh, Pa., professor of research, Carnegie Institute of Technology, said that utter selfishness was at the bottom of the fight against prohibition; that the United States in supporting prohibition was conducting a great battle for the good of the world.

Edward Ellery, Schenectady, N. Y., dean of faculty, Union College, said that no principle, scientific or social, was ever perfectly applied in initial stages; that in some instances perfect application was never attained; that defects in application did not invalidate the principle nor relieve men from responsibility in an effort to apply it; that prohibition violations were to be expected but would grow less.

Henry S. Dulaney, Baltimore, Md., said that every day prohibition was proving a great blessing to the country.

J. S. Baker, Evansville, Wis., president Baker Manufacturing Co., said that people had more automobiles, better furnished homes, more saved in stocks, bonds, and bank deposits than before country went dry.

A. B. Bryant, Gardner, Mass., president First National Bank, said that the eighteenth amendment was the greatest piece of moral legislation ever enacted in this country.

Charles A. Lory, Fort Collins, Colo., president State Agricultural College, said that he had known mining camps, farming communities, and educational centers under open saloon and under prohibition, and that the latter condition was far superior; that the people would never want to go back to the condition preceding prohibition.

John S. Bradley, Portland, Oreg., vice president and manager Bradley Logging Co., said that he was unchanged for prohibition and that the great majority of the American people would support strict law enforcement.

H. F. Coppes, Nappanee, Ind., of Coppes Bros. & Zook, said that despite adverse propaganda sound American opinion was increasing in favor of prohibition.

Andrew M. Soule, Athens, Ga., president State College of Agriculture and Mechanic Arts, said that more people were constantly arrayed on the side of prohibition; that whisky was the primal curse of humanity.

R. T. Jones, Canton, Ga., president and treasurer Canton Cotton Mills, said that nothing had brought greater blessings than prohibition.

Ralph W. Harbison, Pittsburgh, Pa., of Harbison Refractories Co., said that he was more convinced than ever of the economic necessity of prohibition.

A. H. Hale, Manchester, N. H., president First National Bank, said that it would be a crime against humanity to change the prohibition law materially.

Charles L. Huston, Montrose, Pa., vice president Lukens Steel Co. (located at Coatesville, Pa.), said that prohibition was worth all it had cost the country in saving men from the temptation of the legalized liquor traffic.

Amos P. Wilder, New Haven, Conn., associate editor, Journal-Courier, saw that American prohibition was logical, imperative, righteous, and inevitable; that it had a background of ages of woe and violence, culminating in a last half century of arrogance when drink, scorning petty triumphs of individuals, family, and community wreckage, suffering, and death reached over to stranglehold the Republic itself; that the brewing and distilling interests at last had politics in such complete control in city, town, and crossroads that a citizen who dared aggressively to oppose it could not have been elected dog warden if its representatives turned thumbs down; that it was then that the efforts of the patient, self-sacrificing, negligible, prayerful remnant through the century superadded to the wearisome, daily recital in the newspapers of tragedy, vice, crime, and death flowered in a day; that the minds of men had been made ready; that every college class had recounted its bright spirits quenched in the liquid fury; that every village had had a fresh murder, often of loved ones crazy with rum; that every club had been marching periodically to the cemetery with bodies wrecked under the guise of good cheer; that every business concern had had its black stars, every profession its lost hopes, almost every roof having concealed a disaster; that the family that could count three generations without one drunkard was an exception; that it was not strange that the citizens rose up in their might; that they had been convinced at last that habit-forming alcohol was too powerful to be permitted longer in the social life of the people; that if rum was a good thing he would despair of the enforcement of prohibition; that science, an agency of truth, said it was bad and truth could not fail; that it was unscientific to question whether enforcement could succeed; that it was an inquiry of weakness and unfaith, and was un-American; that if you said the law was

not enforced to-day his reply was that it would be to-morrow; that when truth was on foot the stars in their courses fought for it; that we had already seen the indignation of the Nation over the shameless, insulting bootlegging of a British knight; that irrespective of their personal attitude toward enforcement citizens cried out and it was stopped; that good things would come to America by reason of this adventure of faith, this declaration of prohibition, this super announcement to humanity; that this first nailing up on the bulletin board of the nations that alcohol is officially tabooed in the land to which 40 nations are sending their sons and daughters had made the United States splendid in their eyes; that it meant industrial supremacy; that better, we had blazed the way in the gloomiest forest in which the children of man ever wandered, comparable only to the insanity of war, on which the thoughts and resolves of good men and women were now no less riveted; that he deplored bootlegging in certain cities, but did not despair; that he believed in the capacity of the American people to solve their problems, not forgetting that great problems demanded time and involved much circumstance; that it was not a small subject to which the citizens had put their hands; that it was nothing less than the changing of the drink of the people; that some men might be depressed by local occurrences and even unfavorable trends, but that as an engineer digs patiently on through the mountain, concerned only that he is pointed right, so those convinced that God is good and rum is bad and that man is never content except as he is climbing up the mountain side will work on; that prohibition was rightly called a great moral issue, like slavery; that administrative sides were less important than they seemed; that unless one had faith enforcement was not a matter in which his opinion was of value; that ridding civilization of alcoholic drink was too epochal, too majestic for human calculation for men's doubts and fears; that in a sense it had passed from out their hands; that there were hidden permanent, spiritual factors which did not lend themselves to quarterly reports; that the public mind had finally got the idea that this country was to function without drink and without drunkards; that it opened the visions of a better humanity to think that our people, so many of them foreign, were in process of being educated to such a prophetic ideal.

L. C. Mandeville, Carrollton, Ga., banker and president of cotton mills, said that the Volstead Act was the best legislation ever enacted for this country; that it was not 100 per cent enforced, and neither was any other law; that it had been months, perhaps years, since he had seen anyone under the influence of liquor in his home city (Carrollton), whereas in the day of saloons no lady dared to go on the streets on public days for fear of being insulted; that he believed the next generation will hardly know what whisky was.

Joseph Sailer, Philadelphia, Pa., practicing physician, said that he was impressed with the favorable results of prohibition; that he noticed these results particularly in his hospital work, pneumonia being no longer as common or as severe as before prohibition.

A. S. Warthin, Ann Arbor, Mich., professor of pathology, University of Michigan, Ann Arbor, Mich., said that he was more than ever in favor of prohibition and believed that it had been of greatest value to the working people throughout the country; that women and children had benefited particularly; that he had traveled much through the smaller towns of the north-central portion of the country, and in conversation with business men, physicians, and school-teachers found that in the smaller towns there was unanimity of opinion that there was less poverty, less disease, and less crime resulting from alcoholism; that working people had more money to spend, were spending it upon their houses, and living in greater comfort on money saved that formerly went to the saloon keeper; that incidents like the following had impressed themselves upon his mind: While sitting on the observation platform of a train running through southern Idaho the train stopped at a little village for some time. Two trainmen on the rear platform were discussing prohibition, and one of them, pointing to this little village, said, "Not a single woman in this town would vote to give up prohibition. Husbands bring their checks home instead of turning them in at the saloon, and every family in the town is better off than in the old days"; that he had heard sentiments of this kind so frequently repeated in the smaller towns that he thought their truth must be accepted; that the people were uniformly better off for prohibition; that he believed bootlegging lawlessness was decreasing; that in the last three years he had not seen a single drunken man on the streets in the daytime, and that was certainly a great improvement over old times; that while in England the previous summer he had been struck by the frequency of drunken

men and women there; that conditions there made a most unpleasant impression on him in contrast with conditions at home.

J. Hammond Smith, Pittsburgh, Pa., of the engineer department, University of Pittsburgh, said that prohibition was working as well as could be expected; that it promoted clean living, clean politics, higher efficiency in industry and as a Nation.

John Walton, Frankford, Philadelphia, of Jacob W. Walton Sons, said that he was unalterably in sympathy with the eighteenth amendment and the enforcement—Volstead—act; that the public mind was gradually putting the group breaking the laws of the land in the class where they belong.

Raymond Robins, Chicago, Ill., social worker and economist, said that he was more in favor of prohibition than when the eighteenth amendment was passed; that experience showed that, with the saloon outlawed and liquor traffic made a crime, social, economic, and moral gains for public welfare were overwhelming.

George F. Bovard, Los Angeles, Calif., president emeritus, University of Southern California, says that he believed most heartily in the eighteenth amendment; that it had been of great benefit to the United States economically and in every other way; that he was an American citizen, and believed, therefore, in the rigid enforcement of the law.

I now desire to turn briefly to another phase of prohibition which has not received, perhaps, the attention it merits.

Mr. President, the construction by man of agencies of progress from his material environment is one of the explanations, one of the glories, and one of the hopes of civilization. Among these agencies industrial alcohol occupies a position of essential importance. It is a chemical compound whose source for widest commercial use may be found in the fermented and distilled juices of practically all vegetable substances that may be utilized for food. The production of industrial alcohol from vegetable substances not employed for food and its synthetic creation from calcium carbide and from the coal and coke-oven gases, while promising much, have had as yet but a limited development outside the laboratory and the study.

Fermented alcohol and alcohol distilled in addition to fermentation had been used in the preparation of beverages and so-called medicines thousands of years before the possibilities of alcohol in industry were seriously noticed. About the middle of the nineteenth century the value of alcohol as an industrial commodity was becoming so apparent that a demand arose in Great Britain for the remission of the taxes on it when so employed. This was the first impressive evidence of the conflict between alcohol as a beverage drug—habit-forming; seductive; menacing to character, health, and strength; wrecker of homes, ambitions, reputations, and careers; subjected to the heaviest taxation in nearly every country—and alcohol as an article of such supreme usefulness, in a commercial and industrial sense, as to constitute one of the indispensables of modern society.

The demand for the recognition of industrial alcohol in Great Britain resulted in the removal by Parliament in 1855 of the tax on alcohol when employed for manufacturing purposes and when mixed with a certain amount of wood naphtha. Such was the natural lawlessness of the beverage alcohol traffic that it was necessary to add the denaturant, wood naphtha, to make as difficult as possible the use of the tax-free product for beverage purposes. To-day hundreds of formulas for the addition of various denaturants have been devised throughout the world, the character and method of denaturation varying with the character of the article to be produced.

Still further precautions in the shape of special permits and official supervision during manufacture were necessary to prevent the beverage trade from acquiring in some elusive way the tax-free article and thus defeating the Government, the Treasury, and the law. However difficult the process, the trade could nearly always find some method of resolving the denatured product into potable form. The step taken in Great Britain in 1855 was followed by similar action on the part of the Netherlands in 1865, France in 1872, Germany in 1879, Austria in 1888, Italy in 1889, Norway in 1891, Switzerland in 1893, Belgium in 1896, the United States in 1906. A growing appreciation of the value of alcohol in nonbeverage capacities had found illustration in the appointment by the United States Congress of a Joint Select Committee on Alcohol in Manufactures and Arts, in 1896, and in the selection by the English Parliament of an industrial alcohol committee in 1905. The reports of these committees did much to acquaint the world with the actual and potential functions of alcohol as an article of industry. The United States law of 1906, which became effective January 1, 1907, was our first act allowing alcohol to be withdrawn tax-free from bonded warehouses for service in industry and art and for light, heat, and power, so denatured

by mixture with other substances as to be unfit for drinking and for medicine. In 1913 came another act permitting alcohol to be made tax-free solely for denaturation, and sanctioning its employment in both industry and medicine. About 1,000,000 gallons represented the quantity denatured for industry in 1907 under the pioneer act of 1906, while anywhere from 5,000,000 to 7,000,000 gallons, according to the estimate of a prominent chemist, continued to be employed in industry under the old conditions; that is, the payment of the beverage tax without any obligation to denature. Established concerns were slow to adopt the new privilege involving unfamiliar formulas and practices. They awoke rapidly, however, to the worth of the privilege, especially with the working out by the Government of denaturing formulas adapted to their products. Observe the contrast between 1907 and 1924 and 1925. Approximately 71,000,000 gallons of industrial alcohol were made in the United States in 1924, 87,000,000 gallons in 1925, the manufacture, sale, importation, and exportation of intoxicating liquors for beverage purposes having been prohibited by the constitutional amendment of 1919, otherwise known as the eighteenth amendment.

The district attorney from New York, Mr. Buckner, stated in the course of the recent hearings that 60,000,000 gallons of industrial alcohol were being diverted into the drink traffic in recent years. He missed the truth by nearly 50,000,000 gallons. The testimony of the chemical expert in the Prohibition Bureau was that the maximum amount of industrial alcohol that could probably have been illegally diverted last year was about 13,000,000 gallons.

The title of the Volstead Act, passed by Congress in 1919 for the enforcement of the eighteenth amendment, illustrates this change. It reads that the purpose of the Volstead Act is to prohibit intoxicating beverages, to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its employment in scientific research and in the development of fuel, dye, and other lawful industries. Few people associate that expressed purpose with the Volstead Act. The eighteenth amendment and the Volstead Act mark a turning point in the economic history of the world, the suppression, so far as the United States is concerned, of alcohol as a legalized intoxicant and its promotion as an industrial material of almost universal importance. Its uses in the latter respect are numbered by the thousands.

Alcohol is an important constituent of chloroform, chloral, and ether, and a number of local anesthetics. As a solvent and preservative in the native, undrinkable state, it is an essential in medicine and pharmacy. It is employed in the production of aspirin, bromide, solid medical extracts, liniments and lotions, antiseptics, disinfectants, deodorants, surgical dressings, capsules and other medicinal appliances, preservatives for specimens in hospitals, adhesive preparations, material for ligatures, iodoform, strychnine, neosalvarsan, iodine or bromine containing fats for medicinal purposes, synthetic camphor, dental alloy, embalming fluid, insecticides, and of an antiseptic, sterilizing, and bathing preparation for use by visiting nurse associations, public nursing associations, clinics, and dispensaries. With its clean, smokeless flame it makes an ideal heat for small stoves in the nursery, the sick room, for the camp, the picnic, the kit of the casual traveler, the tourist, the sportsman.

It operates as a preservative of specimens in museums and laboratories, and is in this and other ways employed for educational, analytic, and scientific purposes.

It is an element in the creation of artificial silk, whose commercial advent is one of the romances of the time, the annual output being valued at hundreds of millions, the selling price bringing this attractive article of dress and of many other practical capacities within general reach. It is an essential in the great dye and fertilizer industries.

It is required in making hats, a half gallon to every dozen, forming a solution that enables hats to hold their shape.

It functions in the making of celluloid, pyralin, and like substances, brushes, cements, enamel, glass, japans, pastes, imitation leather, mucilage, paraffin, pepsin, plumbing material, tannic acid, water colors, perfumes, toilet waters.

It is an element in the production of cattle medicines, sheep dips, photographic films, plates, and papers, steel pens, real silk, crêpe, embroidery, artificial flowers, compasses, spirit levels, thermometers, barometers, inks, and collodion.

It is used in dyeing and cleaning operations, in the finishing of rubber goods and silk ribbons, in textile printing, including print calicoes, and so forth, in the polishing of jewelry and machinery of all kinds, in making coal-tar colors and their by-products, in feeding gas lamps, and in developing electrode plates for electric accumulators.

It is a component in the production of oilcloths, linoleum, soap, smokeless powders, explosives, electric-lamp filaments, electric cables, incandescent mantles, rubber, soldering fluxes, paints, varnishes, stains, flavoring extracts, in extracting valuable medicinal material such as quinine from roots, barks, and so forth, in removing carbon deposits from cylinders of internal-combustion engines.

As a power fuel it is utilized in Germany and France for the operation of stationary and traction engines in farming areas. It comes in this connection from the potato in Germany, the sugar beet in France, resulting in by-products for fertilizer, a general advance in local values, and in the saving of culls and waste.

Under certain conditions it is already a rival for gasoline in motor-car engines. Prof. V. B. Lewes tells us that when the Russian invasion of Galicia during the World War deprived Germany of her petrol (gasoline) supply every motor in the German Empire was adapted to the use of alcohol. It is stated on high authority that in engines specially designed—that is, with larger passageways, and so forth—the rate of consumption per unit of power is the same for both alcohol and gasoline. In engines of the present type gasoline develops more power per gallon, although this is in some degree offset by the more complete combustion of alcohol, its resulting cleanliness and smaller likelihood of clogging cylinder valves and spark plugs. This same authority states further that alcohol engines suitable for motor vehicles will doubtless be evolved; that it is mainly a question of cheapening the cost of alcohol.

As an illuminant alcohol has many desirable uses, and likewise as a source of heat for other industrial operations besides the production of power.

This review is incomplete, but it will indicate the tremendous scope of this commodity. Industrial alcohol touches our civilization at almost every point, facilitating the conquest of nature for the advancement and the prosperity of mankind. The demand for it as a legitimate industrial substance is without limit, its field of further utility without measure. How any individual could permit an appetite for intoxicants to aid in creating a clandestine market which diverts alcohol from so many beneficial functions as an article of industry can be attributed only to a lack of knowledge or of a sound and righteous view of human affairs. What a tribute to the sinister power of alcohol as the basis of a mere drink lies in the fact that a barrel in form for industrial use is worth from \$250 to \$300; in form for bootleg whisky approximately \$4,000. Thus the craving for an intoxicant on the one hand and the lure of enormous gain on the other combine to create the criminal calling of the bootlegger, the moonshiner, the rum runner, and the go-betweens who connect them with the consumers, many of whom occupy high places in society and business, but who are nevertheless abettors of crime, and combine further to make necessary such rigid supervision of the manufacture of alcohol for desirable purposes as to interfere with its efficient conduct and advancement.

Scientific experiments before the advent of prohibition had shown that an alcoholic beverage taken in moderate quantity affected the most delicate tissues of the brain, the power of coordinating perception with muscular action. The brutality, criminality, drunkenness, unhappiness, and ruin which accompanied persistent indulgence in beverage alcohol, the pernicious associations surrounding the saloon, offended and aroused the moral sense of the American people.

Prohibition is a step forward and upward, an advance in the process of altering environment for human benefit, in the reduction of chaos to cosmos; in all of which science, the moral sense, and the law are working hand in hand.

PUBLIC BUILDINGS

Mr. FERNALD and Mr. BRUCE addressed the Chair. The PRESIDING OFFICER (Mr. FRAZIER in the chair). The Senator from Maine.

Mr. FERNALD. I ask that the public buildings bill be laid before the Senate and proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6559) for the construction of certain public buildings, and for other purposes.

Mr. FERNALD. Mr. President, on yesterday those who had been opposing the public buildings bill met with the members of the Committee on Public Buildings and we came to an agreement on an amendment that seemed to be quite satisfactory. Inasmuch as the bill has been before the Senate for nearly three weeks and the individual amendments which have been offered by Senators are not obstructive, and I think can be readily disposed of, I had hoped we might make some progress this afternoon with the bill, and I ask that those amendments be now considered.

THE PROHIBITION LAW

Mr. BRUCE. Mr. President, I think that the time has come in this prohibition discussion when the antiprohibitionist might well say to the prohibitionist, as our first mother said to our first father:

While yet we live, scarce one short hour perhaps,
Between us two let there be peace.

In other words, it seems to me that our friends the prohibitionists and ourselves in the Senate might declare at least a brief truce, so that the general business of this body may proceed without further interruption by the discussion of the great issue between us.

For a long time it seemed hard to awaken any active interest on the part of the prohibitionist Members of this body in anything that we might say in relation to the subject of prohibition. But now give but the slightest flip to the cheek of one of them, and up he jumps, like a nervous, sensitive horse from his bed in his stall, and produces long lists of employers who believe that prohibition has been a good thing for their employees, or advances in some other way the old, trite, threadbare platitudes.

It is apparent that for the time being the Senate has become a little weary of incessant presentation of the prohibition controversy. Why the sensitiveness of our prohibition friends to what we say with reference to prohibition should so suddenly become so acute I can not understand, unless it is because of the fact, admitted by the Senator from Michigan [Mr. FERRIS], that prohibition is in a critical condition.

They know that the tide of public opinion is swinging with tremendous force against them. Let me recommend to them that instead of making incessant speeches on the floor of the Senate touching prohibition, they adopt the policy of acquiescing in one of the propositions that we have made that there should be a popular referendum, either some state-wide referendum or some nation-wide referendum, on the subject of prohibition. As soon, however, as the word "referendum" is mentioned to a prohibitionist he shrinks from it as a certain personage, who, to say the least, is not a saint, shrinks from holy water.

The Senator from New Jersey [Mr. EDGE] has proposed that there should be a nation-wide referendum upon the subject of prohibition. That would test the question as to whether the majority of the people of this country do or do not favor it. And yet, of course, that suggestion is not met with the slightest degree of countenance by the prohibitionist Members of Congress.

In the State of New York the legislature has made provision for a popular referendum upon the subject of prohibition this fall. Were the prohibitionists of the State inclined to enter into a trial of strength with us in that State? No. By every means in their power they sought to prevent the legislative provision for a referendum at the autumnal election in the State of New York from being enacted, and now they are mustering, with the aid of the Anti-Saloon League and its ramifications, all their forces for the purpose of inducing Governor Smith, of the State of New York, to veto the act which provided for that referendum. Indeed, they propose to go even further. Apparently, if the governor does sign the act which provides for a referendum on the subject of prohibition in the State of New York, they propose to go into the courts in an effort to restrain the public authorities of that State by injunction from submitting the question of prohibition to the electors of the State of New York.

We welcome a contest of strength at any time upon the subject of national prohibition. We believe that the majority of the people of the United States have come to see that it is merely a hatchery of detestable abuses and scandals, a deadly enemy of human morality, and a prolific parent of crime in all its manifestations. Let them enter the popular lists, and we have not the slightest fear of what the outcome would be.

Just think of the Senator from Texas [Mr. SHEPPARD], with due respect to him, having wasted his time by reading extracts from letters written by employers throughout the country certifying that in their opinion prohibition is a good thing. I could go to a single legislative district of the city of Baltimore and get many times more such certificates of a counter nature, and that without employing, as the Senator from Texas undoubtedly did, the aid of the Anti-Saloon League in procuring letters.

Mr. SHEPPARD. Mr. President, the Anti-Saloon League had nothing to do with this speech at all. I made the compilations myself from statements that I saw in public print.

Mr. BRUCE. Statements that the Senator saw published?

Mr. SHEPPARD. Yes.

Mr. BRUCE. But those published statements, I presume, had all been gleaned by the Anti-Saloon League?

Mr. SHEPPARD. Not at all.

Mr. BRUCE. Or by some of its collateral agencies?

Mr. SHEPPARD. No; no one connected with the Anti-Saloon League had anything to do with anything in my speech.

Mr. BRUCE. I did not mean your speech, but by whom, pray, were those letters collected on which the speech of the Senators from Texas was based?

Mr. SHEPPARD. They were statements published in the Manufacturers' Record.

Mr. BRUCE. Yes; precisely. I thank the Senator from Texas for bringing that fact to my knowledge. I had the pleasure a short time ago of running to earth one statement of that journal which obtained wide currency throughout the country.

Mr. SHEPPARD. But these are quotations from people whose names and addresses are given. They are not statements of the Manufacturers' Record, but statements which were published in the Manufacturers' Record. It is easy to determine whether they are accurate or not.

Mr. BRUCE. I suppose those statements were statements that were published, say, in the year 1922 or the year 1925, were they not?

Mr. SHEPPARD. In 1925, about 8 or 10 months ago.

Mr. BRUCE. If the record has obtained more letters it is because their former statement was so completely riddled that it has been compelled to procure later letters which will be riddled, I have not the slightest doubt, as time goes on.

Mr. SHEPPARD. The statements speak for themselves.

Mr. BRUCE. As the famous English statesman Canning once said, "There is nothing so fallacious as facts except figures," that is to say, until figures are subjected to the proper degree of analysis.

For several years the Manufacturers' Record had made the statement that it obtained replies from some 1,000 manufacturers and professional men in the United States with reference to their views on the subject of prohibition, and that of all the persons who wrote those replies only 7 per cent expressed themselves as being in favor of light wines and beer. That statement was afterwards subjected to criticism by Mr. E. C. Horst, a prominent citizen of the State of California, in these words:

The memorial—

There had been a memorial to Congress before the adoption of the eighteenth amendment by the individuals from whom the replies were obtained by the Manufacturers' Record—

The memorial is said to number	1,000
The memorial is short of 1,000 by	432
The memorial is signed by	568

Such is the value of the arithmetic of the Manufacturers' Record of the city of Baltimore.

Of these 568 who signed the memorial there were only 216 who voted in the final referendum of the Manufacturers' Record, and of those 216 only 88 were manufacturers or business men; the remaining 122 were professional men not engaged in manufacturing or trading. The Manufacturers' Record of 1922 published replies from 438 people, while the Manufacturers' Record of 1925 published replies from only 215; that is to say, that 223 of the 438 people that favored prohibition in 1922 did not reply to the editor of the Manufacturers' Record when he asked them for dry indorsements in 1925.

I might add that the Daily Commercial News of San Francisco wrote to 844 of the advertisers in the issue of the Manufacturers' Record in which its statement had appeared. What was the result? It has been set forth in these words:

Nay, more, moved by the wish to probe the conditions surrounding the claims of the Manufacturers' Record to the very bottom, the Daily Commercial News, of San Francisco, obtained signed statements from all the 844 advertisers whose names appeared in the issue of the Record in which only 7 per cent of the first replies received by the Record were said to have favored wine and beer. The result of the probe is published in the issue of the News for Wednesday, February 17, 1926, in these words:

"These 844 advertisers are scattered throughout the United States. One-fourth of the total number are in the Southern States, of whom 48 per cent responded, and of these 60 to 61 per cent replied over their signatures that they were in favor of legalizing light wine and 2½ per cent beer; and 63 to 65 per cent of the votes state that most of their employees are in favor of legalizing beer and light wine. In the East, Central, and Middle Atlantic States the percentages in favor of legalizing light wine and beer are still higher."

Now with that statement of the Manufacturers' Record so completely exploded as it has been, what reason have we to believe that any subsequent statements on its part about the views of employers of labor may not be as little entitled to credence as its first statement? The idea of a score or a hundred or so of statements obtained from individuals scattered throughout the length and breadth of a land of 120,000,000 people about some matter of public opinion being of any real final value is untenable. With great respect there is nothing that the Senator from Texas reminds me of so much as a child who might take up in his palm a handful of dust and say, "Look, I have the whole earth in my grasp."

So much for what was said by the Senator from Texas. I do not believe that there is any occasion for me to deny his claim that in industrial relations, at any rate, alcohol is used for a thousand and one useful purposes. There is no one in the Senate for whom I entertain a higher respect than I do for the Senator from Texas, not only because of his ability and fidelity to his convictions and his eminent moral worth, but because, if he will permit me to say so, of his most attractive personal and social qualities. But I do think that he makes the mistake that so many men are making at the present time of reaching out after sublimated, superfine moral effects when all the elementary obligations of the individual to himself and to society of a moral nature are being so lamentably violated. Never was crime as rampant in the history of the United States as it is at this hour.

Of course, I know it would be mere special pleading to ascribe the whole volume of that crime to prohibition, though I do believe that its existence is to a very great extent referable to the disrespect for law begotten by prohibition. Only a few days ago I called attention to the fact that in one city of the United States of only 170,000 people there had been nearly as many murders in a single year as there had been in all England, Scotland, and Wales, with their population of 38,000,000.

Would it not be better for us, instead of setting up impossible standards of morality, to see whether we can not bring human society in this country back to some sort of proper appreciation of the old primal, fundamental, moral obligations of the individual? The trouble about the prohibitionist is, as I have more than once said, in the words of Keats, that he is "a ship headed for an impossible shore," and in his fanatical eagerness to reach that "impossible shore" he overlooks the old, immemorial beacons and landmarks of human morality.

If I did not entertain such a high opinion of the Senator from Michigan [Mr. FERRIS], I would deride his suggestion that a man who uses spirits or wine moderately is "playing with hell fire." I am not quite so old as he is, but I am old enough for my mind to go back to that period just after the Civil War, of which he spoke, when I was a boy in southern Virginia and an inmate of an old typical southern Virginia home. My father had six sons. He drank a mint julep every day of his life. Not to be deprived of it in the wintertime he even grew in his greenhouse in the winter the mint with which to make it.

A more temperate man never existed. No individual from his youth to the last day of his life ever saw him abuse spirits or wine in the slightest degree; but there was always a decanter of whisky on his sideboard, and not infrequently there was a bottle of wine on his table at dinner. That home I can truthfully say, I think, was the home of temperance and of every other sterling domestic virtue. My father had six sons. Every one of them drank a little spirits and water or a glass or a glass and a half of wine when he felt like doing so; but not a single one of them was ever intemperate in the slightest degree, whatever else their sins or shortcomings may have been. And, of course, that home was merely one of thousands and hundreds of thousands of sober, moral Christian homes throughout this mighty land of ours.

I will say further that the morality of the community in which that home was will, in my humble judgment, more than favorably compare with any social conditions anywhere in the United States to-day. It was not until I was at least 22 years of age that I ever saw a woman under the influence of liquor, and I shall never forget the horror that passed through my frame when I saw for the first time such a woman; nor until prohibition came in did I ever hear of such a thing as a young girl or a young boy or a child under the influence of liquor. But now the police department of Washington has recently reported that drunkenness on the part of children in that city has increased upward of 500 per cent since the enactment of the Volstead Act; and President Nicholson, of the Anti-Saloon League, was reported in the newspapers of this city a year or so ago as saying at a convention of the Anti-Saloon

League in this city that it had to be admitted that drinking among women was rapidly increasing.

Let me say further, Mr. President, that in the community in which my childhood was passed, notwithstanding the fact that there was no prohibitory measure of any kind in force in it, such a thing as a domestic scandal was almost unknown in any white family.

I can not recall one single, solitary instance in the neighborhood in which my father lived of a married couple being divorced. Husbands and wives took their vow of fidelity at the altar—and it was, indeed a vow—pledging them to live in loving wedlock with each other until death did them part. Yet here to-day the Senator from Texas and the Senator from Michigan are holding up to us the duty of obeying or attempting to obey an utterly impracticable and visionary law, when throughout the United States the decline of the domestic virtues is so advanced that there is one divorce for every seven and five-tenths marriages. I may mention, though, with no intent to discredit the splendid State represented by the Senator from Texas in this body, that, if statements which I have recently read are correct, in Texas—where prohibition is supposed to have kindled the deepest hatred of drink in the human heart—there is one divorce for every three marriages. Many years ago, when there was a great deal of excitement in this country over the struggle of the Greeks for independence, as John Randolph of Roanoke was descending the steps that led up to the home of a friend of his in southern Virginia who was an earnest sympathizer with the Greek cause, he had called to his attention a little group of ragged negroes. Whereupon he turned to the mistress of the house, who had followed him to the door, and said, "Madam, the Greeks are at your door." So I say to the Senator from Texas, "The Greeks are at your door," and I might, in view of the disgraceful laxity of the nuptial tie throughout the United States, say the same thing of every State of the Union.

Everywhere in this land there has been, in one degree or another, this decadence of the old-fashioned domestic virtues, this apparent inability to live up to the old elementary obligations of human character. Had we better not try to attain moral standards which are attainable and to correct social abuses and crimes which are corrigible before we endeavor, to use the language of the distinguished Senator from Idaho [Mr. BORAH] the other day, to wade through fire and blood because some Americans still insist upon taking a drink, notwithstanding the fact that they are told that it is just as evil, just as flagitious, just as criminal to do that as it is to commit murder or to commit rape or to set a dwelling house on fire, or to do something else that is a real crime and not a mere artificial, overstrained creation of human fanaticism?

It seems to me that the Senator from Michigan spent a good deal of time on some propositions that he need not have discussed at all if he had only asked us to admit them. I admit that ice is cold; I admit that boiling water is hot; I admit any other perfectly well-established fact connected with the physical universe; and therefore, of course, I have no hesitation in admitting that, if drunk to excess, drink makes men drunk, and that if men continue to get drunk often enough and long enough they will debase themselves and finally bring themselves to moral destruction and ruin. But the Senator from Michigan might as well have said that the human race should abstain from the infinite joy and happiness of legitimate love because illicit love breeds madness and moral disaster and death. There is no sensation, no appetite, no craving of this warm integument of flesh with which we are clothed that is not susceptible to abuse.

Personally I feel that I have some right to speak upon this subject. A very small measure, indeed, would hold all the spirits that I have drunk in the last 25 years—a quart measure, I should say. Beyond drinking a glass or a glass and a half of wine, I never drink at all; and I can truly say that I abhor drunkenness as much as I do prohibition. But, as I have intimated, all human inclinations, all human desires, all human appetites tend to extremes; and if you propose to undertake to root out a perfectly natural human instinct, like that of drink, then I say you might as well take hold of man as Apollo took hold of Marsyas and strip him of his entire natural skin from head to foot.

The Senator from Michigan and the Senator from Texas seem to think that man, like a shoe in a modern shoe shop, can be made all over while the customer waits.

Mr. REED of Missouri. Without regard to the size of the feet.

Mr. BRUCE. Absolutely, without regard to the size of the feet; indeed, without regard to any rational standard of any kind, as I see it. "Sic volo, sic jubeo"—that is the principle

that runs through their views about prohibition, it seems to me, so far as any principle runs through them at all.

In connection with the Senator's statement that a man who uses liquor in moderation is playing with hell-fire, the Senator [Mr. FERRIS], of course, brought forward quite a mass of statistics to show that alcohol works some highly deleterious results to the human constitution. Why, of course, it does if drunk to excess; but observations of that sort are beside the mark. What the Senator from Michigan should have done when he went to those insurance companies was to ascertain whether deaths from alcoholism in this country had diminished or increased since the enactment of the Volstead Act; and, take my word for it—I have been counsel for many years for an insurance company; not a great one, but the largest in the community in which I live—and if there is anything in this transitory, uncertain world upon which you can rely it is insurance figures based upon tables of human mortality. Only a few days ago, as the Senator from Missouri [Mr. REED], at any rate, knows, I had occasion to call attention to a letter which I had received from the Metropolitan Life Insurance Co. of the United States, which has some 17,000,000 industrial policyholders, as to the effect of prohibition upon human mortality. Let me quote my words for the sake of written conciseness:

The Metropolitan Life Insurance Co., which has 17,000,000 industrial policyholders, writes me that between 1917 and 1920, the year that the Volstead Act went into effect, there was a decided downward trend in deaths among its policyholders from alcoholism, but that since 1920 there has been an upward trend; the figure for 1925—2.9 deaths per 100,000 policyholders—being nearly five times the figure for 1920, six-tenths of 1 per cent.

In that statement we not only have, of course, the most convincing proof of the extent to which prohibition has promoted human mortality throughout the United States, but the most convincing proof also that along with that increasing human mortality must have gone all the terrible social consequences of every description that follow in the train of general and augmenting drunkenness.

But it is time for me to bring these desultory observations to an end. I only wish to say, in conclusion, that so far as I can see there is nothing whatever to justify the belief that there is likely to be any improvement, do what the punitive power of the Federal Government may, in the demoralizing, depraving, scandalous consequences which have flowed from prohibition. When General Andrews was on the stand the other day before the subcommittee of the Senate Judiciary Committee he admitted that he was able to intercept only about 5 per cent of all the liquor that is smuggled into this country. Think of that! Only 5 per cent, notwithstanding the fact that he is the commander, as I recollect, of a flotilla of some 400 ships off the Atlantic coast endeavoring to intercept the influx of liquor into this country. He also admitted that the number of stills and distilling and fermenting apparatuses of one sort or another that he had succeeded in capturing, with all his spies and rough-necks, was only 10 per cent of the illicit distilleries, stills, and the like that were in this country; and in that connection there was brought out the further fact that last year, 1925, no less than 172,000 distilleries, stills, and so forth, were seized in the United States, some 70 per cent of which were seized in half a dozen or so Southern States.

What reasonable hope, therefore, is there of any real alteration in existing conditions? And if there is none, is not the best thing for us to do to extricate ourselves from the morass of prohibition and to get out again upon the open highroad that leads to temperance?

Every man knows that when the eighteenth amendment was adopted the people of this country were becoming more and more temperate. The volume of liquor that was being drunk was as large, perhaps, as ever, but men were learning more and more how to drink in a moderate and self-restrained way. Of course, when I speak of an increase in self-restraint I am speaking of the progress of human civilization, because, after all, increasing human civilization is nothing but increasing human self-restraint.

Something has been said here to-day about the impropriety of seeking to circumvent the eighteenth amendment. What is there illicit, what is there illegitimate, what is there unlawful, in finding any lawful escape from the trammels of any oppressive legislative enactment or any oppressive constitutional provision? If 2.75 per cent beer is lawful, is not repugnant to the provisions of the eighteenth amendment, let the people of the United States have 2.75 per cent beer. General Andrews testified the other day that to let them have a nonintoxicating

beer would promote both law enforcement and human temperance. Then let them have it!

The idea seems to have found lodgment in the mind of the Senator from Texas [Mr. SHEPPARD] that this cry for light wines and beer contemplates as a matter of course some kind of rank intoxicant. Such an idea is utterly unjustified. A few days ago I wrote to a gentleman who was formerly the principal brewer, perhaps, in the city of Baltimore, and asked him what the alcoholic content of the beer that he had sold was; and what do you suppose it was when sold by the cask, sold by the barrel, sold by thousands if not hundreds of thousands of barrels? Three to three and a half per cent! Why the ordinary gratuitous allowance that that brewer made to every driver of one of his brewery wagons was 16 glasses of beer a day, and certainly no such amount of beer would have been allowed by him to the driver of a brewery wagon if it could not have been safely allowed.

No; if we can find a lawful way of untwisting these gyves from the human wrist, of liberating the human ankles from these hateful shackles, even to a limited extent, let us find it. But it so happens that I am not one of those who would stop merely at the modification of the Volstead Act. I have brought in an amendment to the eighteenth amendment to the Federal Constitution, because while I may not live to see it adopted, though I rather think that I shall, I feel sure that the time will not be long postponed when not only will the Volstead Act be modified but the Constitution of the United States will be so amended as to bring the people of this country back to sanity, back to the old standards of sound, robust, and attainable morality, and away from the vain, visionary, unworkable conceptions of human duty which have done such dire injury to human character in our time.

Having said this much, let me say just this in conclusion to my prohibition friends in this body. I think that they ought to let us antiprohibitionists alone now. We want to attend to some other business at this session of the Congress besides prohibition. They should content themselves with the old scriptural saying quoted by the Senator from Missouri [Mr. REED] here a few days ago:

Ephraim is joined to idols, let him alone.

But so long as they do not let Ephraim alope, they may be assured that Ephraim is going to come back at them with all the repercussion at his command.

PUBLIC BUILDINGS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6559) for the construction of certain public buildings, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Ashurst	Fernald	La Follette	Sheppard
Bayard	Ferris	Lenroot	Shipstead
Bingham	Fess	McKellar	Shortridge
Blease	Fletcher	McMaster	Simmons
Borah	Frazier	McNary	Smith
Bratton	George	Mayfield	Smoot
Broussard	Gillett	Means	Stanfield
Bruce	Glass	Metcalf	Steck
Butler	Goff	Moses	Stephens
Cameron	Gooding	Neely	Swanson
Caraway	Hale	Norbeck	Trammell
Copeland	Harrell	Norris	Tyson
Couzens	Harris	Nye	Walsh
Cummins	Harrison	Oddie	Warren
Curtis	Heflin	Overman	Watson
Dale	Howell	Phipps	Weller
Deneen	Jones, N. Mex.	Ransdell	Wheeler
Dill	Jones, Wash.	Reed, Mo.	Willis
Edwards	Keyes	Reed, Pa.	
Ernst	King	Sackett	

Mr. HARRIS. I was requested to announce that the Senator from Missouri [Mr. WILLIAMS] and the Senator from California [Mr. JOHNSON] are necessarily absent on business of the Senate before the Committee on Commerce.

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

Mr. MOSES. Mr. President, I offer the following amendment, which I ask the clerk to read. I ask the attention of the Senator from Maine while it is being read.

The VICE PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 3, after line 23, insert the following proviso:

: Provided, That immediate provision shall be made from the funds made available by this act for the erection in the city of Washington of a building for the use and occupancy of the Supreme Court of the United States in accordance with the sketches prepared by the late

Henry Bacon and now on file in the office of the Architect of the Capitol.

Mr. MOSES. I hope the Senator from Maine will permit this amendment to go to conference, at any rate.

Mr. FERNALD. The Senator from Maine would be very glad to have it go to conference, but I want first of all—

Mr. LENROOT. There are no funds made available under this act.

Mr. MOSES. Whenever they are made available they will be available under this act.

Mr. LENROOT. That may be true, but I do not think the needs of the city of Washington should be subordinated to the necessity for a new building for the Supreme Court.

Mr. MOSES. If Senators want to continue the present congested situation in the Senate wing of the Capitol, as a consequence of which we have to give up valuable space in our own Office Building for the use of judges of the court, and with the court constantly pressing us for more room in this building, when we are unable to furnish committee rooms for our own committees in the Senate wing of the Capitol, that is for the Senate to determine.

There is another situation to which I want to call attention in this connection. The court heretofore has clung somewhat tenaciously to its present quarters. The court now is desirous of having for itself a building commodious enough to enable it to transact its business. They do not now have that, as is shown by the constant pressure for more room here and more room in the Senate Office Building.

Mr. LENROOT. May I suggest to the Senator that I think anything of that kind should be taken care of by a separate bill, and should not be included in this bill?

Mr. MOSES. If \$50,000,000 is to be expended on public buildings in the city of Washington, I think it is entirely competent for the Senate to express itself in some manner as to how it shall be expended, particularly when the expenditure means so much to the Senate itself.

Mr. WALSH. Mr. President—
The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Montana?

Mr. MOSES. I yield.

Mr. WALSH. I wish the Senator from New Hampshire would go into a little more detail about the plan of a building for the Supreme Court. I understood that one of the plans considered was for a judicial department building, which would house the Department of Justice, as well as the Supreme Court, and possibly the law library.

Mr. MOSES. It is very true that one proposal was to that effect. The Supreme Court, however, takes the position that the Department of Justice is appearing before it as a litigant, and that therefore they should not be occupying joint quarters. That is one basis of objection. The Supreme Court also has some feeling with reference to its own dignity as a separate department of the Government, and feels that if it is to be housed other than it is housed now, it should be given the consideration of a building for itself.

Mr. WALSH. It seems to me that a question of that kind ought to be rather carefully considered by the Congress of the United States as a separate proposition. A hall of justice is the ordinary building in most capitals, which affords quarters for the courts, as well as housing for the department which corresponds to our Department of Justice. The idea that the Supreme Court would be in any wise affected by the fact that the Department of Justice was under the same roof seems to me rather tenuous.

Mr. MOSES. What the Senator has said about the housing of the courts in foreign capitals is true in Rome, it is true in Brussels, I think it is not true in Paris, it certainly is not true in London, and in my opinion, in view of the constitutional division of powers of this Government, it ought not to be true in Washington.

As for consideration, it certainly can not be that Senators have not discussed this question, certainly among themselves. It has not been discussed on the floor, because no earlier opportunity has arisen.

Mr. WALSH. At any rate, it seems to me it is a question which ought to be debated at some length.

Mr. MOSES. I am entirely willing that it shall be debated, and I want to present this question as a purely practical matter for the Senate to consider. It is a Senate amendment. Of course, if the House refuses to accede to it, I suppose the matter will be ended for the present. But I want Senators to know something about the physical conditions under which the court and the Senate are doing their work.

It may be true, and probably is, that I know more about this matter than any other Senator, because one of my duties is the

assigning of rooms in the Capitol and in the Senate Office Building, and the pressure from year to year for rooms for Senators and for the Supreme Court is increasing to such an extent that it will presently be necessary to take some affirmative action to care for the situation which already has arisen and which will be increasingly acute as the years go on.

The situation to-day is that practically one-third of all the cubic contents of the Senate wing of the Capitol is given over to the Supreme Court. We have not rooms in this building for the committees of the Senate. There are some committees of the Senate, notably the committee over which the senior Senator from Maine [Mr. FERNALD] presides, which have no committee rooms of their own at all, because of the pressure for space in the Office Building and here. The Senator from Montana well knows that the pressure from Senators for added accommodations in the Office Building is tremendous. With the increase in the number of secretaries allotted to each Senator it becomes almost physically impossible for the work of a Senator, even though he may not be a chairman, to be carried on in two rooms, because there is not space enough for the clerks. Even with the definition of "emergency," as presented here yesterday by the Senator from Missouri through the medium of the dictionary, it seems to me that this amendment covers a real emergency with reference to accommodations for public servants in the city of Washington.

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

Mr. MOSES. I yield.

Mr. SWANSON. I fully concur in what the Senator from New Hampshire has said. I was chairman of the Committee on Public Buildings and Grounds for several years, and consulted with members of the Supreme Court in reference to their having rooms in the proposed building for the Department of Justice, to be located opposite the Treasury, for which we bought the land. A bill was prepared and referred to the committee, under which they were to be housed in the building we proposed erecting on that site. Justice White did not wish to leave the Capitol, and for that reason the plan was abandoned.

I think it is only proper that arrangements should be made by which we could have more room where attorneys could be accommodated and the court could be housed. The present quarters are very inconvenient for counsel, who come from all over the United States, and have to put up with accommodations which are not at all adequate.

I sympathize with the sentiment entertained by members of the court that they ought to have a separate building for the housing of the Supreme Court. The largest litigant they have before the court is the Department of Justice. They feel in that situation that they ought not to be housed with the largest and most important litigant before their court. I do not think such a situation would affect the court in the slightest, but a court naturally likes to have the feeling that they are separated and not in close contact with litigants whose cases are more numerous before the court than those of any other litigants.

I think the feeling of some of the members of the Supreme Court with whom I have talked is that, if they have a building, it ought to be a separate building for a coordinate branch of the Government. I think that in the vicinity of the Capitol there could easily be erected a building that would be an ornament as well as a model building to house the greatest court in the world, as I feel the Supreme Court of the United States is. People have an idea that the Supreme Court, as well as different other courts, are more or less influenced by being brought in daily contact with litigants. I think the members of the Supreme Court properly entertain a feeling that they would not like to be put in the Department of Justice building, where their convenience would be dependent upon the Department of Justice, and while the Department of Justice is an almost continuous litigant in the court.

I concur with the Senator from New Hampshire that we ought to have a separate building for the Supreme Court worthy of its dignity and worthy of the great court that it is. If Senators will go through their quarters and accommodations here in the Capitol, as I have done, and see the accommodations for counsel coming here from all over the country, the rooms where they must wait for the trial and argument of their cases, they will readily concur in the opinion that both for the convenience of the Senate and for the convenience of the court a special building should be constructed for the Supreme Court. I believe that as a coordinate branch of the Government they are entitled to a separate building.

Mr. SMOOT. Mr. President—

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

Mr. SMOOT. I wanted to ask the Senator from Virginia if he thinks we ought to adopt such an amendment on the pending bill?

Mr. SWANSON. I have not read the amendment. What is it?

Mr. SMOOT. It provides for the erection of a building for the housing of the Supreme Court.

Mr. SWANSON. To be frank, I think a proper housing of the Supreme Court would relieve the Senate of its congestion and would relieve the court of its inconvenience. They have no rooms in which the judges may study; they have no good places for conferences. I do not believe there is a department of the Government anywhere in the United States where there is a greater necessity for a good, substantial, comfortable building than exists for the Supreme Court.

Mr. SMOOT. I am quite sure the Senator has not made a fair examination or given careful consideration to the question, or I do not think he would have made that statement. In the Department of Justice Building to-day we have 110,000 square feet. We are using every foot of space in the hallways. The clerks are packed in like sardines in many of the buildings. The department ought to have a building. There is no question about it. We have those employees in temporary buildings, as I said the other day, that are liable to fall down at any time. The Supreme Court is not suffering, nor are Senators suffering as those people are.

Mr. MOSES. Oh, yes, they are; they tell me so every day.

Mr. SWANSON. I am a member of the building commission. The Senator from Utah knows that we can lease for the Department of Justice or any of the departments, whenever they get too crowded, an additional building and let the subordinate clerks go out, or let some of the different bureaus go somewhere and lease a building; but nobody has ever contemplated leasing a building and scattering the Supreme Court. There are members of the court who have only one little room in which to study. It seems to me that of the \$50,000,000, so far as I am concerned, the best use that could be made of a part of that money would be to erect a building for the Supreme Court.

Mr. SMOOT. That matter can be studied afterwards. I do not think we ought to begin now in this bill to designate what buildings shall be erected. I think it is a mistake. There is only \$10,000,000 available the first year. We have to make our arrangements accordingly. I think if the Senate has confidence in its building commission, it should leave the matter to that commission to decide what is most needed. I recognize the fact that we ought to have a building for the Supreme Court, and we will have it ultimately; but, in my opinion, there are other needs greater than those of the Supreme Court which call for the erection of buildings at a very early date.

Mr. SWANSON. Mr. President—

Mr. MOSES. I yield again to the Senator from Virginia.

Mr. SWANSON. The Supreme Court has been modest; it has been diffident; it has not been clamorous like other departments, always insisting on a building. The members of the court have been patient and long-suffering. They have not embarrassed Senators. I got them to give up a room for me once when I had to have a room. I had a little more persistency and they had a little more modesty. I feel that these nine Justices are entitled to our serious consideration. They have been most considerate, most patient, and the most long-suffering of anybody that has ever been housed by the Government.

Mr. MOSES. I want to add to that—

Mr. SWANSON. Now is the time to arrange for a building for the Supreme Court.

Mr. MOSES. Now, Mr. President, I am going to take the floor myself, since I possess it, to say, in addition to what the Senator from Virginia has said, that by way of comparison of the court with any of the executive departments there are five members of the Supreme Court who at their own expense are providing quarters in which they do their work, namely, in their houses, far distant from the library and from the courtroom. Of the other four justices, some are taken care of in the office building and others have not more than one room in the Capitol, and no place where their stenographer can work aside from the one room in which the Justice himself is required to do his work.

Mr. SMOOT. The Senator knows that they would have offices at home, whether they had two or three rooms down here or not.

Mr. MOSES. No; I do not know that at all.

Mr. SMOOT. I have heard them say so. I know very well that is what they would do, because that is where they do their work at night. When the court is in session, there are no men in the District of Columbia who work any harder than do the

Justices of the Supreme Court. They have to work at night. They take their work home at night, and would do it no matter what might happen in the way of getting larger quarters, because they have told me so themselves.

Mr. MOSES. I do not know what confidences were exchanged between the Justices of the Supreme Court and the Senator from Utah, but I do know the representations which the Chief Justice and other members of the court have made to me with reference to this amendment.

Mr. SMOOT. They need the building.

Mr. MOSES. I know the pressure for room here in the Capitol and in the office building is becoming yearly more intense. Some provision must be made for the Justices of the Supreme Court. The Senator has said we can do it at a later time. We have been told that ever since the matter has been under consideration. I do not want to wait for the millennium. I want to have the Senate make some move toward self-assertion.

Mr. ASHURST. Mr. President—

Mr. MOSES. I yield now to the Senator from Arizona.

Mr. SMOOT. We will have only \$10,000,000 the first year out of which could come the money for the construction of the building.

Mr. MOSES. We are going to have some small portion of it devoted to this purpose for the relief of the Supreme Court, as well as for the relief of the Senate, in my opinion.

Mr. ASHURST. Mr. President, I rise to speak briefly for the amendment. I think it is an appropriate amendment. We know that members of the Supreme Court have been subjected more or less to embarrassment because of the lack of space.

Let us not forget that we are only one-half of the legislative government; the House is one-half of the legislative branch. But the Supreme Court is one-third of the Government. It is the judicial department. It can not make an appropriation. It seems to me on a question of this sort that the doctrine of noblesse oblige ought to move us to give the Supreme Court of the United States proper quarters when we know they have not at this time adequate quarters.

Consider for a moment. I should, at this time, be before the Committee on Indian Affairs of the Senate. That is a committee which each year handles millions of dollars' worth of property. Through the courtesy of the chairman of the Committee on Privileges and Elections we have borrowed that committee's room, and the Committee on Indian Affairs sits at this moment in the room of the Committee on Privileges and Elections. Moreover, if the amendment should be adopted and agreed to by Congress, it would be five years before the building would be ready for occupancy by the Supreme Court of the United States. Am I correct?

Mr. MOSES. I am not sure that it would be five years, but it would be two or three years at the earliest.

Mr. ASHURST. I venture the assertion it would be four years, at least.

Mr. BRUCE, Mr. SWANSON, Mr. FERNALD, and Mr. LENROOT addressed the Chair.

The VICE PRESIDENT. Does the Senator from New Hampshire yield; and if so, to whom?

Mr. MOSES. I yield again to the Senator from Virginia.

Mr. SWANSON. It seems to me the amendment ought to pass if we leave out the words "in accordance with the sketches prepared by the late Henry Bacon and now on file in the office of the Architect of the Capitol." We have not examined those plans. That provision would be compulsory. Then the amendment would read:

Provided, That immediate provision shall be made from the funds made available under this act for the erection in the city of Washington of a building for the use and occupancy of the Supreme Court of the United States.

Mr. MOSES. I have no objection to accepting the suggestion of the Senator from Virginia.

Mr. SWANSON. The reason why I think the Senate ought to agree to the amendment is that there will be \$10,000,000 available this year. The Senator from Utah [Mr. SMOOT] is on the commission, and I am on the commission, while the rest of the members are executive officers and not connected with the Supreme Court. Unless we get some provision of this sort, I do not believe that in five years we will ever get a building for them. I think the Senate should properly express a desire that a part of the \$50,000,000 should be expended for this purpose.

Mr. MOSES. Allow me to accept the suggestion of the Senator from Virginia and modify my amendment accordingly.

I merely wish to say with regard to the sketches made by Mr. Bacon that in my opinion they constitute one of the finest

pieces of work that Mr. Bacon ever did, comparable in every way with the Lincoln Memorial. I can not believe that any commission looking at the sketches will consider seriously the acceptance of any other design.

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

Mr. MOSES. I yield to the Senator from Colorado.

Mr. PHIPPS. I desire to call attention to the fact that the Committee on Education and Labor has no committee room of its own, nor has the Committee on Irrigation and Reclamation. Both committees have been active, particularly the latter committee. We have had to borrow a room for our meetings. We have held meetings almost every week during the entire session of Congress.

Mr. MOSES. Mr. President, I now yield the floor to the chairman of the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. The Chair recognizes the Senator from Maine [Mr. FERNALD].

SEVERAL SENATORS. Vote!

Mr. FERNALD. We shall vote very promptly, I assure Senators.

Mr. President, I wish merely to call the attention of Senators to the fact that in 13 years there has been no public building erected in the city of Washington. During that time the Government employees have increased in number from 39,000 to 62,000. We have young men and women working down here under the most uncomfortable, insanitary conditions. First of all, I believe they should be relieved.

I have no objection to erecting a building for the Supreme Court of the United States, though I know nothing about the necessity for such a building. I simply know that the court is well housed and is comfortable where it is; that its number has not increased in the past 13 years. The court is just as well off now as it was 13 years ago. When the time comes when we can expend money for that purpose I shall be quite willing that a building shall be erected for the Supreme Court; but it does seem to me inopportune now to offer this amendment and to suggest that the first money we expend for public buildings shall be used for that purpose.

Mr. SMOOT. Mr. President, just a word. I do not know where it is proposed to locate the building for the Supreme Court, but, in my opinion, it ought to be located somewhere near the Library of Congress. Should that be the case, if we adopt the amendment proposed by the Senator from Maryland [Mr. BRUCE], providing that no building shall be erected north of Pennsylvania Avenue, it would then be necessary to erect the Supreme Court building quite a distance away from the Library of Congress. I do not think we ought to adopt such a plan without some further consideration. The Senator from Missouri [Mr. REED] asks whether there is a clause in the bill to the effect I have stated? I think there will be such an amendment adopted, and I therefore feel as though I ought to call attention to the situation I have indicated which would arise from the adoption of such an amendment. If there is an intention of erecting a Supreme Court building near the Library of Congress, it is not possible that it shall be south of Pennsylvania Avenue.

Mr. SWANSON. Mr. President, if the Senator from Utah will permit me to make a suggestion, I desire to say that an exception could be very easily made in any amendment which may be adopted excepting the building for the Supreme Court from its operation.

Mr. SMOOT. Of course no such amendment has yet been adopted to the bill, but the Senator from Maryland [Mr. BRUCE] is very deeply interested in the matter; the amendment has already been drawn; it is now in such shape that I think it will be satisfactory to the Senate; and should the amendment be adopted in its present form, the Supreme Court building can not be erected where I think it should be, near the Library of Congress.

Mr. SWANSON. If it is satisfactory, the Senate can very properly adopt the amendment of the Senator from Maryland excluding therefrom the building for the Supreme Court, which I admit should be located somewhere near the Library of Congress.

Mr. BRUCE. Mr. President, I desire to ask the Senator from Virginia, does he think it absolutely indispensable that the Supreme Court building should be erected near the Library of Congress? It seems to me that a very good site for such a building could be found south of Pennsylvania Avenue, say, at the foot of the Capitol grounds, which would be of easy access to the Library of Congress.

Mr. SWANSON. I do not see why, if the amendment of the Senator from Maryland shall be adopted, there should not be liberty to locate a building for the Supreme Court up here near the Capitol.

Mr. BRUCE. In that case we should not have that splendid building as a part of the proposed group of Government buildings south of Pennsylvania Avenue.

Mr. SWANSON. It might be a part of the group of buildings on Capitol Hill that will be more magnificent than any on the Mall.

Mr. FERNALD. Mr. President, will the Senator from Maryland yield to me for just a moment?

Mr. BRUCE. Yes.

Mr. FERNALD. We have had about 20 amendments offered to the bill, many of which are still pending. We have gone very carefully into the amendment which is about to be offered by the Senator from Maryland [Mr. BRUCE]. There has been much opposition to erecting buildings in certain portions of the city. The members of the Public Buildings Commission, the Senator from Maryland, and myself have agreed on this amendment. It would throw the bill entirely out of balance now if we should undertake to erect a building in another part or section of the city. I hope the proposition to do so will not be agreed to.

Mr. BRUCE. Mr. President, I desire to ask the Senator from New Hampshire whether the members of the Supreme Court have expressed any desire to have a new building?

Mr. MOSES. Yes; they have done so very emphatically.

Mr. FERNALD. I want to say, Mr. President, that they have never spoken to me about it. I am chairman of the Public Buildings Committee, and yet nothing has even been heard about it, so far as the Committee on Public Buildings and Grounds is concerned. The Supreme Court has a room which is nearly half as large as is this Chamber. I realize that it would be admirable for every Senator to have a room as large as that occupied by the Supreme Court, but I think we get along very comfortably, and so far as my committee is concerned we have plenty of room.

Mr. BRUCE. Mr. President, may I ask the Senator from New Hampshire whether he has read my proposed amendment to the bill?

Mr. MOSES. Yes.

Mr. BRUCE. Then the Senator does not think there is anything in the amendment that could not be reconciled with his proposition?

Mr. MOSES. I read the amendment of the Senator from Maryland when it was first presented. My understanding of the Senator's amendment is that all new Government buildings are to be located south of Pennsylvania Avenue.

Mr. BRUCE. I except, of course, the Government Printing Office Building and the Government warehouse. Of course, it would not be proper that the Government warehouse should be south of Pennsylvania Avenue.

Mr. FERNALD. Shall we proceed to vote?

Mr. MOSES. The friends of the bill are filibustering against it.

Mr. BRUCE. I had not quite concluded.

The VICE PRESIDENT. The Senator from Maryland has the floor.

Mr. KING rose.

Mr. BRUCE. Will the Senator from Utah excuse me for just a moment?

Mr. KING. I beg pardon; the Senator from Maryland has the floor.

Mr. BRUCE. I wish to ask the Senator from New Hampshire [Mr. MOSES] would he have any objection to the Supreme Court Building being located at the head of the Mall south of Pennsylvania Avenue?

Mr. MOSES. Personally I would not; but I am not a member of the commission that is to locate the building.

Mr. BRUCE. But the Senator has given the matter thought.

Mr. MOSES. If my amendment shall be agreed to, as I very much hope it may, and as I have every reason to believe it will be, the Senator from Maryland can readily perfect his amendment by excepting the building for the Supreme Court.

Mr. BRUCE. Unless the Senator makes some change in his amendment it will not conflict with my amendment; and the Supreme Court building would simply have to be located down on the Mall.

Mr. MOSES. If it is desired to place it much nearer to the Library, that would necessitate a change.

Mr. BRUCE. In that case the Senate would have to adopt a clause of exception in my amendment, because my amendment contemplates the idea that the whole \$50,000,000 shall be expended south of Pennsylvania Avenue in conformity with the L'Enfant plan, except such amount as may be necessary to provide an extension for the Government Printing Office Building and to erect a Government warehouse.

Mr. WARREN. Mr. President, I assume the Senator from Maryland is alluding to the property directly opposite the

Willard Hotel, between the Mall and Pennsylvania Avenue, which we purchased a number of years ago for a Department of Justice building. That property now belongs to the Government, and, after a competition, as I recall, plans were drawn for a building to be located there. Those plans are in existence now, I understand, but have been filed away somewhere. Once or twice—and I remember especially one occasion—an effort has been made on the part of the Senate to have the Government buy all the property between the Mall and Pennsylvania Avenue which the Government did not already possess.

Mr. BRUCE. I will say to the Senator from Wyoming my amendment does not undertake to state where any public building which is to be erected with this \$50,000,000 appropriation shall be erected south of Pennsylvania Avenue; it simply undertakes to provide that the whole sum of \$50,000,000 which is to be expended in the purchase of sites and the erection of additional public buildings in the city of Washington shall be expended south of Pennsylvania Avenue.

Mr. OVERMAN. Mr. President, if the Senator will yield to me, when we purchased the property opposite the Willard Hotel it was the intention to erect on that property a building for the Interstate Commerce Commission, a building for the Department of Justice, and, as I recall, for the Department of Commerce. The Supreme Court was not considered at all then, because Chief Justice White was opposed to the court going there.

Mr. SMOOT. Mr. President, we also bought the block just south of the one opposite the Willard Hotel; the Government owns both of those blocks; and it was the intention to utilize that property, as has been said, by erecting thereon a Department of Justice building. That was many years ago, but nothing has been done.

Mr. OVERMAN. That is right.

SEVERAL SENATORS. Vote!

Mr. LENROOT. Mr. President, I doubt very much whether Senators realize the position in which they will place themselves by voting for this amendment. I wonder how many Senators have been down on the Mall and in the temporary buildings located there and have observed the conditions under which the Government clerks work in those buildings? As the Senator from Utah has stated, they are packed in there like sardines; and yet Senators are eager to adopt this amendment, although, if it shall be adopted, by their votes they will practically be saying, "While we have loudly proclaimed our interest in the Federal employees, when it comes to the question of their health and the sanitary conditions under which they work, those considerations have no weight with us compared to our own convenience as Senators." That is the proposition, because if this amendment shall be adopted nothing can be done for the next two or three years to alleviate the conditions under which these clerks work. That is all I wish to say, Mr. President.

Mr. BORAH. Mr. President, if the Senator from Wisconsin has concluded.

Mr. LENROOT. I am through.

Mr. BORAH. I should like to say that I do not know how the Supreme Court feels about this matter now, but it has not been so very long since the Supreme Court was very much opposed to moving out of the Capitol Building. I will inquire if the Supreme Court has expressed itself in any way.

Mr. MOSES. I will say to the Senator that certainly seven members of the Supreme Court, including the Chief Justice, have expressed themselves to me very vigorously in the hope that this amendment would be agreed to.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire as modified.

Mr. BRUCE. Mr. President, I should like to ask a question of the Senator from New Hampshire. Has any estimate been made of the probable cost of the building for the Supreme Court?

Mr. MOSES. It is my impression, Mr. President, from information which I obtained from the Architect of the Capitol, after an examination of the sketches of Mr. Bacon that the building would probably cost from a million and a half to two million dollars. It will not be a very large building, but it will be a very beautiful building.

Mr. SMOOT. That estimate was made some years ago. It will cost more than that to erect that building now.

Mr. MOSES. I have just accepted an amendment which takes out Henry Bacon's plan, so that the Senator from Utah, being on the commission, may have erected a cheaper one if he wishes.

Mr. KING. Mr. President, there seems to be great eagerness upon the part of Senators to support the amendment offered by the Senator from New Hampshire [Mr. MOSES]. The repeated cries for a "vote" indicate that any opposition will not

be accorded a very cordial reception. Nevertheless, I feel constrained to express my opposition to the amendment.

Intrinsically, the proposition to construct a building for the Supreme Court may have merit, but I do not think the matter has received sufficient consideration in connection with the pending bill to warrant Congress in requiring the diversion of a portion of the appropriation which will be available for the next fiscal year in order that the construction of such an edifice may be speedily entered upon.

In my opinion, the matter should receive further consideration and the committee reporting the pending measure should have an opportunity to make full and exhaustive investigation into the matter. I am advised that the committee reporting this bill did not consider the proposition to utilize any part of the \$50,000,000 to be expended for public buildings in the District of Columbia in the erection of a Supreme Court building. They considered pressing needs, and did not include within this category the construction of a building for the purpose just mentioned.

While we would like to see the Supreme Court in a suitable building, I believe that the necessity for an immediate appropriation is not so great as indicated by the Senator from New Hampshire. Undoubtedly Congress will within a few years appropriate a sufficient sum to erect a beautiful and commodious structure for the Supreme Court. It may be that the building so erected will be sufficiently large to house other departments or agencies of the Government. I think further thought should be given to the matter before determining upon the kind of building and all of the uses to which it will be put.

Speaking for myself, I can not say that the Department of Justice or some other Federal agency should not be housed in the same building, provided primarily for the Supreme Court.

The Senator from New Hampshire has suggested that the Supreme Court and the Department of Justice ought not to occupy the same building. His intention is that the Supreme Court, representing the judicial branch of the Government, ought to be removed from any part of the executive branch of the Government. In substantially all States of the Union, the State capitol house the legislature, the supreme court, and the important executive offices. I have never heard it suggested that this course interfered with the freedom or action of either branch of the Government. To my mind, the argument of the Senator is not sound.

Obviously, this amendment, if adopted, will call for a further appropriation, and instead of there being \$50,000,000 expended in the District of Columbia, it may be \$55,000,000.

Mr. President, I know that opposition to appropriations does not meet with much favor in this Chamber. We are "cheerful spenders of the public money." A distinguished statesman has said that he has always been "a cheerful spender of the people's money." I hope I shall not be guilty of unparliamentary language when I say that the same charge can be laid at the door of many persons in public life. It is so easy to vote money out of the Public Treasury. It is pleasing to the people to have large sums expended in their States and in their local districts. It adds much to the popularity of a Senator or Congressman if he can obtain large appropriations for his State or district. It matters not that the money taken out of the Treasury must be first put into the Treasury, and that the moneys appropriated by Congress are taken by burdensome taxation from the people throughout the various States.

Moreover, in the process of collecting the money from the people, and putting it into the Federal Treasury, and then taking it out of the Treasury and sending it back to the people from whose pockets it was taken, a very considerable part of it is absorbed, wasted, destroyed. Perhaps I should not say "destroyed," because the collection and spending furnish jobs for tens of thousands of Federal employees and necessitate the creation of numerous bureaus and Federal agencies.

Mr. President, in my opinion, the Budget Bureau in its report to this Congress, asked for larger appropriations than the situation called for. I need not tell Senators that the recommendations of the Budget Bureau are the recommendations of the President of the United States. If my position is correct that the needs of the Government do not call for the enormous sums recommended by the President for the next fiscal year, obviously the President can not claim to be the apostle of economy.

I note that the President a few days ago expressed disapproval of the action of Congress in passing a pension bill carrying approximately \$20,000,000 for the next fiscal year. I might add in passing that the appropriations for the coming year which will be made by this Congress for pensions and for ex-service men will reach the stupendous sum of between seven and eight hundred millions of dollars. And yet there are some

who say that Congress is not generous enough in dealing with persons who have served in the military and naval forces of the United States.

Mr. President, I think many of the American people have lost their perspective and fail to appreciate the functions of the Federal Government. There is a mania for spending. This is the day of the spendthrift. It is the day of borrowing as well as spending. Cities, counties, school districts, States, and the Federal Government, with the tremendous taxes which they impose, borrow hundreds of millions annually. The burdens which we are imposing upon this and succeeding generations by improvident, unwise, irrational, and hysterical borrowing will arrest economic advancement and bring industrial and political problems most difficult of solution.

Bankruptcy comes to municipal, State, and National Governments as it does to individuals, and it is a sad spectacle to witness a bankrupt State or an insolvent nation. Happy is the country whose taxes constitute not more than 8 per cent of the national earnings. Unfortunate is the nation required to extract from its people from 12 to 25 per cent of the gross income of all the people.

I referred to the position taken by the President in connection with the recent pension bill which passed Congress. I think he would have been more convincing in his advocacy of economy if he had vetoed the measure which in effect he condemned. The President has a constitutional duty and he should exercise the veto power when he believes that legislation is unwise or improper.

Mr. REED of Missouri. But he said he would sign that bill, did he not?

Mr. KING. The President did sign it after delivering a homily on economy. With the views which his statement indicates he entertains the President would have been more consistent if he had vetoed the bill. In so doing, if I may be permitted to criticize the Executive, he would have more truly exemplified his asseverations of devotion to economy in public affairs.

Mr. President, as we draw nearer the close of this session I believe we are less inclined to oppose appropriations. Hundreds, if not thousands, of measures are offered in Congress calling for enormous appropriations, and almost daily we pass bills which will take large sums from the Treasury. It is seldom that opposition is offered to measures carrying appropriations, and those who do interpose objections do not receive encouragement either in or outside of Congress.

Mr. President, it has been said by some cynical person that to secure public favor one should always vote to reduce taxes and always support appropriation bills. The expenses of administering the Government are increasing instead of diminishing. Last week the number of Federal employees exceeded those of the preceding week, and next year there will be more Federal employees than there are this year. It seems as if Federal economy is a lost art and that the curve of expenditure will continue to rise and not fall. In my opinion, Congress can do no greater service at the present time than to abolish scores of bureaus, agencies, and executive instrumentalities, and separate from the public service at least fifty to one hundred thousand employees. This could be done without injury to the public service, or in any manner impairing efficiency in governmental activities. Indeed, some persons believe it would improve the public service. The taxpayers will be relieved of a heavy burden and the evils of bureaucratic surveillance, interference, and oppression materially reduced.

Every appropriation bill should be examined in the most minute manner and not a single penny appropriated that is not imperatively needed for the discharge by the Federal Government of those responsibilities which the Constitution places upon it. Instead of expanding its authority it should restrict it, instead of seeking opportunities for further Federal activities it should announce its purpose to withdraw from fields which should be occupied by individuals and the States.

Mr. President, this is a time when there should be genuine economy and not loud protestations in favor of economy. There have been too many undeserved panegyrics and eulogies pronounced by executive officials and by sycophantic followers and adherents of the administration upon the so-called "economics" of the present administration. I believe the bill before us carries too large an authorization. One hundred and fifty millions of dollars is too much to be appropriated or authorized for public buildings at this time.

A few days ago I examined with considerable care the appropriation bills passed during the present session. They total several billions of dollars. And before we adjourn another deficiency bill will be presented which will carry hundreds of millions of dollars. In addition to the direct appropriations Congress has passed measures authorizing appropriations ag-

gregating hundreds of millions of dollars, which will have to be met by direct appropriations within a short time.

There are still pending before committees and upon the House and Senate calendars a very large number of bills, which call for appropriations of between three hundred and five hundred millions of dollars. Congress will perhaps remain in session for another month or perhaps six weeks, and during that period additional measures will be introduced and affirmatively acted upon by committees, which will call for further appropriations, the aggregate amount of which it is not possible to now determine.

Mr. SMOOT. Mr. President, will my colleague yield to me for a moment?

Mr. KING. I yield.

Mr. SMOOT. I went over the bill carefully the other night and ascertained that if we appropriate all that is asked for there will be \$360,000,000 more appropriated at this session of Congress.

Mr. KING. I have no doubt as to the accuracy of my colleague's statement.

Mr. REED of Missouri. Mr. President—

Mr. KING. I yield to the Senator from Missouri.

Mr. REED of Missouri. I want to suggest that we might cash the Italian bonds and get out of all of our difficulties.

Mr. KING. Mr. President, taxation is a serious matter. It means the laying of the heavy hand of the Government upon the property of individuals. It is robbery to tax an individual one penny more than is just. The Government has no right, morally or legally, to tax either the rich or the poor, except for the purpose of meeting the legitimate expenses of the Government. If the Government is profligate and wasteful, if it embarks upon enterprises and projects beyond its constitutional powers, it has no right to tax the people to meet its expenditures incurred in such undertakings or projects.

Economy and still greater economy is required in the public service. The legislative branch of the Government should be the bulwark and protector of the people. Executive departments in all governments have been extravagant and un economical departments have wasted billions in appropriations. Senators and Congressmen are elected by the people. They should defend the people and prevent executive encroachments and oppressive taxation. The watchword of Congress should now be "retrenchment and reform in all branches of the Government."

SEVERAL SENATORS. Vote!

Mr. NORRIS. Mr. President, I have taken up a great deal of time on this bill, but still I hope that Senators will bear with me while I add a few more words to the various contributions I have heretofore offered.

Reluctantly I have been brought to the conclusion that I must vote against this bill, though not for the reasons which have been given by some of the Senators who have opposed it, and yet some of the reasons that have been given have impressed me very greatly.

I am not satisfied with the old so-called log-rolling method of passing an omnibus public buildings bill. I think it is subject to very serious objection and ought not to be resorted to, so that I am not opposing this bill because I am in any way in love with the methods that have been used heretofore; and yet it would seem to me, from listening to objections that have been made to this bill, that it does not fully meet the situation. Perhaps with the so-called Swanson amendment added many of the evils that have been predicted will be avoided. My objection to it, Mr. President, is that we ought not to pass any public buildings bill at the present time. My objection is based entirely upon economy. I do not believe we can afford at the present time to incur this additional governmental expense.

I know that we need more public buildings. This bill will not come anywhere near supplying the real necessities; but we have been donating to five or six foreign governments debts that they owe us, by which the taxation that must be levied upon American citizens will be increased. We have given to our European friends most of the indebtedness which they owe us. We have been increasing the burdens of the American taxpayers by relieving the taxpayers of Italy, of Latvia, of Yugoslavia, of Belgium, of Great Britain, and we will soon relieve the French taxpayers from the payment of several billions of dollars that we will saddle on our own people. So we ought to ask our folks to live in their old buildings a little while longer, to toil along a little further and bear the burdens that they have, because we have assumed the burdens of the world, as far as taxation is concerned.

The construction of these buildings is desirable. I wish we could construct a building for the Supreme Court—a monu-

mental building, a beautiful building—but we ought to take into consideration once in a while the welfare of the American taxpayer.

I have not had an interview with the President recently, and I suppose, technically speaking, I can not speak for him here; but I am satisfied that the President is opposed to this bill. This talk about the administration being for it must be wrong. The President is for economy; and I want to read to the Senate what has been referred to by the junior Senator from Utah [Mr. KING], or a part of it, the lecture that he gave to the country about economy, calling the attention of Congress to the fact that we had about reached the limit and that we must stop appropriating more money. Therefore, I feel that I am very happy to be in complete accord with the President in his economy program.

The President said, in the statement referred to by the Senator from Utah:

It has been necessary for me to delay approving the bill—

He referred to the pension bill, which passed the Senate unanimously, I think, and had the approval of all—

increasing the pensions of the Spanish war veterans and their dependents, not because of any lack of sympathy with the objects of the bill, but on account of the Government financing which it involved. I have recognized that those connected with the Spanish war have always held a position of inequality, so far as Government bounty is concerned, compared with those connected with other wars. It can not be denied that they are entitled to be placed on a higher rate of pensions than they are now receiving, if others are entitled to what the Government is doing for them.

According to the best estimates that can be secured, the results of the present financial year, which ends June 30, will show a moderate surplus. This can be used to meet moderate expenditures that are not continuing in their nature but require but one appropriation. For the next fiscal year present indications show a deficit of a little over \$21,000,000. When the requirements of the Spanish war pension bill of nearly \$19,000,000 are added, that deficit becomes \$40,000,000. This bill calls for continuing appropriations, once it becomes law, and each Budget must be made with a recommendation for sufficient funds to pay these additional pensions.

So we are going to be confronted next year with a deficit of more than \$40,000,000 from appropriations already made.

Let me read the conclusion of the President's very apt remarks:

Having made the wise decision of keeping down expenditures in order that taxes may be reduced, that policy must be continued by constant and reiterated effort. The alternative is well known and perfectly apparent to everybody. If we now increase our annual expenditures by large amounts, the inevitable result will be a necessity for the Congress to impose additional taxes—

Think of that—additional taxes!—

through the passage of a new tax bill.

Just ponder that in your minds! I am reading from the wise words of the President of the United States. Confronted with a deficit the next fiscal year of \$40,000,000, here we are talking about erecting monumental buildings for the Supreme Court and others!

Continuing, the President says:

It is for that reason that it is necessary to maintain the principle of Government economy.

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

Mr. NORRIS. Yes.

Mr. KING. The Senator stated that the vote for the pension bill which he has referred to was unanimous. I was not in the Chamber when the vote was taken, having been called to an important committee meeting. If I had been present, I should have been constrained to vote against the bill. It contained certain provisions which I did not approve of. Some of the rates established were not fair, and the foundation of the bill in some respects was not just.

Mr. NORRIS. I am glad to have the Senator's contribution. I assumed that everybody was for the bill. I think the President is right in the comment that he has made on it. I was sorry that he even hesitated about signing it, because I think it was a just and a fair bill.

Coming back again, however, to the point where I was interrupted, with a deficit next year of \$40,000,000, and with the President saying to us, "If you increase appropriations now, we are going to have a new tax bill," do you remember, Mr. President, when that tax bill was before Congress how we cut it down? Do you remember how those with incomes of more than a million dollars were granted governmental gratuities?

Are we going by our recklessness now to get back to a point where we will have to tax the millionaire incomes? Think of it! Just ponder it over in your minds a few moments. We may have to go back and repeal that law which forgave the inheritance taxes to the dead millionaires. We may have to take back some of the gratuity that we gave to the Duke estate and other similar estates, amounting in the aggregate to \$85,000,000 that we ordered paid back to dead millionaires, who had such large estates when they died that the taxes amounted to such a huge sum that Congress has returned the money to them; and now we are going to face another tax bill, says the President!

Of course, Mr. President, when this bill is passed the President will veto it. He hesitated to sign the pension bill for the Spanish War soldiers not because they did not deserve the money that was provided there but because we did not have the money to pay them, and because we were faced with additional taxation measures. Now, we are coming with a bill to construct public buildings, to construct beautiful buildings—something desirable in ordinary times, when we can get rid of some of these war burdens that have been left upon our shoulders—and do you suppose for a moment that he will sign such a bill when he hesitated about signing such a very meritorious bill as the one to which I have referred? And if you should pass it over his veto, then, as he very properly warns you, you are going to be faced with the proposition of taxing somebody, and we know whom it will have to be.

We can not contribute of the American taxpayers' money to pay back taxes that have been collected from rich men's estates; we can not continue to give of our taxpayers' money to the taxpayers of all the countries in Europe without increasing taxation. Therefore, we ought to call a halt now, follow the President, and be economical. We should not pass this bill, even though it has merit in it, I concede, because we do need the buildings; but we have not the money, and we can not get the money without making some of the fellows with a whole lot of money go down in their pockets and dig up, which, of course, we do not want to do. They would not like it if we did.

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

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

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

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. I believe he would vote as I shall vote on this question. I vote "nay."

The roll call was concluded.

Mr. JONES of Washington. I desire to announce the following general pairs:

The Senator from Oklahoma [Mr. PINE] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from Arkansas [Mr. ROBINSON].

Mr. WALSH. I desire to announce that the Senator from Nevada [Mr. PITTMAN] is detained by illness and that the Senator from Wyoming [Mr. KENDRICK] is detained on public business. If present, the Senator from Wyoming would vote "nay."

Mr. BRATTON. I have a general pair with the junior Senator from Indiana [Mr. ROBINSON]. I understand that if he were present he would vote as I shall vote, and I vote "nay."

Mr. FERRIS (after having voted in the negative). I have a pair with the senior Senator from Pennsylvania [Mr. PEPPER]. Not being able to ascertain how he would vote if he were present, I withdraw my vote.

Mr. STEPHENS (after having voted in the negative). I am paired with the senior Senator from New Jersey [Mr. EDGE]. Not knowing how he would vote if present, I withdraw my vote.

Mr. GLASS. May I inquire whether the senior Senator from Connecticut [Mr. MCLEAN] has been recorded as voting?

The VICE PRESIDENT. He has not voted.

Mr. GLASS. I have a general pair with that Senator, and in his absence I withhold my vote.

Mr. GILLETT. I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the senior Senator from Vermont [Mr. GREENE] and vote "nay."

Mr. EDWARDS. I desire to announce that the senior Senator from New Jersey [Mr. EDGE] is absent on account of illness.

The result was announced—yeas 22, nays 50, as follows:

YEAS—22

Ashurst	Blease	Dale	McNary
Bayard	Butler	Deneen	Means
Bingham	Copeland	Goff	Moses

Oddie
Overman
Phipps

Reed, Mo.
Reed, Pa.
Shortridge

Simmons
Smith
Stanfield

Swanson

NAYS—50

Borah
Bratton
Broussard
Bruce
Cameron
Caraway
Cummins
Dill
Edwards
Ernst
Fernald
Fess
Fletcher

Frazier
George
Gillett
Gooding
Hale
Harrell
Harris
Heflin
Howell
Jones, N. Mex.
Jones, Wash.
Keyes
King

La Follette
Lenroot
McKellar
McMaster
Mayfield
Metcalf
Neely
Norbeck
Norris
Nye
Ransdell
Sackett
Sheppard

Shipstead
Smoot
Steck
Trammell
Tyson
Walsh
Warren
Watson
Weller
Wheeler
Willis

NOT VOTING—24

Capper
Couzens
Curtis
du Pont
Edge
Ferris

Gerry
Glass
Greene
Harrison
Johnson
Kendrick

McKinley
McLean
Pepper
Pine
Pittman
Robinson, Ark.

Robinson, Ind.
Schall
Stephens
Underwood
Wadsworth
Williams

So Mr. MOSES's amendment was rejected.

Mr. JONES of New Mexico. Mr. President, I desire to offer an amendment. I may state to Senators that some question may arise as to the effect of certain language in the amendment. I have added some language to the amendment since it was printed, and have corrected a few copies of the printed amendment so as to contain the language I have added. I will ask the pages to distribute the copies to those who are interested in the amendment.

Mr. SMOOT. May we have the amendment read at this time?

Mr. JONES of New Mexico. The amendment may be read now.

The VICE PRESIDENT. The clerk will read the amendment.

The CHIEF CLERK. Strike out section 3, line 11, appearing on pages 5 and 6, and insert:

SEC. 3. The Secretary of the Treasury is hereby directed to carry 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 thereon in the following cities: Juneau, Alaska; Globe, Ariz.; Prescott, Ark.; Red Bluff and San Pedro, Calif.; Durango, Colo.; Branford and Putnam, Conn.; Marianna, Fla.; West Point, Ga.; Coeur d'Alene and Sandpoint, Idaho; Batavia, Metropolis, Mount Carmel, and Paxton, Ill.; Des Moines, Iowa; Shelbyville, Ky.; Caribou and Fort Fairfield, Me.; Leominster, Maiden, Newburyport, Southbridge, Waltham, and Winchester, Mass.; Wyandotte, Mich.; Montevideo, Minn.; Central City, Nebr.; Fallon and Goldfield, Nev.; Bayonne, East Orange, Millville, and Montclair, N. J.; East Las Vegas, N. Mex.; Fort Plain, Long Island City, Syracuse, and Yonkers, N. Y.; Wilson, N. C.; Jamestown, N. Dak.; Akron, Fremont, and Wilmington, Ohio; Donora, Lewistown, McKees Rocks, Olyphant, Sayre, Tamaqua, Tarentum, and Waynesburg, Pa.; Lancaster, S. C.; Chamberlain, S. Dak.; Athens, Tenn.; Seattle, Wash.; Williamson, W. Va.; Madison and Tomah, Wis.; Buffalo and Cody, Wyo.; St. Louis, Mo.; Newark, N. J.; Utica, N. Y.; Missoula, Mont.; additional buildings for the marine hospital at Chicago, Ill.; medical officers' quarters at the marine hospital at Savannah, Ga.; construction of marine hospital facilities at Detroit, Mich. The Secretary of the Treasury is hereby authorized to disregard the limit of cost fixed by Congress for each of said projects, to purchase additional land for enlargement of sites, and for such purposes to expend in addition to the amounts heretofore appropriated such additional sums of money for each of said projects as he shall deem advisable, not exceeding in the aggregate \$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.

Mr. FERNALD. Mr. President, the main part of that amendment is entirely agreeable to me as chairman of the committee. As to one clause, I am not certain that I shall agree to it until I have an opportunity to make a comparison. Senators will recall that when lump-sum appropriations are made for buildings the Comptroller of the Currency insists that all the buildings must be constructed before any money can be drawn. Let me read the language of the bill. I am not certain that the Senator has it in his amendment. On page 6, beginning at the end of line 11, the bill provides that—

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.

That language is necessary in order to get the appropriations past the Comptroller of the Currency. I do not know whether it is in the Senator's amendment or not.

Mr. JONES of New Mexico. That is just the reason why I amended the amendment which I had tendered originally and why I had it circulated among the Members of the Senate. If the chairman of the committee will look at the end of the amendment as now drawn, I think he will find language which is quite ample to cover the point which the Senator from Maine has in mind.

Mr. FERNALD. I am very glad to have the amendment specifying the different towns and cities. It clears the situation, and that, I understand, is the proposition that I discussed with the Senator last week.

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

Mr. JONES of New Mexico. I yield.

Mr. SMITH. Were the buildings or sites of the project as enumerated here taken from Senate Document No. 28?

Mr. JONES of New Mexico. Another Senator or two made inquiry regarding the same matter, and I shall be glad to make a statement.

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

Mr. JONES of New Mexico. I yield to the Senator from Wyoming.

Mr. WARREN. I notice the list of buildings and sites. I introduced early in the session a bill carrying these projects and others which then remained to be built. In other words, taking Public Document No. 28 I found that some of them had been built, so that the bill which I introduced, but which I have not at hand now, covered all of those that had not been taken care of. Has the Senator seen that bill, or has he obtained from the Treasury the list of buildings involved in that particular bill less those that have been constructed in the meantime?

Mr. JONES of New Mexico. Mr. President, perhaps I had better answer one question at a time, if I may be permitted to do so. I desire to state in answer to those questions that the list of cities was made up from a list furnished to the Senate by the chairman of the committee. It was stated by the chairman of the committee that those were the cities where they expected to have buildings constructed to use the additional appropriation of \$15,000,000. He gave to the Senate this list of those cities, and I took them from his statement. He said that he had had that list verified by the Treasury Department. I desire to state that there are two or three cases mentioned in Senate Document 28 which are not included in this list.

Mr. OVERMAN. There are a good many.

Mr. FERNALD. The list I gave the Senator is on page 65 of the hearings, and I find by comparison that there are two or three buildings left out.

Mr. SMOOT. There are a number of them left out.

Mr. STEPHENS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Mississippi?

Mr. JONES of New Mexico. I yield.

Mr. STEPHENS. I would like to direct the attention of the Senator from New Mexico to this proposition. Section 3 of the bill under consideration provides that \$15,000,000 may be expended for acquiring 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. That language includes two cities in the State of Mississippi. But under the amendment offered by the Senator from New Mexico those cities are omitted. I understood from the Senator all along that it was his purpose to include every city which was included originally in the bill. I want to ask him now whether it is his purpose to provide by the amendment that the State of Mississippi shall not have any advantage whatever of this \$15,000,000.

Mr. JONES of New Mexico. It was to make clear just what the Senator is now inquiring about that I prepared the amendment as I did. That was one reason which entered into the preparation of the amendment. Under section 3 as contained in the bill it is not made certain that all of the buildings provided for in Document 28 would be constructed. I wanted to make it clear that certain buildings would be constructed and thought that we ought to make definite the language of the bill. If Senators will kindly—

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

Mr. JONES of New Mexico. I have two or three questions to answer now, and I would like to have an opportunity to answer them in order. I shall be glad to cover the entire field before

the debate is closed, but I would like to make a statement in my own time, if I may, as to why the amendment was prepared.

The bill contains this provision as it originally came from the committee:

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—

It then mentions five or six buildings which were provided for in acts subsequent to the act of 1913 and then proceeds to provide that in such cases—

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.

Under that language the Secretary of the Treasury was authorized to leave out any of the buildings enumerated in Document 28 which he might see fit to omit. It was to make sure that buildings in certain localities would be constructed under this section of the bill that I prepared the amendment. I asked the chairman of the committee what cities would be cared for under the provision. He read into the RECORD a list of them, and that list appears in the CONGRESSIONAL RECORD of April 16, beginning on page 7572.

Mr. FERNALD. Mr. President, if the Senator will yield a moment I will say that I find I was in error in the list. The Senator has it exactly as it was reported to me, but evidently it was a list of the reestimated projects. Document 28 carries the same towns that the Senator has given. I beg the Senator's pardon. Document 28 is the correct source of information.

Mr. SMOOT. Will the Senator allow me to explain Document 28 to him?

Mr. JONES of New Mexico. I think I understand Document 28 pretty well, and I will refer to it.

Mr. SMOOT. The list that the Senator has in his amendment is not the list in Document 28.

Mr. JONES of New Mexico. I understand that.

Mr. SMOOT. Those places taken from Document 28 really have been reestimated for. Let me call the Senator's attention to the cities here which I mentioned where there is an appropriation for the building and where it falls short. The bill as originally introduced would take care of such a building. I will take my own State of Utah, because I am familiar with it. I could take North Carolina or almost any State, but I will take Utah because I am familiar with it. Utah is not mentioned in the Senator's amendment at all, but at Nephi there was \$5,000 appropriated for the purchase of a site and the site was purchased, but there is no appropriation for the building. The estimated cost was \$65,000 for the building, and that is included in the \$15,000,000. Then take the town of Vernal. There was an appropriation of \$50,000. Of that sum \$4,750 was for the purchase of a site, and it was purchased. That left \$45,250 for the building, but the estimated cost was \$130,250, leaving a balance of \$85,000 that was to be paid out of the \$15,000,000. The Senator's amendment has only taken care of the reestimated items and he will find that it does not compare with the original list.

Mr. WARREN. Mr. President, I wish to have read at the desk just one paragraph bearing on this matter. I am not against the Senator's amendment, but, in view of what he states, I am a little afraid he will fall short. I would like to have this paragraph read.

The VICE PRESIDENT. The clerk will read as requested.

The CHIEF CLERK. Reading from page 72 of the hearings:

It says that the Secretary of the Treasury is hereby authorized "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."

Mr. LANHAM. That \$15,000,000 will be sufficient to cover that?

Mr. WETMORE. It is sufficient to cover that; yes. That qualification was put in there because of the ruling of the Comptroller General. I am not speaking now of the present Comptroller General, but it has been the settled rule of that office for years that wherever an appropriation is made by Congress in a lump sum to do a certain enumerated number of things, they must all be done, or none; and if we had this language without any qualification in there and if we could get 63 out of those 64 buildings under contract and could not get the sixty-fourth under contract, we would have no right to spend any of the money, so that we have done two things. We have put in this qualification to save us in the event of any fall-down anywhere,

and we have included more than \$1,000,000 in excess of the amount that my office estimates is necessary in order to do that work. Somebody might say, "Why do you not say, outright, to do all of this?" That is the reason.

Mr. WARREN. The only point there is—

Mr. JONES of New Mexico. I understand the point, and it is a point which I intended to raise. It is the very point which caused me to prepare this amendment to the amendment. I had the changes made so that Senators could have a copy of the amendment in front of them to construe the language which is now in the amendment. It is my contention, if the Senator from Wyoming will permit me, that the language which I have used obviates the criticism which has just been made as to lump-sum appropriations generally and is intended specifically to meet that criticism.

Mr. WARREN. Mr. President, the present Comptroller General has made rulings upon other appropriations and other transactions directly the opposite to that; that is to say, the buildings would all have to be contracted for by name before a single one could be contracted for. On the other hand, where there was an appropriation, say, of \$11,000,000 or \$15,000,000 to cover all of such contracts, they can be covered at any time, and all but one of the buildings may be contracted for to-day, and then at the next session the one left out would be taken care of.

That is the point I make. The Senator may be right, but he is not quite in accord with the rulings that have been made by the present Comptroller General.

Mr. JONES of New Mexico. Mr. President, if the Senator from Wyoming will critically observe the language of my amendment, I feel quite sure he will reach a different conclusion. The language of the amendment does not provide for a lump-sum appropriation for a group of buildings; that is not it at all. If Senators will listen, I will read the amendment.

Mr. CARAWAY. Mr. President, before the Senator from New Mexico reads the amendment, may I interrupt him?

Mr. JONES of New Mexico. I hope I may answer the question now while it is fresh in the minds of the Senators, who are all interested in it, of course, and I think it is vital that it should be answered. The point raised by the chairman of the Committee on Appropriations is important, and I trust that Senators will have before them a copy of my amendment and observe the language of the amendment at the bottom of page 2. Here is what the amendment provides: In the first place, the Secretary is directed to erect certain buildings for which appropriations have already been made. That is one sentence, and that ends that sentence. Now comes another provision, which reads as follows:

The Secretary of the Treasury is hereby authorized to disregard the limit of cost fixed by Congress for each of said projects, to purchase additional land for enlargement of sites, and for such purposes to expend, in addition to the amounts heretofore appropriated, such additional sums of money for each of said projects as he shall deem advisable, not exceeding in the aggregate \$15,000,000:

I submit that under that language the Secretary of the Treasury would decide as to project A, for instance, how much additional money was necessary to complete it and allocate to that project a specific sum of money. That transaction is then closed. Then he can take up another one if he wants to allocate another amount, but, of course, when he gets through with his allocations he can not have exceeded \$15,000,000.

No criticism has been made of the language which I have used in the amendment, so far as I know, and there has been no analysis of that language that I know of, but I think, if I am able at all to determine what language means, that it does meet the criticism which has been made by the Comptroller General as to lump-sum appropriations for an aggregate number of projects.

Mr. SMOOT. That is not at all the criticism that I have made.

Mr. JONES of New Mexico. Let us dispose of one point at a time. Then do I understand that the Senator from Utah agrees that the point raised by the Senator from Wyoming is covered by the language of the amendment?

Mr. SMOOT. Yes; as to the cities named in the amendment.

Mr. JONES of New Mexico. That is what I wanted to cover. If that is acceptable to Senators as an answer to the question raised by the Senator from Wyoming, we can proceed to something else.

Mr. BROUSSARD. Mr. President, will the Senator from New Mexico yield to me for a moment?

Mr. SHORTRIDGE. Mr. President, on that same point I should like to ask the Senator a question.

Mr. JONES of New Mexico. On that same point I will be glad to yield for any further criticism. The Senator from Louisiana first rose and I yield to him.

Mr. BROUSSARD. I wanted to make an inquiry of the Senator from New Mexico. The Senator has stated, as I understand, that the list of buildings in Document 28 embraces those which should be named.

Mr. JONES of New Mexico. If the Senator will pardon me, the question of what cities should be named, I shall be glad to take up in just a moment.

Mr. BROUSSARD. Very well.

Mr. JONES of New Mexico. Now, I yield to the Senator from California.

Mr. SHORTRIDGE. Do I understand the Senator from New Mexico, then, to construe the language found in his proposed amendment to mean that the Secretary of the Treasury must proceed to carry out the legislation with respect to all these severally named buildings?

Mr. JONES of New Mexico. That is the purpose of the amendment.

Mr. SHORTRIDGE. And that he may not, under this language, abandon or fail to proceed to carry out previous legislation?

Mr. JONES of New Mexico. That is the purpose of the amendment.

Mr. SHORTRIDGE. And that if he delays in the carrying out of any particular project as applied to a particular city it will not affect the progress of construction with respect to other cities?

Mr. JONES of New Mexico. That is precisely my understanding, and that was the very purpose of my adding this language by way of an amendment to the amendment.

Mr. SHORTRIDGE. In other words, the time is not of the essence of the matter, speaking in legal parlance.

Mr. JONES of New Mexico. Not at all.

Mr. SHORTRIDGE. That is the Secretary of the Treasury may, for good reason, defer action in respect to one city in order to carry on the work in another city.

Mr. JONES of New Mexico. The work with respect to one building will not interfere with the work regarding another building.

Mr. SMOOT and Mr. OVERMAN addressed the Chair.

Mr. JONES of New Mexico. I will yield, first, to the Senator from Utah and then I will yield to the Senator from North Carolina.

Mr. SMOOT. I have no objection to the wording of the amendment which the Senator from New Mexico has read, but I do have objection to naming the cities.

Mr. FERNALD. I understand the Senator is willing to strike out the names of the cities and to insert in lieu thereof "Document No. 28"?

Mr. JONES of New Mexico. I am quite willing to put in the name of any city that any Senator can say should be put in contained in Document 28.

Mr. FERNALD. Then I suggest that "Document No. 28" be put in instead of the list of cities.

Mr. SMOOT. That instead of the names of the cities put in "Document 28." That covers all of the cases of every kind wherever there has been a site purchased and an appropriation made, but no building has been erected because of the shortage of funds. They are all covered; and not only that but the \$15,000,000 appropriation will complete them all, and, if the estimates are correct, there will be over a million dollars left.

Mr. SMITH. I have Senate Document No. 28 before me, and I should like to ask the Senator from Utah, what is the total amount yet to be appropriated to carry out the provisions of the law with respect to all these projects?

Mr. SMOOT. The estimate is \$13,800,000. That will provide for everything included in Document 28.

Mr. SMITH. And complete the buildings?

Mr. SMOOT. And complete them; but \$15,000,000 was appropriated because we thought perhaps there might be some building which would cost a little more on account of some local condition, and it was considered desirable to be on the safe side and insure the completion of every building mentioned in Document 28.

Mr. SMITH. Mr. President, if I may be permitted a further interruption, let me say that I like the language of the amendment better than the language of section 3, which goes on to say:

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 contract for all or so many of said buildings heretofore authorized to be constructed—

And so forth. That, I understand, is stricken out by the amendment. I had an amendment prepared to cover that, but the proposition of the Senator from New Mexico makes it mandatory upon the Secretary to complete those buildings which have already been authorized and for some of which certain amounts have been appropriated; so that, if the Senator from Utah is correct, I would prefer to have the amendment amended by striking out the enumeration of the cities and substituting "Document 28."

Mr. FERNALD. Yes; and a little more than that should be added. There are some cities which are not mentioned in Document 28 that should be included.

Mr. SMOOT. They are enumerated in section 3.

Mr. FERNALD. They are enumerated in the bill.

Mr. SHORTRIDGE. Mr. President, will the Senator from Maine have the goodness to bear in mind that there are Senators on this side of the Chamber who are really interested in the bill but who can not hear the colloquy?

Mr. JONES of New Mexico. Mr. President, I yielded to the Senator from Utah for a question, and he has asked it, and we understand what it is. I promised next to yield to the Senator from North Carolina.

Mr. OVERMAN. Mr. President, I was merely going to add to what the Senator from Utah has said, that if we substitute "Senate Document No. 28," that will include four places in my State. It will include Wilson, which is specifically named in the amendment. A building will certainly be erected at Wilson, and if the words "Senate Document No. 28" be substituted, they may all be erected, because they come within the limit of cost of \$15,000,000.

Mr. JONES of New Mexico. Now I yield to the Senator from Louisiana.

Mr. BROUSSARD. Mr. President, I merely wish to make an observation in addition before the Senator proceeds. I understand that the \$15,000,000 will more than cover all the projects which have been authorized but not completed because of lack of sufficient appropriations. There are a few cities in my State not mentioned in the amendment of the Senator, and, of course, I want the buildings in those cities completed. So I should prefer that the words "Senate Document 28" be substituted for the language now in the amendment, because that document covers all the cities.

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

Mr. JONES of New Mexico. I yield to the chairman of the committee.

Mr. FERNALD. Section 3 must be very carefully guarded. I wish to read it. Senators will see that several cities are mentioned that are not mentioned in the amendment of the Senator from New Mexico. I wish to read section 3 because we must provide for these other buildings. It is as follows:

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.—

And so forth. All those would be left out of the Senator's amendment.

Mr. SMITH. Mr. President, let me ask the Senator a question.

Mr. JONES of New Mexico. Mr. President, I have the floor; and if Senators will kindly permit me to some extent to direct the debate, I will be obliged. If the Senator from Maine, the chairman of the committee, will turn to page 2, line 16, of my amendment, he will find there in about six lines I have taken care of all those buildings which require half a page in the bill as originally reported. By the language of the amendment beginning in line 16, after the word "Wyoming," down to and including line 20 and one word in line 21, all those places are taken care of.

Mr. FERNALD. Now, if the Senator will permit me a question—

Mr. JONES of New Mexico. Yes.

Mr. FERNALD. By mentioning Document No. 28 and in addition the places which the Senator has named in his amendment everything would be covered.

Mr. JONES of New Mexico. My purpose in naming these cities was twofold; first, to make specific the cities where the buildings are to be constructed; and, second, to make the law itself complete. I suppose that Congress has from time to time referred to some outside document, but Senate Document No. 28 is not known to the people of the country. If we shall pass this bill, simply referring to Senate Document No. 28 for a list of the cities where buildings are to be constructed, the country at large will know nothing about it; they will not know what it means.

I submit that when this bill is passed it should be complete enough in itself so that any citizen may take it in his hand and determine whether or not he is to have a building in his town. That is the objection I made to referring to the document as Document No. 28.

Mr. BROUSSARD. Mr. President—

Mr. JONES of New Mexico. In just a moment. If there are any places left out of this list through a misunderstanding which the chairman of the committee had with the Treasury Department, we can easily correct the list. It is here before us. We can check this list. There is not any trouble about that. Then when it is done we will know precisely what we may expect under section 3 of this bill.

Mr. CARAWAY. Mr. President, may I interrupt the Senator?

Mr. JONES of New Mexico. I promised to yield to the Senator from Louisiana. Then I will yield to the Senator from Arkansas.

Mr. CARAWAY. It makes no difference. After the Senator has yielded to him, I should like to make a suggestion.

Mr. BROUSSARD. Mr. President, I wish to call the Senator's attention to the fact that Louisiana has no buildings in this bill, but Document 28 carries Morgan City and Thibodaux.

Mr. JONES of New Mexico. Here is the trouble: It was represented here that a number of these buildings had been constructed. I remember the Senator from Virginia [Mr. SWANSON] and the chairman of the committee for a considerable length of time iterating and reiterating the fact that a number of the buildings referred to in Document 28 had been constructed. That was the statement made here at the time by each one of them. I wanted to know what buildings had not been constructed, and so we called upon the chairman of the committee to make a statement as to that. He made the statement, and the list which is included in my amendment corresponds precisely to the information which the chairman of the committee then had. I observe, on looking at Document 28, with respect to Louisiana, that one site was authorized at Morgan City, and that site was acquired under date of December 7, 1921. It was acquired under the act of 1913, I suppose; but on December 7, 1921, that site was acquired, and there never was an appropriation of any money for a building there, and therefore that place could not come within this provision. It would not be built under the language of the original act, because no building was authorized in that place.

As to the other case, I think the Senator from Louisiana is quite right about that, and it should be included in this list. In that case the site was acquired in 1918, and the cost of the building and site was to be \$50,000, and there is left a balance of \$45,000, and the Treasury Department estimates that it will take an increased amount of \$15,000 to construct the building; and I shall be glad to include that in this amendment.

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

Mr. JONES of New Mexico. I promised to yield to the Senator from Arkansas.

Mr. CARAWAY. Mr. President, the only thing I wanted to suggest to the Senator was that I am afraid that under the pretty well-known principle of law that the enumeration of certain items or certain places excludes all those not enumerated, the Senator's amendment would exclude every place not named, and therefore it would exclude three places in my State that were included in Document 28.

Mr. JONES of New Mexico. Just let me see as to that. In the State of Arkansas there are three places where sites and buildings were authorized. The sites have been purchased, except that in one case the site was donated, and one of those places is included in the list which I have here, but two of them are not included.

Mr. OVERMAN. Let me ask the Senator about North Carolina, if the Senator will turn to that. There are Edenton,

Lenoir, Lumberton, Mount Olive, and Mount Airy. Sites have been purchased in all but one place.

Mr. JONES of New Mexico. I may state with regard to those places in North Carolina that there were only two places where buildings were authorized to be constructed. They were Thomasville and Wilson. In this list Wilson is included, but for some reason Thomasville is not included.

Mr. OVERMAN. That building has just been completed.

Mr. JONES of New Mexico. That is in accord with the impression I got from the Senator from Virginia that a lot of these buildings had been completed.

Mr. OVERMAN. They will not use the money if they have been completed. They will have that much more money, then, than we expected. If we have \$15,000,000 under this bill, and some of the buildings have been completed, we will have just that much more.

Mr. JONES of New Mexico. But that was the statement made here, and that is why I assumed that those not in this list had been constructed.

Mr. OVERMAN. No.

Mr. JONES of New Mexico. I received that information from the chairman of the committee.

Mr. SWANSON. Mr. President, if the Senator will permit me—

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SWANSON. It does seem to me that the Senator ought not to insist on this amendment. With the modification that he makes I do not see any effect that is obtained by naming the places. The Senator has offered this amendment to make it imperative that all of these buildings should be constructed.

Mr. JONES of New Mexico. Yes.

Mr. SWANSON. Now he has had to modify that on account of the ruling of the Comptroller General that each one had to be separate.

Mr. JONES of New Mexico. No; that part of it is not modified.

Mr. SWANSON. The only reason the Senator gives is that it would let people know what is proposed to be done. If this amendment is adopted and any building included in Document 28 that is entitled to be constructed under section 3 is not named, it is eliminated.

Mr. JONES of New Mexico. Absolutely.

Mr. SWANSON. It does seem to me that we ought to rely on the naming in Document 28, which we all have legislated for, and not put it in the language of somebody who has gone over the list when we see that some buildings are left out.

Mr. JONES of New Mexico. Mr. President, if Senators prefer that to naming those places, I am quite willing to do that. If they will simply accept the first and last parts of my amendment and refer to Document 28, while I can not say that I have no objection to that, for I have, still, if it will satisfy more Senators, I am willing to concede that much.

Mr. SWANSON. Let Document 28 continue as naming the places.

Mr. JONES of New Mexico. I am willing to make Document 28 part of this amendment of mine for a description of the places where buildings are to be constructed.

Mr. SWANSON. What is the difference between the Senator's modified amendment and the way the matter now stands?

Mr. JONES of New Mexico. There is a vast difference, as the Senator will see if he will observe the language which is used in the amendment. If it is thought best to refer to that, it is my judgment that we had better go through Document 28 and find out just what cities are entitled to have buildings constructed at this time under section 3 and name them. That is my humble judgment about it. I think it is a poor way of framing legislation to refer to some document which the public does not have. I think we ought to name the cities in the law.

Mr. SHORTRIDGE. Mr. President—

Mr. JONES of New Mexico. I yield to the Senator from California.

Mr. SHORTRIDGE. I should like to suggest to the Senator that by his amendment he seems to have limited the cities in California to Red Bluff and San Pedro, two of our cities. In Document 28 other and additional cities are mentioned.

Mr. JONES of New Mexico. No; I agree with the suggestion just made by the Senator from Wisconsin, that if we are going to use Document 28 there is no necessity for naming any cities in the amendment; and unless we name all the cities in the amendment we are not carrying out what we intend to do. I am willing to adopt either plan. It was not the naming of them specifically that caused my concern, but it was the language which permitted the Secretary of the Treasury to leave out any of them.

Mr. SMOOT. If they are named in Document 28 he can not leave them out.

Mr. JONES of New Mexico. That is true. I think it can be done in that way. We can name Document 28 instead of naming the cities if we care to, but I suggest that it is a poor way of framing laws.

Mr. SHORTRIDGE. But I assume that the Senator will agree with me that if we set out just two cities we do in the very nature of things exclude all others.

Mr. JONES of New Mexico. Oh, there is no question about that; and it was the thought that the list here included all these cities.

Mr. SHORTRIDGE. Manifestly it does not.

Mr. JONES of New Mexico. We wanted to exclude all others, because it was assumed that they had been constructed or something of that sort. It now appears quite plain, and the chairman of the committee so states, that the list which he gave to the Senate was not complete. He, of course, had no intention to mislead anybody. It was simply lack of information furnished by the Treasury Department.

Mr. LENROOT. Mr. President, will the Senator yield? I should like to clear up one thing, because I want to be entirely fair with the Senate.

Mr. JONES of New Mexico. I yield.

Mr. LENROOT. Section 3 as it stands authorizes the completion of all buildings named in Document 28 which have been authorized to be constructed and appropriations made therefor; but because of the increased cost the amount appropriated is not sufficient, and we give \$15,000,000 for the purpose of completing all such buildings as have been authorized. That is section 3 as it stands.

Mr. SWANSON. That is true. Everybody, I think, understands that.

Mr. LENROOT. But there are some cities named in Document 28—

Mr. SWANSON. Where simply sites are purchased.

Mr. LENROOT. Exactly.

Mr. SWANSON. My amendment is offered to give those places preference over other places.

Mr. JONES of New Mexico. Permit me to answer the Senator from Wisconsin. If the Senator from Wisconsin will just read the latter part of section 3 as presented by the committee, he will find that there is a very wide difference.

Mr. LENROOT. Oh, I am not speaking of the difference. I am speaking of what buildings could be included under section 3.

Mr. JONES of New Mexico. Oh, yes; I intended to include them.

Mr. SWANSON. Under section 3 no building is completed where only a site is purchased. That has been iterated and reiterated.

Mr. JONES of New Mexico. Yes; that is the purpose of it.

Mr. SWANSON. The Senator has made some mistakes in listing the places where a site has been purchased and an authorization rather than an appropriation has been made for the construction of the building. When he first offered his amendment I suggested that it was better to include the places named in Document 28 where the sites had been purchased and the buildings authorized which section 3 completes. The only difference between the Senator's amendment and the provision contained in section 3 as proposed by the committee is that the committee amendment says "such as he may see proper," which would leave the Secretary a discretion as to whether or not he would complete some of them. The Senator's amendment says that all of them must be completed, but to be divided to the different projects as they see proper, which would eliminate one of the Comptroller General's statements. I can see no objection to having it modified as he has it.

Mr. LENROOT. There is one other distinction. One is an authorization, and the Senator's amendment is a direction.

Mr. SWANSON. No.

Mr. SMOOT. Yes; it is.

Mr. JONES of New Mexico. Yes; that is in the first part of the amendment. One is an authorization and the other is a direction.

Mr. SWANSON. I did not see that. Where is it?

Mr. LENROOT. That is in line 2.

Mr. SWANSON. I do not know why that is necessary. If you will leave out the direction, then the latter part of the Senator's amendment will compel each project to be divided up.

Mr. JONES of New Mexico. I think so, too; but I can not see the objection to using the word "directed."

Mr. LENROOT. It is just a question of policy. If this amendment should be adopted, not one dollar could be appro-

appropriated next year for any buildings except those that have heretofore been authorized.

Mr. JONES of New Mexico. No, Mr. President; this is a provision which deals only with these buildings which have already been authorized.

Mr. SWANSON. If the Senator will permit, as I suggested, if we take out the word "direct" and put in the word "authorized," we will compel him to spend this \$15,000,000 on these buildings and consume all the money, and practically leave no balance. He says he can construct them for \$12,500,000; but the Senate would direct him to spend all this money on these buildings.

Mr. JONES of New Mexico. Mr. President—

Mr. SWANSON. Suppose we find he can do it for \$10,000,000 as well?

Mr. JONES of New Mexico. I do not direct him to spend the \$15,000,000. The Senator has not read the amendment with care.

Mr. LENROOT. I am assuming they will cost \$15,000,000. Under the Senator's amendment, then, not one dollar could be appropriated for any other purpose than for the buildings set out in Document No. 28.

Mr. JONES of New Mexico. None of this \$15,000,000 could be used for any other purpose.

Mr. LENROOT. We have the other limitation of \$15,000,000 in another section.

Mr. JONES of New Mexico. That \$15,000,000 in another section is for buildings aside from these.

Mr. LENROOT. Oh, no; it is not.

Mr. JONES of New Mexico. I so understood.

Mr. LENROOT. The Senator is mistaken.

Mr. JONES of New Mexico. I certainly so understood it. I will ask the chairman of the committee—

The PRESIDING OFFICER (Mr. BINGHAM in the chair). It is impossible for the reporter to make a record of the debate unless Senators will address the Chair and obtain the floor.

Mr. FERNALD. Mr. President, I was very glad to accept the Senator's amendment yesterday, but I would like to have him withdraw it—

Mr. LENROOT. There was some colloquy—

Mr. FERNALD. I did not hear it.

Mr. LENROOT. I made the statement that the aggregate amount of appropriations which the Appropriations Committee could report in any one year, including these buildings, as well as those enumerated in the other part of the bill, must be not to exceed \$25,000,000.

Mr. FERNALD. Absolutely; that is right.

Mr. JONES of New Mexico. Mr. President—

Mr. LENROOT. And \$10,000,000 of that must be expended in the District of Columbia, leaving \$15,000,000 for the outside.

Mr. JONES of New Mexico. I think the Senate has wholly failed to comprehend. Is there a Senator here who has understood that for the first year no buildings would be commenced or provided for except those referred to in Document 28?

Mr. SIMMONS and Mr. LENROOT addressed the Chair.

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

Mr. JONES of New Mexico. I yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, as I have understood this bill from the beginning, the Senator's amendment points out the real difficulty and the injustices of the bill as framed by the committee. The bill as framed by the committee permits only \$15,000,000 to be used in any one year outside of the District of Columbia. A part of that \$15,000,000 may be used for the construction of buildings on sites that have already been acquired. A part of it may be used for the construction of buildings on sites hereafter to be acquired. But the cost of the construction in one year, both of buildings on sites heretofore acquired and those on sites hereafter to be acquired, can not exceed \$15,000,000. That is the limit of expenditure in any year, both for constructing buildings on sites that have been acquired and those constructed on sites hereafter to be purchased. The Senator's amendment, as I see it, would require as much of this \$15,000,000 as is necessary to finish the buildings on sites heretofore acquired to be used for that purpose, leaving not a dollar to be appropriated for buildings on sites hereafter to be acquired, if it shall take the whole \$15,000,000.

On the other hand, if the bill should pass as it came from the committee, it would be within the power of the Secretary of the Treasury, if he saw fit, not to use a dollar of this money for the purpose of constructing a building on a site already acquired, until the last year. He could use the \$15,000,000 every year for the construction of new buildings on new sites,

and postpone the use of the \$15,000,000 appropriated for sites already acquired until the last year provided under this bill.

Mr. LENROOT. Provided Congress agreed to it. Congress would have to agree to it.

Mr. SIMMONS. Of course, always provided that Congress agreed to it. That is the trouble about the bill. The Senator's amendment provides for the use of the money the first year on practically all the sites heretofore acquired. The bill is so drawn that, if it should pass, the Secretary of the Treasury would not be required to use any of the money for the construction of the buildings on old sites until the last year of the six years in which this fund is to be appropriated and employed.

Mr. JONES of New Mexico. I am very grateful to the Senator from Wisconsin for calling attention to the point which he has raised. If he is correct about it, I am sure the Senate does not understand this bill. I have been here all during the debate on this bill, and the chairman of the committee and the senior member of the minority of the committee have repeatedly said to the Senate that the buildings already authorized are taken care of in section 3—

Mr. LENROOT. They are.

Mr. JONES of New Mexico. That there is another fund of \$150,000,000, \$50,000,000 of which shall be expended in the District of Columbia and the other \$100,000,000 outside the District of Columbia. Ever since we have been discussing this bill at all, those were the things referred to, that there is \$100,000,000 for buildings outside the District, \$50,000,000 for those inside, and \$15,000,000 provided to take care of buildings heretofore authorized.

Mr. LENROOT. That is correct.

Mr. JONES of New Mexico. Now we are told that the first year there is to be nothing expended on the outside at all except for buildings already authorized.

Mr. LENROOT. Under the Senator's amendment that would be true.

Mr. JONES of New Mexico. If the bill means that the first \$15,000,000 can be used for the construction of buildings other than those referred to in section 3, I want to know when the buildings in section 3 are going to be constructed.

Mr. SIMMONS. That is exactly what I said. Under the bill they may not be constructed, if the Secretary of the Treasury so decides, for six years.

Mr. JONES of New Mexico. It was in order to be absolutely sure that these buildings would be constructed that I offered my amendment. They have been authorized now for 13 years. Why should they not be constructed? If this bill does not make arrangements for their immediate construction, I say that the bill can not be justified.

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

Mr. JONES of New Mexico. I gladly yield.

Mr. LENROOT. The possibilities are exactly as stated by the Senator from North Carolina, but what would actually happen would be that the vast majority of these buildings enumerated in section 3 would be estimated for and appropriations would be made, but not necessarily the whole amount appropriated the first year, because there would be some other emergencies not covered by section 3 that would be taken care of ahead of some buildings enumerated in Document No. 28. But Congress would control the situation, because they must appropriate and appropriate upon estimates.

Mr. SIMMONS. That is the only hope in case this bill shall be passed, as it came from the committee, that Congress would control it. As I had worked it out in my mind, I had about concluded that the Secretary of the Treasury would determine to allot a certain amount of the \$15,000,000 for the construction of buildings on old sites and another amount of it for the construction of buildings on new sites, dividing the money up, and that Congress might be satisfied with that division. But under the bill, as it came from the committee, if the Secretary of the Treasury sees fit and Congress does not restrain him not to spend a dollar of this money on sites that have already been purchased until the last year, he can do it.

I am rather inclined to think that the Senator's amendment is more just in that particular than the committee bill. The Senator provides, substantially, that, before any part of this money shall be spent for the purchase of new sites and the construction thereon of new buildings, the buildings shall be constructed upon sites that have already been acquired. That would be the effect of the Senator's amendment, undoubtedly. I think we ought to know exactly what will be the effect of it and whether we desire to go that far.

I believe it would probably be better if we had a provision directing the Secretary of the Treasury to apply a certain part of this \$15,000,000 for sites already purchased and apply

another part of it for the construction of buildings on sites hereafter to be purchased.

Mr. JONES of New Mexico. Mr. President, if I have been in error about this, I want to know it, and I think the Senate ought to know it. It has been my understanding—

The PRESIDING OFFICER. Just a moment. There is so much conversation going on in the Chamber that it is impossible for the Chair to hear what the Senator is saying. The Senate will be in order.

Mr. JONES of New Mexico. Mr. President, it has been my understanding that the \$15,000,000 referred to in section 3 was a separate fund to take care of a specific matter, and that that should be done regardless of the workings of the bill otherwise; that there would be \$100,000,000 used, beginning with the operation of the law, outside of the city of Washington, and \$50,000,000 in the city of Washington; that as soon as this bill passed there would be authority for an appropriation of \$15,000,000 to be used specifically for the completion of the buildings heretofore authorized. The thought had never occurred to me that that \$15,000,000 would not be available for that specific purpose.

Mr. SWANSON. Mr. President, if the Senator will permit me—

Mr. LENROOT. Will the Senator yield to me?

Mr. JONES of New Mexico. The Senator from Virginia rose first.

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

Mr. JONES of New Mexico. I yield to the Senator from Virginia.

Mr. SWANSON. My understanding—and a reading of the bill ought to make it clear—is that \$15,000,000 is an authorization for the completion of buildings where sites have been purchased and buildings have been authorized.

Mr. JONES of New Mexico. May I ask the Senator from Virginia when it is intended that the \$15,000,000 shall become available for that purpose?

Mr. SWANSON. If the Senator will read the provision on page 7 of the bill, which enumerates all these different appropriations, he will find that it specifically says that not more than \$25,000,000 in the aggregate shall be expended annually. That means that the Secretary of the Treasury can proceed to contract for all the buildings provided for, as I understand it, under the \$15,000,000 authorization, but not more than \$15,000,000 can be appropriated annually for all the purposes of this bill, as I understand it.

Mr. FESS. In other words, we could appropriate the \$15,000,000 the first year and apply it to these authorized buildings.

Mr. SWANSON. No; the Secretary can enter into contracts. It is left to Congress to determine the amount of the appropriation, which shall not be more than \$25,000,000. We could appropriate \$25,000,000, \$10,000,000 of which would go to the District, and \$15,000,000 outside.

Mr. JONES of New Mexico. I will state to the Senator from Virginia very plainly what I thought the bill meant, and that is why I have been trying to put it in shape so it would pass the Senate. I thought it meant that the \$15,000,000 would be provided to complete buildings heretofore authorized, and that that should be a thing separate and apart from anything else, and I think every Senator here within the sound of my voice understood it that way.

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

Mr. JONES of New Mexico. I yield.

Mr. LENROOT. If the Senator will read to refresh his recollection he will find that section 5 is so worded that I do not see how he could have been so misled. It reads:

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 * * * 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.

Mr. JONES of New Mexico. I quite agree that I did not read it with the care I should have taken, and that I have been depending on discussion here on the floor of the Senate. But that was my understanding, and it was only upon that understanding that I have attempted to support the bill. If this thing fails, I think the bill should fail.

Mr. FESS. Mr. President—

Mr. JONES of New Mexico. I yield to the Senator from Ohio.

Mr. FESS. When the measure was before the Senate in the last session providing \$50,000,000 for the District and nothing

for buildings outside of the District, an amendment was offered by the senior Senator from Florida [Mr. FLETCHER] giving sufficient authorization to take care of those authorized buildings. When the new bill was introduced at this session Senators had that in mind, and made provision for \$100,000,000 for buildings outside of the District and \$50,000,000 in the District, and then added a provision to take care of the other items and estimated that \$15,000,000 would do it.

Mr. JONES of New Mexico. That is my understanding, but that the \$15,000,000 for the buildings heretofore authorized was a thing separate and apart.

Mr. SMITH. That was my understanding, too.

Mr. JONES of New Mexico. I understood it was separate and apart from the \$150,000,000 program; that the rest of the bill took care of the \$150,000,000 program, and that the \$15,000,000 was to become available at once for the completion of those buildings mentioned in Document No. 28. That was my understanding.

Mr. SMITH. Why can we not amend the bill now to make that the fact rather than have it jeopardized by the language now used?

Mr. FESS. Under the language of the bill the \$10,000,000, which may be expended in the District the first year, and \$15,000,000 to complete the authorized buildings, would make \$25,000,000, and we would get immediate construction of the authorized buildings.

Mr. SIMMONS. The Senator is altogether wrong about that. I think the impression in the Senate up to this time has been just that of the Senator from New Mexico. I think it has been the prevailing opinion that the \$15,000,000 would be at once available and could be used for the construction of such buildings as were to be erected on sites already acquired, and that in addition to that there would be available \$15,000,000 for the construction of new buildings. That is clearly not so. When I stated to the Senator from South Carolina a little while ago that that was not true I think he changed his attitude toward the bill altogether.

It is true that the \$15,000,000 is in addition to the \$150,000,000. It will go for the purpose of making up the aggregate amount, but for the purpose of the appropriation annually the two are linked together, and of the \$150,000,000, which we are to appropriate for public buildings, only \$15,000,000 can be used in any one year outside of the District of Columbia. The question is how much of that \$15,000,000 will be used for the old buildings and how much will be used for the new buildings. That is a matter which we have apparently left to the Secretary of the Treasury, subject, of course, to the action of Congress in approving or disapproving the appropriation of the money for that specific purpose.

Mr. JONES of New Mexico. It was that matter that I wanted to settle by the amendment which I have proposed.

Mr. SIMMONS. The Senator would settle it if the amendment were agreed to, undoubtedly. The old buildings would have to be constructed before the new buildings were constructed.

Mr. JONES of New Mexico. I would like to suggest to the chairman of the committee that I am sure it was understood that the \$15,000,000 and the buildings heretofore authorized were to be considered separate and apart from the \$150,000,000 program. If it is not that way, I do not think the bill ought to pass. I suggest to the chairman of the committee that the latter part of the bill referred to just a while ago by the Senator from Wisconsin be changed so as to except from the limit of the appropriation of \$25,000,000 the \$15,000,000 referred to in section 3 of the bill.

Mr. CURTIS. Mr. President, I want to ask the Senator if he does not think it is possible that we can reach some agreement on the matter. It seems probable that we can settle the question in some way. May we not let the measure go over until to-morrow at some hour, and in the meantime the Senator from New Mexico and others can get together and see if they can not reach an agreement.

Mr. SMITH. Mr. President, I do not think there is anyone here who does not desire to have the bill put in proper shape. There is an earnest effort, apparently, to accomplish that purpose. I think we should have an agreement that we shall devote ourselves entirely to this matter and when we reach the proper conclusion then vote on it. I would dislike to be estopped from perfecting the bill by any agreement of limitation as to time. If there is any disposition to filibuster or any disposition to delay it because somebody wants to vote against it, I am not aware of it. I do not think anyone desires to vote against the bill if we can get it in proper shape.

Mr. CURTIS. I am perfectly satisfied that that is true. I know there is no effort being made to filibuster; but the bill

has been before the Senate for several weeks. I think, perhaps, more can be done by having Senators get together outside of the Senate Chamber than by discussing it on the floor. It may be discussed on the floor after they have reached an agreement. I wonder if we could not have a unanimous-consent agreement that if the bill is not passed by the usual time for an adjournment or a recess to-morrow afternoon we shall have a night session to-morrow for the purpose of completing the consideration of the bill. That would give everybody ample time to discuss it.

Mr. SMITH. Could we not have some understanding that no other business shall come before the Senate after the bill is placed before the Senate to-morrow? Surely Senators could forego making speeches on the Volstead Act or something else during the consideration of this bill, at least until we have disposed of it. Could we not have an agreement that we shall devote to-morrow to this bill alone?

Mr. FERNALD. Senators will recall that there was some difference of opinion among Senators on the other side of the aisle and myself, and that we got together yesterday and agreed on a compromise amendment which was entirely satisfactory. I am sure that we can get together on this proposition. I wish we might agree by unanimous consent that we would, beginning to-morrow at 12 o'clock, consider the bill and debate it until 5 o'clock and then vote on the bill.

Mr. SMITH. And confine our discussion only to the bill itself.

Mr. FERNALD. Yes.

Mr. LENROOT. Mr. President, I ask unanimous consent that until the bill is disposed of, either by passage or recommitment or otherwise, debate shall be confined to the bill.

Mr. BRUCE. Mr. President, I will call attention to the fact that there are a great many amendments pending.

Mr. LENROOT. But until we dispose of the bill let us confine debate to the bill. There is no proposal to limit debate.

Mr. BROUSSARD. Is it possible to enter into this unanimous-consent agreement before we have a quorum call?

Mr. FESS. That rule applies only to an agreement for a final vote.

Mr. LENROOT. This is not fixing a time to vote; it is merely providing that until the bill is disposed of we shall confine discussion to the bill itself.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire that the unanimous-consent request be placed before the Senate?

Mr. LENROOT. I do.

Mr. OVERMAN. Mr. President, I suggest that the Senators who have been talking so much about the pending amendment, the chairman of the committee [Mr. FERNALD], the Senator from Wisconsin [Mr. LENROOT], the Senator from New Mexico [Mr. JONES], and the Senator from North Carolina [Mr. SIMMONS] get together and see if they can iron out the proposition so that they will all agree to it. They have different views upon it, but are all trying to arrive at the same object. I believe they could prepare an amendment that would be satisfactory to everybody.

The PRESIDING OFFICER. The Chair must ask Senators to take their seats. It is impossible to know who has the floor, and it is impossible for the Official Reporter to report the debate properly. [After a pause.] The Senator from New Mexico has the floor.

Mr. JONES of New Mexico. Does the Senator from Wisconsin desire to have his unanimous-consent request submitted?

Mr. LENROOT. I would like to renew the request, and I will restate it. It is that when the bill is before the Senate and until it shall be disposed of, debate shall be confined to the bill.

Mr. NEELY. Mr. President, I offer as an amendment to the unanimous-consent proposal, that no Senator shall speak more than once or for more than one hour during the course of the debate.

Mr. LENROOT. Not more than once? There are a number of amendments to be offered.

Mr. NEELY. Not more than once and not longer than one hour on the bill, and not more than once and not longer than 10 minutes on each amendment.

Mr. JONES of New Mexico. If there were any disposition to filibuster, I would agree to the request of the Senator from West Virginia.

Mr. BROUSSARD. I have an amendment to offer, which I am sure will take more than 10 minutes to explain.

Mr. FERNALD. Let us complete this arrangement if we can. If the Senator from New Mexico [Mr. JONES], the Senator from North Carolina [Mr. SIMMONS], the Senator from

Wisconsin [Mr. LENROOT], and the Senator from Ohio [Mr. FESS] will meet at my office, 250 Senate Office Building, to-morrow morning at 10 o'clock we will try to come to some agreement, as we did with reference to the amendment which was adopted yesterday.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement proposed by the Senator from Wisconsin as amended by the Senator from West Virginia?

Mr. SHORTRIDGE. Yes; there is objection.

Mr. SMITH. I do not think the Senator from West Virginia understands the situation, because if we confine ourselves to a discussion of the bill no one ought to be limited. I think we can get through very much more quickly if we let each one say what he desires to say, because the spirit that is actuating all of us is to try to get the bill as nearly in proper shape as possible. If we enter into the agreement just as the Senator from Wisconsin put it, I am sure that to-morrow we will bring about the final disposition of the bill.

Mr. NEELY. I fully understand the situation. I had hoped that we might get a vote on the bill some time between now and the middle of the summer. If it will expedite matters, however, to withdraw my proposed amendment to the request of the Senator from Wisconsin, I will withdraw it.

The PRESIDING OFFICER. The Chair understands that the amendment proposed by the Senator from West Virginia has been withdrawn. Is there objection to the unanimous-consent request submitted by the Senator from Wisconsin [Mr. LENROOT]? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4001. An act to relieve persons in the military and naval services of the United States during the war emergency period from claims for overpayment at that time not involving fraud;

H. R. 6535. An act to amend so much of section 55 of the Hawaiian organic act as amended by the Hawaiian homes commission act, approved July 9, 1921;

H. R. 9496. An act authorizing the Secretary of the Interior to convey certain lands reserved for park and other purposes in the town of Hennessey, Okla., to said town of Hennessey, Okla.;

H. R. 9636. An act to provide for the inspection of the battle field of Pea Ridge, Ark.;

H. R. 9730. An act to provide for an adequate water-supply system at the Dresslerville Indian Colony;

H. R. 10126. An act to revise the boundary of the Mount Rainier National Park in the State of Washington, and for other purposes;

H. R. 10352. An act to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.;

H. R. 10610. An act to confirm the title to certain lands in the State of Oklahoma to the Sac and Fox Nation or Tribe of Indians;

H. R. 10859. An act to provide for the transfer of certain records of the General Land Office to States, and for other purposes;

H. R. 11084. An act to amend the act of February 28, 1925, fixing the compensation of fourth-class postmasters;

H. R. 11171. An act to authorize the deposit and expenditure of various revenues of the Indian Service as Indian moneys, proceeds of labor; and

H. R. 11204. An act exempting from the provisions of the immigration act of 1924 certain Spanish subjects residents of Porto Rico on April 11, 1899.

HOUSE BILLS REFERRED

The following bills were severally read twice by title and referred as indicated below:

H. R. 6535. An act to amend so much of section 55 of the Hawaiian organic act as amended by the Hawaiian homes commission act, approved July 9, 1921; to the Committee on Territories and Insular Possessions.

H. R. 11202. An act to provide for the preparation, printing, and distribution of pamphlets containing the Declaration of Independence, with certain biographical sketches and explanatory matter; to the Committee on Printing.

H. R. 9875. An act to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States Marine Hospital Reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service,

and for other purposes," approved June 7, 1924; to the Committee on Public Buildings and Grounds.

H. R. 10352. An act to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.; to the Committee on Commerce.

H. R. 11204. An act exempting from the provisions of the immigration act of 1924 certain Spanish subjects residents of Porto Rico on April 11, 1899; to the Committee on Immigration.

H. R. 3842. An act authorizing the Postmaster General to make monthly payment of rental for terminal railway post-office premises under lease; and

H. R. 11084. An act to amend the act of February 28, 1925, fixing the compensation of fourth-class postmasters; to the Committee on Post Offices and Post Roads.

H. R. 4001. An act to relieve persons in the military and naval services of the United States during the war emergency period from claims for overpayment at that time not involving fraud;

H. R. 9636. An act to provide for the inspection of the battle field of Pea Ridge, Ark.; and

H. R. 10131. An act granting the consent of Congress to the Wakefield National Memorial Association to build upon Government-owned land at Wakefield, Westmoreland County, Va., a replica of the house in which George Washington was born, and for other purposes; to the Committee on Military Affairs.

H. R. 9496. An act authorizing the Secretary of the Interior to convey certain lands reserved for park and other purposes in the town of Hennessey, Okla., to said town of Hennessey, Okla.;

H. R. 9916. An act to revise the boundary of the Grand Canyon National Park in the State of Arizona, and for other purposes;

H. R. 10126. An act to revise the boundary of the Mount Rainier National Park in the State of Washington, and for other purposes;

H. R. 10733. An act to make additions to the Absaroka and Gallatin National Forests and the Yellowstone National Park, and to improve and extend the winter feed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes; and

H. R. 10859. An act to provide for the transfer of certain records of the General Land Office to States, and for other purposes; to the Committee on Public Lands and Surveys.

ADDITIONAL JUDICIAL DISTRICT IN GEORGIA

The bill (H. R. 10055) to amend section 77 of the Judicial Code to create a middle district in the State of Georgia, and for other purposes, was read twice by its title.

Mr. GEORGE. Mr. President, I ask unanimous consent that the bill just read may be substituted for Order of Business 698, being the bill (S. 2762) to amend section 77 of the Judicial Code to create a middle district in the State of Georgia.

Mr. CURTIS. Are the bills identical?

Mr. GEORGE. They are not identical. The Senate bill on the calendar, however, has been considered by the Judiciary Committee and unanimously recommended for passage. If my request to substitute the House bill for the Senate bill shall be granted, I desire to ask unanimous consent for the present consideration of the House bill.

The PRESIDING OFFICER. Unanimous consent is requested that House bill 10055 be substituted for Senate bill 2762, and that the House bill may be immediately considered. Is there objection?

Mr. BRUCE. Mr. President, I should like to know the subject matter of the bill.

The PRESIDING OFFICER. The Secretary will again read the bill by title.

The CHIEF CLERK. A bill (H. R. 10055) to amend section 77 of the Judicial Code to create a middle district in the State of Georgia, and for other purposes.

Mr. BRUCE. Very well; I have no objection to the bill.

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

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

Mr. GEORGE. I move to strike out all after the enacting clause of the bill and to insert what I send to the desk, being the amendment reported to the Senate bill by the Committee on the Judiciary with slight modifications.

The PRESIDING OFFICER. The amendment proposed by the Senator from Georgia will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert:

That section 77 of the Judicial Code as amended is amended to read as follows:

"Sec. 77. (a) The State of Georgia is divided in three judicial districts, to be known as the northern, middle, and southern districts of Georgia.

"(b) The northern district shall include three divisions, constituted as follows: The Gainesville division, which shall include the territory embraced on January 1, 1925, in the counties of Banks, Barrow, Dawson, Forsyth, Habersham, Hall, Jackson, Lumpkin, Rabun, Stephens, Towns, Union, and White; the Atlanta division, which shall include the territory embraced on such date in the counties of Campbell, Carroll, Cherokee, Clayton, Cobb, Coweta, Dekalb, Douglas, Fannin, Fayette, Fulton, Gilmer, Gwinnett, Heard, Henry, Milton, Newton, Pickens, Rockdale, Spalding, and Troup; and the Rome division, which shall include the territory embraced on such date in the counties of Bartow, Catoosa, Chattooga, Dade, Floyd, Gordon, Haralson, Murray, Paulding, Polk, Walker, and Whitfield.

"(c) Terms of the district court for the Gainesville division shall be held at Gainesville on the fourth Mondays in April and November; for the Atlanta division at Atlanta on the second Monday in March and the first Monday in October; and for the Rome division at Rome on the third Mondays in May and November.

"(d) The middle district shall include six divisions, constituted as follows: The Athens division, which shall include the territory embraced on January 1, 1925, in the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Oconee, Oglethorpe, and Walton; the Macon division, which shall include the territory embraced on such date in the counties of Baldwin, Bibb, Bleckley, Butts, Crawford, Hancock, Houston, Jasper, Jones, Lamar, Monroe, Peach, Pike, Pulaski, Putnam, Twiggs, Upson, Washington, and Wilkinson; the Columbus division, which shall include the territory embraced on such date in the counties of Chattahoochee, Clay, Harris, Marion, Meriwether, Muscogee, Quitman, Randolph, Stewart, Talbot, and Taylor; the Americus division, which shall include the territory embraced on such date in the counties of Crisp, Dooly, Lee, Macon, Schley, Sumter, Terrell, Webster, and Wilcox; the Albany division, which shall include the territory embraced on such date in the counties of Baker, Calhoun, Decatur, Dougherty, Early, Grady, Miller, Mitchell, Seminole, Turner, and Worth; and the Valdosta division, which shall include the territory embraced on such date in the counties of Berrien, Brooke, Colquitt, Cook, Echols, Irwin, Lanier, Lowndes, Thomas, and Tift.

"(e) The terms of the district court for the Athens division shall be held at Athens on the first Mondays in June and December; for the Macon division at Macon on the first Mondays in May and November; for the Columbus division at Columbus on the first Mondays in March and September; for the Americus division at Americus on the second Mondays in February and June: *Provided*, That suitable rooms and accommodations are furnished for holding court at Americus free of cost to the Government until a public building shall have been erected or put into proper condition for such purpose in said city; for the Albany division at Albany on the first Mondays in April and October; and for the Valdosta division at Valdosta on the third Mondays in March and September.

"(f) The southern district shall include four divisions, to be constituted as follows: The Augusta division, which shall include the territory embraced on January 1, 1925, in the counties of Burke, Columbia, Glascock, Jefferson, Lincoln, McDuffie, Richmond, Taliaferro, Warren, and Wilkes; the Dublin division, which shall include the territory embraced on such date in the counties of Dodge, Emanuel, Jeff Davis, Johnson, Laurens, Montgomery, Telfair, Toombs, Treutlen, and Wheeler; the Savannah division, which shall include the territory embraced on such date in the counties of Bryan, Bulloch, Candler, Chatham, Effingham, Evans, Jenkins, Liberty, Long, McIntosh, Screven, and Tattnall; and the Waycross division, which shall include the territory embraced on such date in the counties of Appling, Atkinson, Bacon, Ben Hill, Brantley, Camden, Charlton, Clinch, Coffee, Glynn, Pierce, Ware, and Wayne.

"(g) The terms of the district court for the Augusta division shall be held at Augusta on the first Monday in April and the third Monday in November; for the Dublin division at Dublin on the third Mondays in January and June: *Provided*, That suitable rooms and accommodations are furnished for holding court at Dublin, free of cost to the Government, until public building shall have been erected or put into proper condition for such purpose in said city; for the Savannah division at Savannah on the second Tuesdays in February, May, August, and November; and for the Waycross division at Waycross on the second Mondays in June and December: *Provided*, That suitable rooms and accommodations are furnished for holding court at Waycross, free of cost to the Government, until public building shall have been erected or put into proper condition for such purposes in said city."

SEC. 2. (a) The district judges for the northern and southern districts of Georgia in office immediately prior to passage of this act shall be the district judges for such districts as constituted by this act; and the district attorneys and marshals for the northern and southern districts of Georgia in office just immediately prior to the passage of this act shall be during the remainder of their present terms of office

the district attorneys and marshals for such districts as constituted by this act.

(b) The President is authorized to appoint, by and with advice and consent of the Senate, for the United States District Court for the Middle District of Georgia, a district judge who shall reside in such district, a district attorney, and a marshal.

(c) The clerk of the court for each of said districts shall maintain an office, in charge of himself or a deputy, in the respective divisions of the district, and the offices for such court shall be kept open at all times for transaction of business of the court.

SEC. 3. The following acts are repealed:

1. The act entitled "An act to amend section 77 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911," approved March 4, 1913;

2. The act entitled "An act to place Barrow County, Ga., in the eastern division of the northern district of Georgia," approved March 3, 1915; and

3. The act entitled "An act to place Candler, Jenkins, and Evans Counties, Ga., in the eastern division of the southern district of Georgia, and to place Bacon and Thomas Counties, Ga., in the southwestern division of the southern district of Georgia," approved March 3, 1915.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time and passed.

On motion of Mr. GEORGE, the bill (S. 2762) to amend section 77 of the Judicial Code to create a middle district in the State of Georgia was indefinitely postponed.

REMISSION OF FINES IMPOSED ON MAIL CONTRACTORS

Mr. MOSES. Out of order, I ask unanimous consent to make a report from the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MOSES. From the Committee on Post Offices and Post Roads I report favorably without amendment the bill (H. R. 9511) authorizing the Postmaster General to remit or change deductions or fines imposed upon contractors for mail service. I ask unanimous consent for the present consideration of the bill.

Mr. KING rose.

Mr. MOSES. Before the Senator from Utah interposes, I will say that the bill is designed to take care of a situation in the Post Office Department. The Comptroller General has denied the right of the Postmaster General to remit penalties and fines which have been imposed upon mail contractors and carriers when they have been imposed through no fault of the penalized person. As a typical instance, as is shown in the House report accompanying the bill, a carrier was penalized in a sum of something like \$13, through the error of a postmaster in making his return. The postmaster reported the fact that the carrier did not perform his duty on a given day, which was true, but the postmaster did not also report that the carrier had furnished a substitute, the carrier himself being sick. It is to take care of cases like that wherein the Comptroller General has refused to sign the orders of the Postmaster General remitting these fines or reimbursing the persons who have been penalized. The language of the proposed statute is such that the Treasury is wholly safeguarded with reference to these payments.

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

Mr. KING. Mr. President, let me ask the Senator from New Hampshire a question. I should like to ask the Senator whether there is any limitation in the bill upon the power of the Post Office Department to remit such fines; that is to say, may the department remit any penalty as it may please?

Mr. MOSES. No; it may remit only penalties of the kind that are imposed for reputed failure to perform under a contract. The Senator from Utah knew perfectly well, because in his own State there are numerous instances of the star-route contractors, for example—

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Kansas?

Mr. MOSES. I yield.

Mr. CURTIS. I desire to suggest that if this measure is going to give rise to any debate or the consumption of more time, I shall have to insist on my motion.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. KING. I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 266 of the act of June 8, 1872, chapter 335 (17 Stat. p. 315), Revised Statutes 3962, so as to read as follows: "The Postmaster General may make deductions from the pay of contractors for failure to perform service according to contract and impose fines upon them for other delinquencies, which deductions or fines may be changed or remitted, in his discretion. He may deduct the price of the trip in all cases where the trip is not performed and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier."

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

DETERIORATED AND UNSERVICEABLE AMMUNITION

Mr. CAMERON. I ask unanimous consent for the present consideration of the bill (S. 3163) to authorize the Secretary of War to exchange deteriorated and unserviceable ammunition and components, and for other purposes, which is on the calendar, having been favorably reported from the Committee on Military Affairs by the Senator from New York [Mr. WADSWORTH].

Mr. BRUCE. I should like to know the subject matter of the bill for which the Senator from Arizona asks for consideration.

The PRESIDING OFFICER. Will the Senator permit the Chair to lay before the Senate the amendments of the House of Representatives to a Senate joint resolution?

Mr. CAMERON. Certainly.

VISIT OF TRIBAL DELEGATES TO WASHINGTON

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 60) authorizing expenditures from the Fort Peck 4 per cent fund for visits of tribal delegates to Washington, which were, on page 1, line 3, to strike out "expended" and to insert "appropriated"; on page 1, line 11, after "when," to insert "duly elected and"; and on page 1, line 11, to strike out "or" and to insert "by councils of said Indians and."

Mr. WHEELER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EXECUTIVE SESSION

Mr. CURTIS. Mr. President, we should transact such business when other Senators are here. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 5, 1926, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 4 (legislative day of May 3), 1926

UNITED STATES ATTORNEYS

Philip H. Mecom, of Louisiana, to be United States attorney, western district of Louisiana. A reappointment, his term having expired.

Louis H. Breuer, of Missouri, to be United States attorney, eastern district of Missouri, vice Allen Curry, resigned.

Olaf Eidem, of South Dakota, to be United States attorney, district of South Dakota, vice S. Wesley Clark, whose term has expired.

PROMOTIONS IN THE NAVY

Lieut. Frank D. Wagner to be a lieutenant commander in the Navy, from the 19th day of January, 1926.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, from the 7th day of June, 1925:

Edwin A. J. Poehlmann.

Gordon A. Patterson.

Lieut. (Junior Grade) Frederick R. Buse to be a lieutenant in the Navy, from the 19th day of October, 1925.

Lieut. (Junior Grade) Perley E. Pendleton to be a lieutenant in the Navy, from the 1st day of December, 1925.

Lieut. (Junior Grade) Khem W. Palmer to be a lieutenant in the Navy, from the 16th day of January, 1926.

The following-named ensigns to be lieutenants (junior grade) in the Navy, from the 3d day of June, 1925:

Robert P. McDonald.

James M. Ross.

Chief Gunner Edward S. Tucker to be a chief electrician in the Navy, to rank with but after ensign, from the 3d day of February, 1914.

Chief Gunner William T. McNiff to be a chief electrician in the Navy, to rank with but after ensign, from the 16th day of January, 1915.

Chief Gunner William A. Vick to be a chief electrician in the Navy, to rank with but after ensign, from the 13th day of January, 1919.

Chief Gunner John M. Kirkpatrick to be a chief electrician in the Navy, to rank with but after ensign, from the 7th day of March, 1922.

Chief Gunner Howard S. Raber to be a chief electrician in the Navy, to rank with but after ensign, from the 10th day of January, 1923.

Chief Gunner Arthur F. Murphy to be a chief electrician in the Navy, to rank with but after ensign, from the 20th day of May, 1924.

Chief Gunner Merle E. Rothenburg to be a chief radio electrician in the Navy, to rank with but after ensign, from the 24th day of September, 1923.

Chief Gunner Edgar W. Mallory to be a chief radio electrician in the Navy, to rank with but after ensign, from the 20th day of May, 1924.

Chief Gunner Harrison H. Blevins to be a chief radio electrician in the Navy, to rank with but after ensign, from the 20th day of December, 1924.

Machinist Edo S. Carfolite to be a chief machinist in the Navy, to rank with but after ensign, from the 2d day of July, 1923.

Gunner John Larsen to be a chief gunner in the Navy, to rank with but after ensign, from the 20th day of May, 1924.

Lieut. (Junior Grade) Harry H. Deringer to be a lieutenant in the Navy from the 7th day of June, 1925.

Surg. John B. Kaufman to be a medical inspector in the Navy, with the rank of commander, from the 24th day of January, 1926.

POSTMASTERS

ALABAMA

Charlie S. Robbins to be postmaster at Good Water, Ala., in place of C. S. Robbins. Incumbent's commission expires May 4, 1926.

ARKANSAS

George E. Owen to be postmaster at Conway, Ark., in place of G. E. Owen. Incumbent's commission expires May 5, 1926.

Homer H. Goodman to be postmaster at Cotter, Ark., in place of H. H. Goodman. Incumbent's commission expires May 5, 1926.

Addie Gilbert to be postmaster at Decatur, Ark., in place of Addie Gilbert. Incumbent's commission expires May 5, 1926.

Rosse G. Roberts to be postmaster at Fulton, Ark., in place of R. G. Roberts. Incumbent's commission expires May 5, 1926.

Fred H. Price to be postmaster at Gurdon, Ark., in place of F. H. Price. Incumbent's commission expires May 5, 1926.

Patrick F. Maskell to be postmaster at Hartman, Ark., in place of P. F. Maskell. Incumbent's commission expires May 5, 1926.

John I. Barnes to be postmaster at Leslie, Ark., in place of J. I. Barnes. Incumbent's commission expires May 5, 1926.

James H. Bass to be postmaster at Marvell, Ark., in place of J. H. Bass. Incumbent's commission expires May 5, 1926.

Robert B. Landers to be postmaster at Melbourne, Ark., in place of R. B. Landers. Incumbent's commission expires May 5, 1926.

Carl J. Lauderdale to be postmaster at Stamps, Ark., in place of C. J. Lauderdale. Incumbent's commission expires May 5, 1926.

William H. Taylor to be postmaster at Van Buren, Ark., in place of W. H. Taylor. Incumbent's commission expires May 5, 1926.

Lela L. Henderson to be postmaster at Waldron, Ark., in place of L. L. Henderson. Incumbent's commission expires May 5, 1926.

Charles W. Burford to be postmaster at Wilmar, Ark., in place of C. W. Burford. Incumbent's commission expires May 5, 1926.

CALIFORNIA

Edna J. Keeran to be postmaster at Princeton, Calif., in place of E. J. Keeran. Incumbent's commission expires May 5, 1926.

William L. McLaughlin to be postmaster at Sanger, Calif., in place of W. L. McLaughlin. Incumbent's commission expires May 5, 1926.

COLORADO

Alice M. Payne to be postmaster at Hudson, Colo., in place of A. M. Payne. Incumbent's commission expired January 17, 1926.

CONNECTICUT

Oliver M. Bristol to be postmaster at Durham, Conn., in place of O. M. Bristol. Incumbent's commission expired April 4, 1926.

FLORIDA

Thomas S. McNicol to be postmaster at Hollywood, Fla., in place of C. M. James, resigned.

Warren G. Ross to be postmaster at Leesburg, Fla., in place of J. F. Stunkel, deceased.

GEORGIA

Horace T. George to be postmaster at Eatonton, Ga., in place of J. D. Watterson. Incumbent's commission expired December 22, 1925.

Jessie I. Crichton to be postmaster at Fort Benning, Ga., in place of J. I. Crichton. Incumbent's commission expired March 14, 1926.

Mary D. Shearouse to be postmaster at Guyton, Ga., in place of M. D. Shearouse. Incumbent's commission expired November 21, 1925.

Sarah K. Scovill to be postmaster at Oglethorpe, Ga., in place of S. K. Scovill. Incumbent's commission expired February 20, 1924.

Lella B. Tart to be postmaster at Oliver, Ga., in place of L. B. Tart. Incumbent's commission expired February 13, 1926.

Joel F. Fountain to be postmaster at Ray City, Ga., in place of J. F. Fountain. Incumbent's commission expired June 4, 1924.

James M. Wright to be postmaster at Screven, Ga., in place of J. M. Wright. Incumbent's commission expired January 17, 1926.

John D. Baston to be postmaster at Thomson, Ga., in place of J. D. Baston. Incumbent's commission expired February 9, 1926.

Lavonia L. Mathis to be postmaster at Warm Springs, Ga., in place of L. L. Mathis. Incumbent's commission expired April 18, 1926.

Wilson S. Williams to be postmaster at Woodbury, Ga., in place of W. S. Williams. Incumbent's commission expired April 4, 1926.

Eben B. Smith to be postmaster at Wrens, Ga., in place of E. B. Smith. Incumbent's commission expired February 20, 1926.

Robert Barron to be postmaster at Zebulon, Ga., in place of Robert Barron. Incumbent's commission expired December 14, 1925.

Edward B. Miller to be postmaster at Calhoun, Ga., in place of F. L. Dyar, deceased.

Simon T. Brewton to be postmaster at Claxton, Ga., in place of W. L. Newton, not commissioned.

George D. Appleby to be postmaster at Jefferson, Ga., in place of A. R. Williamson, resigned.

John L. Wilson to be postmaster at Locust Grove, Ga., in place of J. S. Brown, resigned.

IDAHO

Rose J. Hamacher to be postmaster at Spirit Lake, Idaho, in place of R. J. Hamacher. Incumbent's commission expires May 6, 1926.

ILLINOIS

May S. Williams to be postmaster at Hanover, Ill., in place of M. S. Williams. Incumbent's commission expired April 21, 1926.

Eber E. Bassett to be postmaster at West McHenry, Ill., in place of E. E. Bassett. Incumbent's commission expired February 24, 1926.

Henry E. Burns to be postmaster at Chester, Ill., in place of J. M. Tindall, deceased.

INDIANA

Josiah J. Hostetler to be postmaster at Shipshewana, Ind., in place of J. J. Hostetler. Incumbent's commission expires May 4, 1926.

KANSAS

Charles Friskel to be postmaster at Frontenac, Kans., in place of Charles Friskel. Incumbent's commission expired April 17, 1926.

Ella J. Starr to be postmaster at Scott City, Kans., in place of E. J. Starr. Incumbent's commission expires May 5, 1926.

KENTUCKY

Clarence Neighbors to be postmaster at Bowling Green, Ky., in place of Clarence Neighbors. Incumbent's commission expires May 6, 1926.

Yaman Watkins to be postmaster at Clarkson, Ky., in place of Yaman Watkins. Incumbent's commission expired May 3, 1926.

Ira W. See to be postmaster at Louisa, Ky., in place of I. W. See. Incumbent's commission expires May 6, 1926.

Willie G. Thornbury to be postmaster at Munfordville, Ky., in place of W. G. Thornbury. Incumbent's commission expires May 6, 1926.

Marvin L. Whitnell to be postmaster at Murray, Ky., in place of M. L. Whitnell. Incumbent's commission expires May 6, 1926.

LOUISIANA

Albert Boudreaux to be postmaster at Thibodaux, La., in place of Albert Boudreaux. Incumbent's commission expired November 8, 1925.

MARYLAND

Stewart Rodamer to be postmaster at Grantsville, Md., in place of Stewart Rodamer. Incumbent's commission expires May 6, 1926.

MICHIGAN

Eugene E. Hubbard to be postmaster at Hudsonville, Mich., in place of E. E. Hubbard. Incumbent's commission expires May 4, 1926.

MISSISSIPPI

Preston C. Lewis to be postmaster at Aberdeen, Miss., in place of P. C. Lewis. Incumbent's commission expired February 22, 1926.

MISSOURI

Ferd D. Lahmeyer to be postmaster at Bland, Mo., in place of F. D. Lahmeyer. Incumbent's commission expires May 4, 1926.

Florence Gilkeson to be postmaster at Garden City, Mo., in place of Florence Gilkeson. Incumbent's commission expired April 17, 1926.

Taylor Fisher to be postmaster at New Franklin, Mo., in place of Taylor Fisher. Incumbent's commission expired March 8, 1926.

NEBRASKA

Bertha J. Widener to be postmaster at Kennard, Nebr., in place of B. J. Widener. Incumbent's commission expires May 5, 1926.

NEW JERSEY

Milton A. Whyard to be postmaster at Englewood, N. J., in place of M. A. Whyard. Incumbent's commission expired March 31, 1926.

NEW YORK

John E. Gubb to be postmaster at Batavia, N. Y., in place of J. E. Gubb. Incumbent's commission expired April 25, 1926.

Clarence F. Dilcher to be postmaster at Elba, N. Y., in place of C. F. Dilcher. Incumbent's commission expired August 17, 1925.

Sylvester P. Shea to be postmaster at Freeport, N. Y., in place of S. P. Shea. Incumbent's commission expired November 23, 1925.

Philip I. Brust to be postmaster at Medina, N. Y., in place of P. I. Brust. Incumbent's commission expired April 25, 1926.

Earl V. Jenks to be postmaster at Perry, N. Y., in place of E. V. Jenks. Incumbent's commission expired January 20, 1926.

NORTH DAKOTA

Mary B. Engbrecht to be postmaster at Goldenvalley, N. Dak., in place of M. B. Engbrecht. Incumbent's commission expired April 25, 1926.

OHIO

Harry E. Hawley to be postmaster at Mansfield, Ohio, in place of W. S. Bradford, deceased.

OKLAHOMA

Bert A. Hawley to be postmaster at Leedey, Okla., in place of B. A. Hawley. Incumbent's commission expires May 4, 1926.

OREGON

Newton A. Perry to be postmaster at North Portland, Oreg., in place of N. A. Perry. Incumbent's commission expires May 4, 1926.

PENNSYLVANIA

D. Guy Hollinger to be postmaster at Hanover, Pa., in place of D. G. Hollinger. Incumbent's commission expires May 5, 1926.

Henry N. Hoff to be postmaster at Mount Wolf, Pa., in place of H. N. Hoff. Incumbent's commission expired March 7, 1926.

Edward N. Dubs to be postmaster at New Hope, Pa., in place of E. N. Dubs. Incumbent's commission expires May 6, 1926.

TENNESSEE

Arthur B. McCay to be postmaster at Copperhill, Tenn., in place of A. B. McCay. Incumbent's commission expires May 5, 1926.

Grant L. Landiss to be postmaster at Cumberland City, Tenn., in place of G. L. Landiss. Incumbent's commission expires May 5, 1926.

TEXAS

Roy B. Nichols to be postmaster at Houston, Tex., in place of R. B. Nichols. Incumbent's commission expired April 28, 1926.

Lucy A. Carhart to be postmaster at South San Antonio, Tex., in place of L. A. Carhart. Incumbent's commission expires May 5, 1926.

UTAH

Claude C. McGee to be postmaster at Lewiston, Utah, in place of C. C. McGee. Incumbent's commission expires May 5, 1926.

VERMONT

Burton L. Hard to be postmaster at Arlington, Vt., in place of B. L. Hard. Incumbent's commission expired March 7, 1926.

VIRGINIA

Mary C. Lewis to be postmaster at Fort Eustis, Va., in place of M. C. Lewis. Incumbent's commission expires May 6, 1926.

P. Edgar Lineburg to be postmaster at Stephens City, Va., in place of P. E. Lineburg. Incumbent's commission expires May 6, 1926.

WASHINGTON

Carl J. Gunderson to be postmaster at East Stanwood, Wash., in place of C. J. Gunderson. Incumbent's commission expires May 4, 1926.

Nelson J. Crague to be postmaster at Everett, Wash., in place of J. M. Vernon. Incumbent's commission expired January 20, 1926.

Ray E. Simons to be postmaster at Leavenworth, Wash., in place of R. E. Simons. Incumbent's commission expires May 4, 1926.

WEST VIRGINIA

Shirley H. Mitchell to be postmaster at Elizabeth, W. Va., in place of S. H. Mitchell. Incumbent's commission expires May 5, 1926.

Clifford S. Musser to be postmaster at Shepherdstown, W. Va., in place of C. S. Musser. Incumbent's commission expired April 29, 1926.

WISCONSIN

William H. Howard to be postmaster at Altoona, Wis., in place of W. H. Howard. Incumbent's commission expired May 3, 1926.

George E. Grob to be postmaster at Auburndale, Wis., in place of G. E. Grob. Incumbent's commission expired April 7, 1926.

Leslie D. Jenkins to be postmaster at Bagley, Wis., in place of L. D. Jenkins. Incumbent's commission expired April 13, 1926.

Nels O. Neprud to be postmaster at Coon Valley, Wis., in place of N. O. Neprud. Incumbent's commission expired April 28, 1926.

Donald C. McDowell to be postmaster at Soldiers Grove, Wis., in place of D. C. McDowell. Incumbent's commission expired March 31, 1926.

Charles A. Arnot to be postmaster at South Wayne, Wis., in place of C. A. Arnot. Incumbent's commission expired February 15, 1926.

WYOMING

Elmer W. Ace to be postmaster at Green River, Wyo., in place of E. W. Ace. Incumbent's commission expires May 4, 1926.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 4 (legislative day of May 3), 1926

POSTMASTERS

GEORGIA

Hardy L. Holland, Register.

ILLINOIS

Sidney F. Coffman, Bluford.

Harry W. Corpe, Colfax.

Albert E. Meints, East St. Louis.

Thomas E. Cahill, Lake Bluff.

Joseph M. Donahue, Monticello.
Clare E. Godfrey, Morris.
Anthony L. Faletti, Springvalley.

KENTUCKY

Edgar P. Catron, Junction City.

LOUISIANA

Samuel Y. Watson, Baton Rouge.
Agnes Champagne, Raceland.

MAINE

Ralph R. Mathews, Berwick.
Everard J. Gove, Biddeford.
Doris A. Day, Corinna.
Willard E. Day, Monmouth.
Ralph B. Parker, Wells.
Charles E. Norton, York Beach.

MASSACHUSETTS

Harold E. Cairns, Bernardston.
Helen C. Williams, Beverly Farms.
Frank D. Babcock, Haverhill.
Benjamin R. Gifford, Woods Hole.

MICHIGAN

Clifford L. Slocum, Addison.
William Trebilcock, Ishpeming.
Floyd B. Gates, Mesick.

MISSOURI

Herman H. Reick, Independence.
Paul P. Groh, Peculiar.

MONTANA

Arthur T. Ruehrwein, Columbus.
David Craig, Conrad.

NEW YORK

Donald M. Dickson, Andes.
C. Ransom Phelps, Camden.
John A. Rapelye, Flushing.
Thomas W. Crane, Locust Valley.
Charles D. Overacre, Manchester.
Richard I. Gates, Redwood.
Henry C. Windeknecht, Rensselaer.

NORTH DAKOTA

Theodore H. Scholz, Beulah.
Edward F. Hamilton, Cavalier.
Cassie Stewart, Dogden.
Fredrich A. Rettke, Niagara.
Bessie G. George, Van Hook.

OHIO

John P. Grassbaugh, Bigprairie.
Edwin E. Hayman, Long Bottom.

OKLAHOMA

Ceaf W. Ramsey, Beggs.
Russell E. Dickerson, Braman.
Cosmo Falconer, Cheyenne.
Robert R. Sutton, Claremore.
Earl Ridenour, Hydro.
Anna Lynde, Okarche.
Lincoln G. Shoop, Perry.
Hiram H. Snow, Sand Springs.

PENNSYLVANIA

Albert S. Leiby, Bath.
Mabel M. Myer, Ronks.
Herman Raithel, Smithton.

SOUTH DAKOTA

Lester W. Button, Bradley.
Emma Peterson, Draper.
Lulu Turner, Ethan.
Paul W. Lambert, Fairfax.
Benjamin W. Ryan, Kimball.
William H. James, Martin.
Richard E. Scadden, White.

VIRGINIA

Robert Irby, Appomattox.
Mary P. Moon, Cartersville.
Albert H. Zollinger, Chase City.
Claibourne W. Beattie, Chilhowie.
Francis P. Landon, Hopewell.
Edward M. Blake, Kilmarnock.
Paul E. Haden, Palmyra.
William P. Nye, jr., Radford.
Laurie D. Marshall, Thaxton.
Frank L. Schofield, University of Richmond.

Jessie H. Cox, Washington.
Herbert T. Thomas, Williamsburg.
Harry C. Stouffer, Winchester.

WISCONSIN

Stanleigh K. Gaveney, Arcadia.
Frank E. Shults, Baraboo.
Leslie H. Thayer, Birchwood.
Arthur C. Bishop, Bloomington.
Oliver B. Weinandy, Cochrane.
William H. Goldthorpe, Cuba City.
James C. Taylor, Gilman.
Henry A. Elmer, Maribel.
Edward Stackman, Ontario.
Alvin E. Hafer, Roberts.
William R. Homermiller, Tomah.
George E. Bogrand, Wausaukee.
Winfield J. Kyes, White Lake.

WYOMING

Evelyn Colburn, Burns.
Ivor Christensen, Hanna.

HOUSE OF REPRESENTATIVES

TUESDAY, May 4, 1926

The House met at 12 o'clock noon.

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

Almighty God, hear our prayer in the name of Him who brought life and immortality to light! Broaden, deepen, and make clearer the understanding between all men. May right and truth, mercy and justice dominate the world over. Where there is disorder, may order prevail and organized society be recognized. Where lawlessness runs riot, may righteous authority and the strong arm of the law assert themselves. Oh, may all evidences of class hatred, racial prejudice, and un-Christian distinctions soon pass into utter oblivion and men to men shall brothers be the world over. Day by day may we be engaged in building characters that shall endure the test of time and leave to this old earth a record worthy of emulation. While our lives are very brief, may they be very sacred and of great value to all who are to come after. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10425) entitled "An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1927, and for other purposes."

The message also announced that the Senate had passed with amendments bill (H. R. 9346) granting the consent of Congress to the construction of a bridge across the Rio Grande, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3418. An act to create an additional judge in the district of Maryland; and

S. 2981. An act to amend section 553 of the Code of Law for the District of Columbia.

S. 1304. An act for the relief of Hunter-Brown Co.

The message also announced that the Vice President had appointed Mr. BUTLER and Mr. SMITH members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

The message also announced that the Senate had agreed to House Concurrent Resolution No. 24 of the following title:

Resolved by the House of Representatives (the Senate concurring), That the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8771) to extend the time for commencing and completing the construction of a bridge across the Detroit River within or near the city limits of Detroit, Mich., be recommitted to the Committee on Commerce.